Mr. Speaker, on that sobering note, I include here as part of my remarks a fascinating outline of an imaginative pioneering effort in the field of space satellites, a discussion of the project "Minnie," proposed by Dr. I. M. Levitt, of the Franklin Institute, as follows:

THE LEVITT PROJECT: "MINNIE"

DESCRIPTION

Dr. Levitt's proposed satellite project, nicknamed "Minnie," consists of a four-stage liquid-fuel rocket. The bottom stage will be the improved version of the V-2 and the upper three stages will be smaller rockets of types which already exist. Stage four would contain a balloon covered with aluminum foil and weighing about 10 pounds. When the last stage had taken up orbit about 200 miles above the earth, the balloon would be released and inflated to a diameter of 15 feet by a small CO_2 cartridge. Then it would circle the earth like a new moon, balancing the centrifugal force caused by its terrific speed against the pull of earth's gravity.

COST OF THE PROJECT

"Minnie" will cost less than $10 million. This is less than the cost of a B-52 bomber. It is also less than 1 percent of the entire 1953 guided missile program. And in many ways "Minnie" will be one of the most important single missiles in our entire development program. She will pay for herself in money saved.

SIGNIFICANCE TO NATIONAL DEFENSE

"Minnie" will fit into the defense picture in several ways:

1. By using the moving satellite to triangulate the entire earth and parts of it, more accurate maps will be made at less expense (the ultimate savings will be several times the cost of the satellite). In this way the problems of accurately guiding missiles over intercontinental distances will be simplified and the accuracy of such missiles will be increased.

2. By similar techniques, the satellite will be used to determine the average value of the gravitational constant of the earth. This seemingly abstract value is of great use in the search for oil. Many field surveys into fruitless areas could be eliminated and many untapped fields opened if we knew the value of this constant. Once again the money saved will be several times the cost of the project.

3. As a propaganda device. Visible as a bright new star every evening, racing across the sky in a few minutes, the satellite would be a symbol of our strength and a warning to aggressors of what we are capable of developing.

DETERMINING THE ORBIT

Calculating the satellite's exact orbit will be as easy (to the astronomers) as calculating the orbit of a new comet. The satellite will be photographed against a background of stars and these photographs will show us its position in terms of what the astronomer calls right ascension and declination. This information will uniquely determine the path of the satellite's orbit around the earth. The hard part of the job will be tracking the beacon—it will cross from horizon to horizon like a plane 3 miles up moving at 225 miles per hour—but modern instruments in use at White Sands can do the job with only a few modifications.

TRIANGULATING

Since the observer will know the satellite's position at any time, three observations will allow him to determine his own position. Surveying nowadays, particularly in flat, featureless lands, often calls for expensive installations and highly paid crews. The satellite would not only save us a good deal of money but would increase the accuracy of our meaurements. The Atlantic Ocean, for instance, has been measured to within a thousand feet, using the moon and the same methods that would be used with the satellite. With "Minnie" lending a hand, the width of the Atlantic could be measured to within a hundred feet—which is particularly significant when firing guided missiles over intercontinental distances where an error of a thousand feet could mean much wasted time and money.

THE GRAVITATIONAL CONSTANT

With the aid of gravity meters, the modern geophysicist is able to explore the surface of the earth and map its gravitational field. Variations in this field are sometimes due to light deposits of oil under a salt dome. If the explorer knew the precise value of the average gravitational constant for the earth, he would be able to determine whether these variations are truly significant. Field surveys into doubtful areas could be eliminated and a part of the $5 million per year now spent on exploratory diggings in the United States could be saved. The effects of gravity on "Minnie's" orbit could be used to determine this important constant, which cannot be accurately measured by present methods.

SOME MISCELLANEOUS QUESTIONS

What about meteors?

If the satellite is struck by a meteor, nothing of any importance will happen. The carbon dioxide will leak out but the satellite will not be deflated. In space there is no external pressure to force it out of the shape it has already attained.

What will "Minnie" lead to?

Though there are practical reasons for the project, and though it will pay for itself in a few years, "Minnie" is also important for the things to which she will lead. The knowledge of missile design gained will enable us to put instrumented rockets into space. These more complex satellites will not only have value to the military and to persons interested in weather forecasting, but will also give us information about conditions beyond the atmosphere. Such information, eventually, will lead to the establishment of a manned space station. And from there the future is wide open.

How much work is being done now?

We don't know, but there is as much reason to believe no project is underway as there is to believe one is. Despite the logical reasons for building an unmanned satellite, many rocket engineers seem to be hesitant about the idea, a reaction which is almost traditional when dealing with great technical developments. The position was best summed up by Dr. Levitt in his original paper on the satellite delivered before the International Astronautical Federation Congress at Innsbruck: "In time the [satellite] beacon could be a natural evolution of the guided-missile program but the time can be shortened if a directive is issued for the establishment of a beacon."

SENATE

TUESDAY, AUGUST 2, 1955

The Senate met, in executive session, at 10 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, Thou hast written Thy law in our hearts. In Thy fellowship alone we find peace for our spirits and power for our tasks. In the brooding silence of this still moment, may open windows of faith flood our gloom with light that in Thy sunshine's blaze our day may brighter, fairer be.

We come with hearts grateful for freedom's glorious light. Dowered with privileges as no other nation, may the richness of our heritage be to us Thy call to protect the weak and exploited, to unshackle the enslaved, to clear the way for freedom, that through the potent ministry of our dear land all people of the earth may be blessed. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. CLEMENTS. Mr. President, I ask unanimous consent, as in legislative session, that the reading of the Journal of the proceedings of yesterday, Monday, August 1, 1955, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. BIBLE, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

SECURITIES AND EXCHANGE COMMISSION—HAROLD C. PATTERSON

The Senate resumed the consideration of the nomination of Harold C. Patterson to be a member of the Securities and Exchange Commission.

Mr. CLEMENTS. Mr. President, it is my understanding that the unfinished business is the nomination of Mr. Harold C. Patterson to be a member of the Securities and Exchange Commission. I do not see present on the floor the Senator who desires to address the Senate this morning, so I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LEHMAN. Mr. President——

The PRESIDING OFFICER (Mr. SCOTT in the chair). The Senator from New York.

Mr. LEHMAN. Mr. President, the pending question is on confirmation of the nomination of Mr. Harold C. Patterson, of Virginia, to be a member of the Securities and Exchange Commission, to succeed Mr. Paul R. Rowen, a member appointed by the last administration, whose term has expired.

Mr. President, I shall not confine my remarks to the nomination before us, because I believe the time has come to take a long and measured look at the emerging pattern of presidential nominations to the independent boards, commissions, and agencies created by Congress for the performance of functions delegated by Congress.

There is an odor arising in Washington, Mr. President; it is the odor of decay

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of the precious principle of government which holds that public office is a public trust. A picture is clearly developing, Mr. President, of a steady takeover of key Government positions created by Congress to protect the public against abuse by special, vested interests—a takeover, Mr. President, of those key positions by persons representing, in fact or in viewpoint, the very special interests against whom the public was intended to be protected.

The independent and quasi-judicial boards, commissions, and agencies of Government, established to police the various sectors of our economic life, are being assiduously manned by individuals lately engaged in the very industries and enterprises which the law intended to be policed and regulated by these boards, agencies, and commissions. The policed have become the police. The regulated have become the regulators. The judged have become the judges.

This trend merits our earnest attention, consideration, and our sober reflection. This trend is nowhere more clearly illustrated than in the pending nomination of Mr. Patterson to the Securities and Exchange Commission. Therefore, Mr. President, I propose to discuss this nomination at some length.

As chairman of the Banking and Currency Subcommittee to which was originally referred the nomination of Mr. Patterson, I conducted the first hearings on the nomination on June 8.

On July 22, I participated in the hearings held on July 22 by the full committee because so many grave questions arose in connection with the nomination that it was felt desirable to give the full committee the benefit of hearing Mr. Patterson in person, and an opportunity to question Mr. Patterson before voting on his nomination.

Mr. President, no vote was taken in the Securities Subcommittee of which I am chairman. We held no executive session. But on the basis of the vote in the full committee, the subcommittee vote would have been adverse to this nomination, 4 to 3. The subcommittee would have recommended to the committee that the Senate decline to consent to the nomination.

As it turned out, the full committee did, indeed, recommend the confirmation of the nomination of Mr. Patterson by a vote of 8 to 6, with 1 member of the committee not recorded. All of those who voted against the nomination were Democrats, members of the majority party in the Congress—or the minority party, so far as the administration is concerned.

Bear in mind, Mr. President, that this nomination is to fill a so-called minority vacancy on the Securities and Exchange Commission—a position which, by law, must be filled by a member of the Democratic Party. There are already 3 Republicans on the Commission, and the law says that no more than 3 Commissioners shall be members of the same political party. I want to emphasize to the Senate and to the country that this post is supposed to be filled by a Democrat; yet the majority of the Democrats on the Banking and Currency Committee—all but 1, in fact—voted against confirmation of the nomination.

The one Democratic member of the committee who voted in favor of this nomination is a representative of the State from which Mr. Patterson comes. His vote, that of the distinguished junior Senator from Virginia, is a natural one, and a compliment both to himself and to his State—but that one Democratic vote for Mr. Patterson does not, I submit, modify or alter the fact that the Democratic members of the Banking and Currency Committee voted overwhelmingly—virtually unanimously—against a man appointed to fill a Democratic vacancy on this Commission.

Now Mr. President, I do not wish the Senate to think that my opposition to this nomination is based on partisan or political grounds. There is a major principle involved here—a principle that must appeal to us all, Democrats and Republicans—a principle that we disregard at our hazard. Republicans in this body, if they disregard that principle—the principle of genuine bipartisan representation on bipartisan boards and commissions—may well regret the precedent.

I will speak more of this in a few moments.

But Mr. President, there is another principle involved here which is even more important to the country and to the general public than the question of bipartisan political representation.

I refer to the principle of public representation on independent quasi-judicial agencies, such as the Securities and Exchange Commission.

I charge that the President and his administration have consistently disregarded and violated this principle in respect to these agencies.

I charge that the President and his administration have treated and sought to regard these independent and quasi-judicial agencies as mere tools and implements of the administration's will, policies, and strategems.

I charge that many of the individuals appointed to these independent quasi-judicial agencies since January 1953 have been imbued not with the spirit of the laws they have been appointed to administer, but rather with the spirit and viewpoint of the administration to whom they owe their appointments.

I charge the President and his administration with having disregarded and violated the legal requirement that these quasi-judicial agencies should represent the law and the public interest rather than the very economic enterprises and interests these agencies are directed to supervise and police.

I charge the President and his administration with having disregarded and violated all these requirements with specific reference to the manning of the Securities and Exchange Commission.

I charge that the pending nomination, that of Mr. Harold C. Patterson, to the Securities and Exchange Commission is a part of the consistent pattern I have described.

I believe that it is not only the Senate's right, but the Senate's duty to take this pattern into account in the discharge of its statutory function to advise and consent to the pending nomination.

I believe that the Senate should decline to consent to this nomination, pending further study and review of the entire pattern I have described as far as the Securities and Exchange Commission is concerned.

Mr. President, I find no personal fault with Mr. Harold C. Patterson as an individual. There was no evidence or testimony before the committee reflecting upon his integrity of character, nor his qualifications for an office of public trust. But membership on the Securities and Exchange Commission does not seem to me to be the right office, in the light of the present makeup of the Securities and Exchange Commission. I would have some reservations upon Mr. Patterson's nomination to this Commission, in view of his background, at any time. But in view of the makeup of the Commission, as it stands, I am irrevocably opposed to Mr. Patterson's confirmation.

It may be claimed that the only question before us is whether Mr. Patterson is an honorable individual, of tolerable character and attainments, and that if he is, we have no choice but to confirm him.

It may even be claimed that the President has the nominating power, and that we must not impinge upon that authority by sitting in judgment on the wisdom of the President's choice—provided that the nominee is not obnoxious, reprehensible, or unworthy of public trust.

I will not go along with that narrow view of the authority of the United States Senate. The law says that this appointment is to be made by the President, with the advice and consent of the Senate.

As a general rule, I believe—and have always believed—that the appointing authority—in this case the President of the United States—should enjoy the widest possible latitude in the selection of the individuals who are to assist him in carrying out his policies.

The Senate must still advise and consent, but in regard to positions directly responsible to the President, I would not withhold my consent except for clear and major cause of impropriety or defect in character.

But the question to which I am addressing myself today is different. Today I am discussing appointments to the independent boards, commissions and agencies, which are responsible to Congress and which do, in fact, report to Congress—the agencies which are defined by law as independent, quasi-judicial and bipartisan.

With specific reference to the pending nomination of Mr. Patterson to the SEC, we must advise. We must consent. It is within our jurisdiction—nay it is our duty—to consider not only whether Mr. Patterson personally merits our consent but also—and more importantly in this case—what the effect of our action will be on the Securities and Exchange Commission.

We have an opportunity here to pass judgment not so much upon Mr. Patterson personally, but upon the events involving the SEC which have lately been

disclosed to public view through the hearings of the Kilgore-Kefauver subcommittee of the Judiciary Committee.

But more of this, too, in a moment. First let us review the record—the record of hearings in which the sole witness was Mr. Patterson.

He testified, among other things, that he was a partner in the firm of Auchincloss, Parker and Redpath, an investment house dealing in securities, until June of last year, when he severed his business connections to become Director of the Division of Trading and Exchanges in the Securities and Exchange Commission, a schedule C position, exempt from civil service, and therefore a political position.

He was appointed to that position, without a civil service examination, by the Republican Chairman of the SEC.

Prior to that, for something over 30 years, Mr. Patterson had been in the securities business, having served at various times as a member of the board of governors of the New York Curb Exchange, and of the National Association of Securities Dealers, of which he was also treasurer, until he became Director of the Division of Trading and Exchanges of the SEC in June of last year.

Mr. President, I want here and now to express my sense of utter shock that Mr. Patterson should have been appointed to this vital position of the SEC staff in the first place, last year. This office in the SEC—that of Director of Trading and Exchanges—exercises direct supervision over all the stock exchanges, including the activities of the National Association of Securities Dealers. Yet, until he took the SEC job in June of last year, Mr. Patterson was a high ranking official of this very same organization whose activities Mr. Patterson, in his new job, is supposed to regulate.

At any rate, after serving for somewhat less than a year as Director of the Trading and Exchanges Division in the SEC, Mr. Patterson was selected by the President for nomination to the Commission, itself. So in the year Mr. Patterson was employed as a Director of the Division of Trading and Exchanges of the SEC, he was actually serving a sort of apprenticeship—a brief apprenticeship—prior to his nomination as a Commissioner. Of course, Mr. Patterson did not really need much of an apprenticeship. He had spent 30 years in the securities business which has been regulated, for the last 20 years, by the SEC. He must have known the ropes—I will grant him that.

I suggest, Mr. President, that this is an astounding case of direct transfer from governed to governor—from membership of the board of directors of the National Association of Securities Dealers to membership on the Securities and Exchange Commission. It strikes me as being not only improper, on the part of the appointive authorities, but outrageous.

Mr. Patterson testified further before our committee that he was sponsored for the pending nomination by the mayor of Alexandria, Mayor Beverley, a personal friend.

He testified also that he was cleared for this position—as a minority member of the SEC—a Democratic post—by the Republican National Committee, by a certain Mr. Potter, who is assistant to the chairman of the Republican National Committee.

To do him justice, he testified that he was cleared also by the two distinguished Senators from Virginia [Mr. BYRD and Mr. ROBERTSON].

Finally, he testified before the full committee that he had voted for President Eisenhower in 1952. I believe it to be a fact that his original sponsor, Mayor Beverley, of Alexandria, was a strong and outspoken supporter of the candidacy of General Eisenhower in 1952.

How could anyone claim that this man would represent the Democratic philosophy of life on a bipartisan, quasi-judicial board, which reports to Congress, not to the President? I will say, in order to do justice to Mr. Patterson, that he has voted the Democratic ticket consistently since moving to Virginia in 1931, although he is not a registered Democrat, and has never been active in Democratic politics or in any kind of politics, he said.

Before 1931 he lived in Rhode Island, was not registered, and did not vote.

Mr. MORSE. I should like to comment briefly on the point the Senator from New York has made about the sponsorship of Mr. Patterson. I have before me a copy of the Washington Post and Times Herald of yesterday, Monday, August 1. I should like to read into the RECORD at this point, with the permission of the Senator from New York and of the Senate, an interesting article. It is not very long. It is headed "Alexandria Democrats Band for Ike." It reads as follows:

ALEXANDRIA DEMOCRATS BAND FOR IKE—MARSHALL BEVERLEY, CITY'S FORMER MAYOR, LAUNCHES MOVEMENT

Alexandria's former mayor, Marshall J. Beverley, who did not seek reelection this year, is back in politics.

He announced yesterday he has organized a Democrats for Reelection of Eisenhower Club to ask the President to seek reelection and pledge to support him if he does.

Beverley says he has signatures of 60 Alexandria Democrats on a petition, circulated while he was on vacation from his job as bank vice president. He hopes to get 1,000 signatures and present the petition to the President in person.

On the list already, Beverley said, are four former Democratic committeemen of Alexandria, a former member of the State central committee, the general chairman of Gov. Thomas B. Stanley's last campaign, and the Alexandria manager of Senator HARRY F. BYRD's last reelection campaign.

Only one Democrat approached refused to sign the petition, Beverley said.

Beverley said headquarters for his new organization, of which he is chairman, would be at his new home, 1212 Quincy Street, Alexandria.

On the basis of that news story, I should like to ask the Senator from New York several questions:

First, is it not correct to say that the records before our committee show that the mayor of Alexandria was the man who sponsored Mr. Patterson and who first suggested that he permit his name to be advanced for appointment to the Securities and Exchange Commission?

Mr. LEHMAN. The Senator from Oregon is completely correct in his recollection of the testimony. That can be shown, of course, by the record. Mr. Patterson testified that his first and chief sponsor was Mayor Beverley, of Alexandria.

Mr. MORSE. Is it not correct to say also that the two Senators from Virginia did not in the first instance sponsor Mr. Patterson, and that the only part they played in the matter was that after Alexandria's mayor, who was one of the principal Eisenhower supporters in Virginia, proposed Patterson, the two Senators were then in effect asked if they would give him clearance. The Senator from New York and I know that when it comes to the matter of clearance, Senators frequently give clearance to people whom they do not sponsor. Neither the senior Senator [Mr. BYRD] nor the junior Senator [Mr. ROBERTSON] were mentioned as sponsors of Mr. Patterson, but as Senators who had given clearance to him. Is not that the fact on the record of the committee?

Mr. LEHMAN. I may say to the Senator from Oregon that, as usual, he is completely right. According to my recollection, neither of the Virginia Senators appeared in his behalf before the committee when he testified. In support of what the Senator from Oregon has said, I shall read the following testimony:

Senator MORSE. You said that as far as you know, you were first sponsored by the mayor of Alexandria.

Mr. PATTERSON. Yes, sir.

Senator MORSE. You were not first sponsored by either one of the Democratic Senators from Virginia.

Mr. PATTERSON. Well, the mayor of Alexandria spoke to the Democratic Senators on my behalf.

Mr. MORSE. That is my understanding. I may say to the Senator from New York that when the nomination was before the full committee, the Senator from Virginia [Mr. ROBERTSON], who is a member of the committee, did appear and made clear at that meeting that he had given clearance to Mr. Patterson. I believe the RECORD is perfectly clear that the sponsorship came from neither of the Virginia Senators in the first instance, but that the sponsorship came from the mayor of Alexandria, who was one of the leaders in the elect Eisenhower movement. As the Senator from New York has already pointed out, and I shall dwell on in some detail in my own speech later, this candidate himself was an Eisenhower Democrat.

Mr. LEHMAN. I wish to emphasize with all the force at my command that before the nomination of Mr. Patterson was sent to the Senate it was cleared by the Republican National Committee.

Mr. MORSE. The nomination was cleared by the Republican National Committee, but it was never presented to the Democratic National Committee.

I wish to commend the Senator from New York for making this record. We know that making a record is all we are doing today. However, it is a record which will live on, and people will review the record in the future with regret that they did not pay attention to it

today. We are making the record today that what is happening under the Eisenhower administration is a breakdown in the two-party system with respect to independent agencies. The administration is not filling them with Republicans and Democrats. It is filling them with Republicans and Eisenhower Democrats.

Mr. LEHMAN. I thank the Senator from Oregon.

Mr. President, since he testified that he is a Democrat, I suppose we must accept the statement that he is a Democrat, but only by his own definition. By no other logical definition could he be considered eligible for appointment as a member of this quasi-judicial, independent, regulatory body.

How can anyone tell whether he is a Democrat of such identification with the views and principles of the Democratic Party as to justify his being named to the Securities and Exchange Commission to represent the minority political viewpoint on that Commission? His support of Eisenhower in 1952 does not so qualify him. Certainly, his clearance by the Republican National Committee before his name was submitted does not qualify him. Certainly, his long experience in connection with the securities business, but not at all in any public capacity, does not entitle him to be considered a representative of the public.

Mr. President, the Association of Securities Dealers, and the various stock exchanges with which Mr. Patterson has been associated through the years fought tooth and nail against the Securities and Exchange Act, against the Utility Holding Company Act, and, indeed, against every piece of legislation advocated by the Democratic Party for the reform of the stock exchanges, the investment business, and the financial community—against, in fact, every major program which the SEC administers today.

I do not charge—because I do not have the evidence—that Mr. Patterson took a leading part, or any personal part at all, in these efforts. But the record of the industry of which we was a part and with which he was identified for more than 20 years is perfectly clear with regard to the SEC and all its programs of the past. Today the industry has made its peace with the SEC and praises the Securities and Exchange Act and all the major programs of the Securities and Exchange Commission. Mr. Patterson testified that he believed in those programs and in the present functions of the SEC.

Can it be that this is due to the fact that the SEC has been taken over and is administered now in a manner quite satisfactory to the industry which SEC is supposed to regulate? I do not know the answer to this question.

Of course, Mr. President, I am glad that the industry under regulations sees eye to eye today with the Government body doing the regulating. But it is vital for us to understand that there is a clear separation of interest between the SEC, whose duty it is to protect the public—both the investing public and the general public—and the investment companies and the exchanges, whose purpose it is to make profits and provide a profitable market for the financial community.

Let us see what the United States Government Organization Manual, the official publication of the Federal Government, has to say about the functions of the SEC:

> The general objective of the statutes administered by the Commission is to protect the interests of the public and investors against malpractices in the securities and financial markets.

The function is to protect the public and to police the industry. This cannot be done, in the nature of things, by representatives of the industry or exclusively by individuals associated with the industry, or who reflect the psychology of the industry.

Yet in Mr. Patterson, we have an individual who comes to the SEC directly from a partnership in a brokerage house, and from being an officer of the National Association of Securities Dealers.

Mind you, Mr. President, the National Association of Security Dealers is one of the very important organizations which must be supervised and regulated by the SEC. Yet, without any intervening period of time to concern himself with the public interest, he goes from this important position in the National Association of Security Dealers into this governmental agency, where the responsibility is his to regulate and supervise the securities business.

But, Mr. President, this is not the whole story by any means. It is only the beginning of the story.

The Securities Exchange Act establishes the qualifications of Commissioners of the SEC. After providing for a commission of five members, it further provides:

> Not more than three of such Commissioners shall be members of the same political party, and in making appointments, members of different political parties shall be appointed alternately as nearly as may be practicable. No Commissioner shall engage in any other business, vocation, or employment than that of serving as Commissioner, nor shall any Commissioner participate directly or indirectly, in any stock-market operations or transactions of a character subject to regulation by the Commission.

The act thus attempts to assure the independence of the Commission—independence from business interests which the Commission is established to regulate—and independence from executive pressure.

It is this independence both from executive control and the financial community which was the inspiration of the SEC's creation. It will be remembered that at the time of the enactment of the Securities Exchange Act in 1934, it was the House bill which was enacted into law, with one significant exception—the establishment of an independent commission, a concept adopted from the Senate bill.

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. MORSE. I am very much gratified that the Senator from New York is stressing the matter of maintaining independent agencies. I intend to go into the subject in some detail in my speech on this nomination, but I do think a record should be made, and for that reason I should like to ask the Senator a few questions.

Is it not true that the law establishing the Securities and Exchange Commission sought to make the Commission free and independent from executive control?

Mr. LEHMAN. That is absolutely correct. The entire law was based on that concept.

Mr. MORSE. Is it not true that the whole development of administrative law in our country was brought about in part because of a recognition of the need of having quasi-judicial agencies which would be independent of the Executive, and also, for that matter, independent of the Congress, when it comes to the performance of their judicial functions?

Mr. LEHMAN. The Senator from Oregon is eminently correct. The whole concept was that the Commission should be actually a bipartisan and independent agency—independent of control by the Executive or by the Congress, except that Congress might write appropriate legislation.

Mr. MORSE. Is it not a fact that in the subcommittee and, again, in the full committee hearings, when we were discussing the question of maintaining the integrity of an independent agency, it was brought out that the present 4 members of the Securities and Exchange Commission were really taken from the industry, or, in the case of 2 of them from 2 corporation law firms which frequently represented clients in connection with Securities and Exchange matters, and their representations, in fact, have been in opposition to attempted controls on the part of the Securities and Exchange Commission, and, therefore, would have to be classified as men who were taken from industry rather than men who were neither from within the industry nor men who had been representing brokers within the industry?

Mr. LEHMAN. There is no question that the record will clearly show the accuracy of the statement just made by the Senator from Oregon. Under the questions which were addressed to the witnesses by the senior Senator from Oregon and the junior Senator from New York, it was made amply clear that there was no public representation whatsoever on the board; and that, I may add, is true of virtually every quasi-judicial, bipartisan, independent agency at the present moment. There has been a complete change from what the situation was a few years ago.

Mr. MORSE. Does the Senator from New York recall that some of our colleagues on the committee, who do not share our position about the Patterson nomination, sought to answer our contention that men ought to be selected from outside the industry to serve on bipartisan commissions? The argument used by some of our colleagues was that it was necessary to have men from within the industry, so that the public could be assured of having as members of commissions men who had the professional and expert knowledge needed

for the operation of the commissions? Does the Senator recall that argument?

Mr. LEHMAN. Yes; I remember it very well indeed.

Mr. MORSE. Does the Senator share the point of view that only stockbrokers and men in the securities business or lawyers representing stockbrokers and others engaged in the securities business are men who have knowledge of the securities business? Or does the Senator agree with me that there are simply legions of qualified persons in the United States with an understanding of the securities business who could be appointed to such a Commission as this, and who themselves have not had a past or a present financial interest in the brokerage business?

Mr. LEHMAN. I fully agree with the Senator from Oregon. What he has just said is clearly demonstrated by the record of the SEC in previous years, which shows that men were not appointed exclusively by reason of their knowledge and experience in the stock exchange business, but because they represented a public interest—the interest of the investor and the interest of the public generally.

Mr. MORSE. Does the Senator from New York agree with me that we have cause to be disturbed and somewhat alarmed over what seems to be the philosophy of the President of the United States when it comes to the filling of these positions, namely, that only men from big business, apparently, are qualified to sit on boards which have the responsibility of regulating big business?

Mr. LEHMAN. I am very deeply disturbed over that situation. Like the Senator from Oregon and some of my other colleagues, I have sought to raise my voice, and I have raised my voice frequently, in protest. But the situation has now reached such a point that it is essential that Members of Congress and the public generally realize what the conditions are and how the administration has departed from the concept on which these agencies were created.

Mr. MORSE. To illustrate the point the Senator from New York and I are trying to bring out, and I think it is a point which the American people ought to reflect upon—namely the tendency on the part of the President to put big businessmen on regulatory bodies which have the public responsibility of regulating big business—let us suppose this hypothetical situation: Suppose we were to set up an arbitration court in the field of labor relations, and the President should appoint as the members of that court the heads of three major unions in the United States. Does the Senator have some idea of the barrage of furor, hysteria, and criticism which would sweep the country with respect to such appointments?

Mr. LEHMAN. I do visualize it. Such a barrage of criticism would be fully justified, under those circumstances.

Mr. MORSE. Absolutely. I would be just as much opposed to the appointing of the head of a union to a quasi-judicial tribunal whose purpose was to regulate labor practices in the United States as I am opposed to appointing exstockbrokers and high financiers to the Securities and Exchange Commission to regulate high finance.

Mr. LEHMAN. I thank the Senator from Oregon.

At the time the creation of the Commission was under discussion, the House was considering a commission on which the stock exchanges and the securities dealers would be represented. The Senate took a strong stand against such a commission, and in favor of a completely different body. The law which was finally enacted wisely followed the Senate version in this respect.

I should now like to refer to the debate which took place in the Senate in 1934, when the Securities and Exchange Commission Act was passed. I wish to quote the words of the great chairman of the Committee on Appropriations of that time, the father of the Federal Reserve System, Senator Carter Glass, of Virginia—of Virginia, mind you, Mr. President. Listen to what Senator Glass had to say, in 1934, about the proposal that the stock exchanges and the security houses be represented on the Securities and Exchange Commission. Said Carter Glass—and he was referring to the Securities and Exchange Commission:

> The commission proposed by the stock exchange was as different from the Commission embodied in this bill as the day is from night. The stock exchange was to have material representation of its own upon the commission it proposed, and on this Commission (as established by the SEC Act) there is to be no member of the stock exchange, and the members of the Commission are textually prohibited from having any connection whatsoever, direct or indirect, with any of the stock exchanges.

That is what Carter Glass said in 1934—"The members of the Commission are textually prohibited from having any connection whatsoever, direct or indirect"—I repeat "direct or indirect"—"with any of the stock exchanges."

This was the view of the Securities and Exchange Commission generally held by the framers of the Securities and Exchange Act. It was the view held by President Roosevelt and President Truman, and it guided them in making their appointments to this Commission.

This is, in fact, a basic and unchallenged view, not only of this Commission, but also of all the quasi-judicial boards, agencies, and commissions of the Government—that they should be completely independent of the industry or the sector of the economy which such boards, agencies, and commissions supervise and regulate.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. LEHMAN. I am glad to yield.

Mr. BUSH. Would the Senator consider that the appointment of Joseph P. Kennedy, the first chairman, or an early chairman, of the SEC, and later Ambassador to Great Britain, was an appointment of one who was completely dissociated from the industry?

Mr. LEHMAN. I do not know enough about Mr. Kennedy's experience prior to his service on the Commision.

Mr. BUSH. At the time the appointment was made, all the recommendations concerning Mr. Kennedy were very favorable. There was no opposition. In fact, there was a great deal of enthusiasm about the appointment on the part of both Republican and Democrats, although to a somewhat lesser extent by Republicans. But I do not believe there was any opposition to it.

However, Mr. Kennedy's credentials were largely based on the fact of his great familiarity with the securities markets and his great activity in those markets. Mr. Kennedy really put the SEC on the map and gave it a good start.

I ask the Senator, too, if his arguments are consistent with President Roosevelt's appointment of John W. Hanes to the Securities and Exchange Commission in the 1930's. I cannot remember exactly when Mr. Hanes became a member, but I think it was in 1936 or thereabouts. At any rate, it was in the 1930's. Mr. Hanes had spent his entire business life in the securities business, in the brokerage underwriting field.

President Roosevelt, I think very wisely, appointed him to the SEC, and he was so successful and so well thought of in that capacity that the President later appointed him Under Secretary of the Treasury, when Mr. Morgenthau was Secretary, as I am sure my good friend from New York will remember.

Mr. LEHMAN. I am perfectly willing to accept the statement of the Senator.

Mr. BUSH. I wish to say to the Senator that the other Presidents referred to ignored the professional and the industrial background—if we can call it industrial—of some of the appointees they chose, who were among the very best men appointed.

Mr. LEHMAN. I may say to the Senator from Connecticut that I think former Ambassador Kennedy was certainly a very excellent administrator. I do not recall exactly what his business connections were prior to 1934. My recollection is that he was not an investment banker or a securities dealer. He undoubtedly was familiar with the problems of finance, but I do not believe he was actually connected with any investment firm or any firm dealing directly with securities.

So far as Mr. Hanes is concerned, I know very little about him. I know he had been very much interested in many industrial concerns. He undoubtedly was a very able man. Whether he was connected with any stock exchange firm or not, I do not know. His main interest was in industrial development.

Mr. BUSH. My statement to the Senator was with full knowledge of the fact that Mr. Hanes was in the brokerage and underwriting business virtually exclusively up until the time he went to the SEC. Up to that time he had devoted his whole business life to that activity.

With reference to Mr. Kennedy, I am not sure of the details of his background, but I know his whole background was connected with securities.

Mr. LEHMAN. I am sure it was, but I am also quite sure he was not connected with any investment banker.

Mr. BUSH. I am not certain, but I do not dispute the Senator. However, I know he was regarded as a professional who thoroughly understood all aspects

of the market, and for that reason his appointment was regarded as an excellent one, and the President was congratulated for making the appointment, and I do not think there was any opposition to it.

Mr. LEHMAN. What I have said about the public interest concepts of the law when it was originally enacted in 1934 applies as a basic and unchallenged view applicable not only to the Securities and Exchange Commission but to all quasi-judicial boards, agencies and commissions of the Government—in other words, they should be completely independent of the industry or the sector of the economy which the boards, agencies, or commissions supervise and regulate.

This independence is achieved by staggering the terms of the members and by making the boards bipartisan. Let us never forget that the boards are supposed to be bipartisan in spirit as well as in letter. That is also achieved by selecting commissioners or board members from among individuals who have no direct connection—or at least no recent connection—with the industries in question. Board and commission members have been thus selected from the civil service, from analogous State commissions, from among retired Members of Congress, and from the universities—from among men and women with public backgrounds and experience in representing the public.

It is all very well to say that these individuals should know something about the industries they are named to regulate—and to ask where better they could be gotten than from the ranks of the industry itself. There is such a thing, however, as knowing too much—from the wrong point of view.

I wish to say parenthetically, Mr. President, that I do not object to an appointee's being familiar with the industry concerned, but I do object very seriously to entire commission being picked from that industry, and that is exactly what has happened in the case of the SEC and of many other agencies of the Government, which aspect I shall develop in a few minutes in the course of my remarks.

That is a dangerous thing—as Congress has specifically recognized through the years, ever since the first quasi-judicial independent agency was established—and as far as I know that was the Interstate Commerce Commission, established in 1887.

It is perfectly obvious that these commissions cannot be independent and they cannot be quasi-judicial if their members come from the industries which are supposed to be regulated. This does not mean that there are not individuals from a particular industry who, if appointed to a public regulatory body with police powers over that industry, would not faithfully serve the public interest. But ordinary common sense has dictated that to insure the independence of these regulatory bodies, it is wise to refrain from appointing men having any connection—direct or indirect—with the industry in question.

This commonsense was reflected in the statement by the late Senator Carter Glass which I have already quoted. And when he said there should be no connection—direct or indirect—he meant, I am sure, just such individuals as Mr. Patterson, the nominee before us, the Senate—a man who came to the SEC directly from the industry policed by the SEC, from a position as treasurer of the National Association of Securities Dealers to the position of chief regulator of the Association of Securities Dealers.

This is subversion, indeed—subversion of the intent of Congress, subversion of the independence and the quasi-judicial character of the SEC.

Let us see, now, what has happened to the SEC in the last 3 years.

There is only one holdover member appointed by the last administration—a Republican, Mr. Adams, a former commissioner of securities for the State of Connecticut. Mr. Adams was, at one time, connected with the securities business, but that was some years ago.

The present Chairman, Mr. Armstrong, before he was appointed to the SEC, was a member of a large Chicago law firm which had a considerable securities practice, representing investment banks and brokerage houses. Mr. Armstrong had appeared frequently before subordinate offices of the SEC, in connection with the filing of SEC registration statements. Mr. Armstrong certainly had an indirect association with the securities and investment business, although there is no question that he severed his connections with his law firm, prior to assuming office as a member of the SEC. Mr. Armstrong is, of course, a Republican.

Now, let us take a look at Mr. A. Jack Goodwin. Mr. Goodwin is a Democratic member of the Commission. He comes from the Democratic State of Alabama, and was spoken for, when his nomination was presented to the Banking and Currency Committee in July 1953, by my two eminent, distinguished, and beloved colleagues, the Senators from Alabama [Mr. HILL and Mr. SPARKMAN]. Mr. Goodwin, before he went to Alabama, to become associated with a banking firm as an investment officer, was employed by Dillon, Read & Co., the great investment banking house of New York City. But that was some years ago. From 1946 to 1953, Mr. Goodwin was a banker in Alabama.

Now, let us look at the fourth member of the Commission, Mr. Andrew D. Orrick. Mr. Orrick is from California, and was associated with a very prominent firm of lawyers, headed by his father, which represented, among other firms, a number of banks, brokerage houses, and holding companies subject to SEC regulations. In February of 1954, Mr. Orrick was appointed Regional Administrator of the Securities and Exchange Commission; and in May of 1955, he was named to the Securities and Exchange Commission. Mr. Orrick is a Republican.

Here we have four members of the Securities and Exchange Commission, all of whom have had at least some connection with the banking and securities business. Some of them had a closer connection than others. But only one of them has any kind of a public-service background, and that is the one holdover appointment, Commissioner Adams, a Republican member, a former State commissioner of securities in Connecticut. All the rest went directly from business or from the private practice of law to the SEC.

From a Commission which was originally designed to be entirely representative of the public interest, it has become an agency whose members have, for the most part, backgrounds of private representation—representing banks, brokerage houses, and great industries which are, to one extent or another, subject to regulation by the SEC. How could these members of the SEC help but be influenced by their backgrounds? How could they be expected to reflect the public viewpoint and the spirit of the SEC Act, as intended by Congress when that act was passed in 1934?

I have nothing against any of the individual members of the SEC. They are all, I am sure, even like Mr. Patterson, honorable men. I did not oppose the confirmation of a single one of them. Individually, they are, I am sure, men of ability and quality. But collectively, Mr. President, they represent a slant wholly different from that intended to be given to the SEC—a private industry slant, and a proadministration slant, a subservience to the wishes of the Executive, rather than an unyielding loyalty to the spirit of the law.

I believe, personally—and I cannot document it today but I think it should be looked into—that the SEC has favored the interests of business over the public interest. That is my general impression.

But I do know—and this can be documented—it has been documented by the Kefauver committee—that the SEC has knuckled under to administration pressure. It has not even resisted such pressure, as far as I know. It willingly accepted suggestions from the White House that SEC proceedings in the Dixon-Yates case be postponed—in support of administration strategy on Capitol Hill. The assistant to the President, Mr. Sherman Adams, felt free to make such a suggestion. The Chairman of the SEC felt free to act upon it. This was not only highly improper on both sides, but, even worse, it reflected the deeply mistaken assumption that the SEC is an agency of the executive branch of Government, subject to the directions of the Executive.

But the SEC is, in fact—and, Mr. President, I cannot repeat this too often or emphasize it too strongly—an independent quasi-judicial agency, an agent of Congress, and at the same time an adjunct of the courts, and hence was deliberately safeguarded, by law, against executive interference or direction.

Who among us would think of calling up a judge and asking him to postpone a trial because it might prejudice a vote on our favorite bill? Yet that is what Mr. Adams did from the White House; and Mr. Armstrong, Chairman of the SEC, faithfully complied with the request.

Mr. President, I am aware that we face a somewhat anomalous situation here. The present administration, generally speaking, has a probusiness attitude and policy. The SEC Act is aimed against abuses by business interests.

We might expect that appointees of the present administration, representing the Republican Party, would be a little soft toward business. That is all the more reason, then, for the Senate to scrutinize carefully every nomination made by the administration to each of these independent quasi-judicial boards and commissions, whose job it is to administer laws and programs which may run counter to the prevailing spirit and philosophy of the administration.

Congress must insist that the administration refrain from overt forms of pressure, on these independent agencies, and from overt exercise of influence in regard to specific matters pending before them.

Certainly Congress must insist that these agencies resist administration pressure and influence. One way Congress can do this is by carefully screening the nominations to these independent agencies in order to insure that they are not being packed with individuals subject to administration pressure and influence.

It is all the more important, then, that minority members of these independent agencies should be truly minority members, truly representative of the minority point of view. They should not be Eisenhower Democrats. They should not be spokesmen of the industry they are assigned to regulate.

Mr. Patterson violates both of these requirements. His nomination should not be confirmed.

Moreover, I believe it vital that there be a thorough inquiry—a fact-finding inquiry—into the record of the SEC under its present management and membership. As chairman of the Securities Subcommittee of the Banking and Currency Committee, I shall propose the making of such an inqury, to the extent justified by the facts developed.

But, Mr. President, the SEC is not the only agency involved in my protest against the administration. It is not the only independent quasi-judicial agency which the administration has captured by nomination and has made into an instrument of administration strategy and policy—in defiance of basic law.

We know that the Atomic Energy Commission has been so taken over and so used. We know that the same effort was made with the TVA. We suspect it of other independent agencies. We do know, in regard to some of these other agencies, that they have been packed, in many cases, and to the extent possible, with individuals not only responsive to administration will, but, in fact, representing the very industries and sectors of the economy they are supposed to regulate.

On July 16, I testified before the Interstate and Foreign Commerce Committee of the Senate in opposition to confirmation of the nomination of William Kern, to be a member of the Federal Trade Commission, to replace Commissioner James Mead, a distinguished citizen of my State, and a former Member of this very body, as well as of the House. I said on that occasion:

> Time and time again during the past 2 years, tried and true defenders of the public interest have been replaced on the regulatory agencies established by Congress with individuals who, by background and past association, might be expected to be directly opposed to the purpose of the laws they are appointed to administer.

That is completely true, Mr. President. The case of Jim Mead is actually less of a case in point than others, although it was a great shame to lose Jim Mead, a valiant defender of the public interest, from the Federal Trade Commission.

The present Chairman of the Federal Trade Commission is an even more outstanding case. Mr. Edward F. Howrey had spent 25 years as a lawyer in Washington, practicing before the Federal Trade Commission on behalf of the great firms and corporations brought before the FTC on charges and complaints. Mr. Howrey spent a quarter of a century directing legal assaults against the Federal Trade Commission, and this was the man appointed by the President to be Chairman of the FTC.

Then there is the case of Mr. Albert M. Cole, an untiring enemy of public housing while he was a Member of Congress, appointed as Administrator of the Housing and Home Finance Agency.

There was also the case of Mr. Allen O. Hunter, also an ex-Member of Congress and also an inveterate crusader against housing, appointed general counsel of the Housing and Home Finance Agency.

Then there was the case of Mr. George C. McConnaghey, a utilities lawyer, and special counsel for the Bell Telephone Co., appointed to head the Federal Communications Commission.

There was the case of Mr. Albert C. Beeson, appointed to the National Labor Relations Board, directly from industry, from a position as industrial relations director for a large California corporation, a vice president and director of the Employers Council of Santa Clara, Calif. Mr. Beeson did not even leave his firm to take the appointment. He merely took a leave of absence for a year—until the labor committee caught up with him. He was confirmed by a vote of 45 to 42. He served on the Commission for a year. Now he is back with his firm, as far as I know.

The present Chairman of the National Labor Relations Board, Mr. Guy Farmer, was an industrial relations lawyer, frequently representing management before the NLRB. And he was appointed Chairman of the NLRB.

And then there was Mr. Theophil C. Kammholtz, appointed General Counsel of the NLRB, also a labor relations lawyer who practiced extensively—almost 90 percent of his practice, I am told—representing management in labor matters, including many cases before the NLRB.

I could go on, Mr. President. There are many other such cases—almost as many as there have been appointments.

The whole pattern consists of three main motifs. Appointees must:

First. Be subject to administration control and influence, whether they be Republicans or nominal Democrats;

Second. Reflect the viewpoint of the industries and special interests being regulated and policed;

Third. Be directly out of the ranks of business or the private practice of law, without experience or background in public service or public administration.

In almost every appointment made by this administration, at least one of these criteria has been served; in many cases, two; and in some cases, all three. There may have been one or two exceptions. They have been as rare as snow in August.

I say to Members of the Senate, and to the country, that notice must be served on the President and the administration that this process must be restrained; this trend must be halted and reversed.

Let me emphasize that I am not referring to the President's appointments to his own immediate official family. I am not referring to his appointments to purely executive agencies and bureaus. I am not referring to diplomatic and other appointments. That is another matter.

I am referring principally to his appointments to the independent bi-partisan quasi-judicial agencies.

I am referring to the subversion of the independence of these agencies, and of both their quasi-judicial and bipartisan character.

I am referring to the undermining of the purpose of the basic laws under which these agencies are supposed to operate by manning them with individuals either basically unsympathetic with the purpose of these laws, or utterly unaware, because of a lack of public service experience, of the high requirements of public representation and quasi-judicial determination.

Mr. President, I do not think the people of this country are, as a whole, clearly aware of what has been going on. But they are becoming aware.

Now is the time for us, here in the Senate, to take notice of what has been happening. We can take such notice by refusing to confirm the nomination of Mr. Patterson to the Securities and Exchange Commission, an appointment which illustrates the worst features of the practices I have been talking about.

Mr. Patterson is not a true representative of the minority political viewpoint.

Mr. Patterson is not a public representative.

Mr. Patterson is primarily beholden to this administration.

Mr. Patterson has been an integral part of the industry which he is being appointed to police and regulate.

I urge the Senate to return this nomination to the Banking and Currency Committee for further consideration, including a study of the manner in which the SEC, as presently constituted, has been carrying out the intent of the laws under which that organization operates.

Mr. CLEMENTS. Mr. President, last night there was considerable discussion about the procedure today in connection with the consideration of nominations on the Executive Calendar. At that time there was discussion on the

floor about the time which would be needed by Senators on both sides of the aisle who wished to express themselves on these nominations.

I have discussed the subject today with several Members on this side of the aisle, particularly with the Senator from Oregon [Mr. MORSE]. He is agreeable to a limitation of time in the consideration of the nomination of Mr. Patterson. The Senator from Oregon is present in the Chamber. I should like to have him hear what I am about to say further with regard to the presentation of a unanimous-consent request.

Mr. MORSE. Mr. President, will the Senator allow me time enough to send for the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT], who is just outside the door? He desired to be consulted.

Mr. CLEMENTS. I am glad to accede to the wishes of the Senator from Oregon.

Mr. MORSE. I have sent for the Senator from Arkansas.

Mr. FULBRIGHT entered the Chamber.

Mr. CLEMENTS. Mr. President, I have just made the statement that I have had a conversation with the Senator from Oregon. There was a colloquy last night in which the Senator from Oregon stated, in a very positive way, that he thought some limitation was satisfactory, and that a long delay would be unwise and unnecessary. He might not have used those exact words, but he left that impression with me.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. MORSE. I will say that in view of the able presentation made by the Senator from New York [Mr. LEHMAN], so far as I am concerned, my speech will be cut down considerably, and I shall be relatively brief.

Mr. CLEMENTS. Let me repeat my statement in the presence of the chairman of the committee, the distinguished Senator from Arkansas.

I stated that last night there was considerable discussion relative to a limitation of time in the consideration of the nomination of Mr. Patterson to be a member of the Securities and Exchange Commission. At that time 2 hours on each side was mentioned. This morning we have had about an hour and 10 minutes of debate on the subject before the Senate. The unanimous-consent request I am about to present to the Senate would limit debate to 2 hours to each side. We are in the closing hours—I wish I could say in the closing minutes—of the session.

I take it that what each Member wishes to do is to make clear on the RECORD his position with reference to the Patterson nomination. I send to the desk a proposed unanimous-consent agreement and ask that it be read for the information of the Senate.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read the proposed unanimous-consent agreement, as follows:

Ordered, That on the question of advising and consenting to the nomination of Harold C. Patterson, of Virginia, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1960, including any motion relating to said nomination, further debate shall be limited to 2 hours, to be equally divided and controlled by the acting majority leader and the minority leader.

The PRESIDING OFFICER. Is there objection?

Mr. FULBRIGHT. Mr. President, how much time does the Senator from Oregon wish?

Mr. MORSE. After listening to the Senator from New York [Mr. LEHMAN] make his fine speech, I plan to cut my speech down to 30 minutes. I shall be open to a suggestion that I cut it down even more after I have listened to the Senator from Arkansas speak. I am sure he will cover many of the points I would cover in my speech. I suggest that the chairman of the committee take as much time as he desires to take. Then I shall work my speech into the remaining time. There may be 1 or 2 other Senators on this side of the aisle who may desire to speak. I believe the Senator from Illinois [Mr. DOUGLAS] wishes to say something on the nomination. I am not sure whether the Senator from Alabama [Mr. SPARKMAN] desired to say something about it.

Mr. CLEMENTS. I am confident we can provide for a fair division of time. I should want it done on a basis which would be satisfactory to the chairman of the committee.

Mr. FULBRIGHT. I do not know whether any Senator on the other side of the aisle wishes to speak on the nomination. I estimate that my remarks will not take more than 40 minutes and I would be willing to bind myself to that time. I have prepared a statement, which I hope is an objective statement, and I am anxious to make it for the RECORD.

With the reservation that I do not know whether other Senators wish to speak on the subject, I am perfectly willing, so far as I am concerned, to bind myself to the time I stated.

Mr. CLEMENTS. I can assure my friend from Arkansas that I would be willing to yield such time to him as he may need, and that I would consult with him on the division of the remainder of the time.

Mr. FULBRIGHT. I wonder whether an hour and a half might be allowed to each side. I believe that would give other Senators an opportunity to speak if they desired to do so. In other words, what are we going to do about absent Senators?

Mr. CLEMENTS. Two hours to each side are provided under the unanimous-consent agreement.

Mr. FULBRIGHT. I thought it was 2 hours altogether.

Mr. MORSE. I believe the Senator from Kentucky misspoke himself.

Mr. FULBRIGHT. An hour and a half on each side would be satisfactory.

Mr. CLEMENTS. I was proposing 2 hours to each side. I want to make certain that the proposed unanimous-consent agreement calls for 2 hours to each side.

Mr. FULBRIGHT. Mr. President, may I inquire how the proposed unanimous-consent agreement reads?

The PRESIDING OFFICER. The clerk will again read the proposed unanimous-consent agreement.

The legislative clerk read as follows:

Ordered, That on the question of advising and consenting to the nomination of Harold C. Patterson, of Virginia, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1960, including any motion relating to such nomination, further debate shall be limited to 2 hours——

Mr. CLEMENTS. Mr. President, I ask that the agreement be modified to provide for 4 hours, with 2 hours to each side, to be controlled by the acting majority leader and by the minority leader. That was my intention.

Mr. KNOWLAND. If that is the only agreement we can get, of course I shall support it. However, I wonder whether the distinguished Senator from Oregon and the distinguished Senator from Arkansas would not agree to 3 hours, which would give an hour and a half to each side. Might not that take care of the situation? I point out to the distinguished Senators that the Senator from New York has already made his remarks beginning at 10 o'clock this morning.

I doubt that we would use the full time on our side, and under the circumstances I thought perhaps 3 hours would suffice.

Mr. CLEMENTS. I join the Senator from California in suggesting that my friends give consideration to limiting the debate to an hour and a half to each side.

Mr. FULBRIGHT. So far as I am concerned, that would be satisfactory. I do not know whether the Senator from Illinois and other Senators wish to speak on the subject. I am willing to accept the hour and a half limitation. I have indicated the time I need, and I need no more than that. I am perfectly willing to accept that limitation. Does not the Senator from Kentucky believe we should have a quorum call before the unanimous-consent agreement is entered into?

Mr. CAPEHART. Mr. President, as the ranking Republican member of the committee which reported the nomination, I believe I am the only Senator on this side of the aisle who will speak on it. I do not believe we will need more than 30 minutes to defend a good Democrat. He is a Democrat, and we are going to defend him. It will take only about 30 minutes for us to defend a good Democrat.

Mr. CLEMENTS. In order to save time, I suggest that the original suggestion, limiting debate to 2 hours to each side be accepted. If the full time is not needed, I am sure Senators will yield back the remaining time.

Mr. MORSE. That is exactly the suggestion I was about to make. I shall speak to the other Senators to determine whether we cannot cut the time down to an hour and a half to each side. The

Senator from Illinois [Mr. DOUGLAS] and the Senator from Alabama [Mr. SPARKMAN] may wish to say something on the subject.

Mr. CLEMENTS. I suggest that the 4-hour limitation be agreed to. Otherwise, we will take more time in discussing it than would be taken by debate on the nomination.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement? Without objection, the order as modified, is entered.

Mr. BUSH. Mr. President, may I inquire what the agreement now is?

Mr. CAPEHART. It provides 4 hours of debate, with 2 hours to each side.

Mr. CLEMENTS. Mr. President, I yield to the Senator from Arkansas such time as he may desire.

Mr. FULBRIGHT. May we have a quorum call first?

Mr. CLEMENTS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CLEMENTS. Mr. President, I yield to the Senator from Arkansas [Mr. FULBRIGHT] such time as he shall suggest.

Mr. FULBRIGHT. Mr. President, I should like to have 30 minutes.

Mr. CLEMENTS. I yield 30 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, the Patterson nomination to the SEC points up a basic issue, namely, what shall be the role of the independent regulatory Commission.

THE PURPOSE OF INDEPENDENT REGULATORY COMMISSIONS

The independent regulatory commission is the method we have developed to regulate complex and ever-changing industrial forces. It was impossible for Congress to enact detailed legislation with sufficient flexibility to meet the demands of a growing and changing economy. No law or group of laws could possibly anticipate the changing structure and practices of an industry. Nor could we allow the courts to bog down in a maze of conflicting economic evidence or let a multitude of such cases clog dockets.

The only answer to these problems, or at least the best we have so far been able to devise, is the independent regulatory commission. These commissions have been charged with the power to make rules based on legislative standards and fair procedures. The power to make rules supplementing legislation is a legislative or, as it is commonly called, a quasi-legislative power. Since our constitutional principle of separation of powers does not admit the exercise of the legislative function by the executive branch, the regulatory commission, independent of direct control by the executive, came into being.

Commission regulation also involves the resolution of disputes over the application of the law which involves the use of quasi-judicial powers. Neither Congress nor the Executive may constitutionally exercise such powers. The regulatory commissions were thus made independent of both executive and legislative branches.

The idea of the independent regulatory commission has been attacked by some students of government. They have been called the fourth branch of the government and criticized as resulting in the creation of a "hydra-headed government" with a host of independent agencies responsible to no one. I shall not deny that their existence creates problems, but to date I have seen no proposals for a better system to meet the problem of industry regulation in the public interest.

INDEPENDENT COMMISSIONS SUBJECT TO CHECK

The independent commission is not completely independent. The President has the power of original appointment to membership, the power to remove members for cause, and its appropriations requests must clear through the Bureau of the Budget. The Senate has the power to confirm appointments to membership, and Congress has absolute control over their expenditures, the right to investigate, and finally the power to alter their rules and organization, or even abolish the commissions by legislation.

Thus, if these commissions carry out policies contrary to the public interest, it is not because they are responsible to no one. It is because we in Congress fail to do our duty, or the Executive fails to discharge its responsibility properly.

Students of government did get Congress to accept one of their proposals via the recommendations of the old Hoover Commission. Their theory was that a commission as a body should operate independently on quasi-legislative and quasi-judicial functions, but that the chairman shoud be charged with sole administrative and procedural powers. The chairman would be designated by the President, and, possessing such powers, could harmonize the administrative policies of the commission with those of the administration. The proposal seemed wise and was adopted for some of the commissions. After all, why should the commission be concerned with petty procedural matters?

The only trouble with this system is that procedural and substantive problems are all too often intertwined. What complaints and cases the staff should pursue, how much money should be spent and for what, how many experts should be hired, and what should be assigned to them, are considered to be administrative matters. Yet it is obvious the actions taken on these matters have a profound effect on policy.

Since Congress has accepted Executive Reorganization Plan No. 10, so as to give these administrative powers to the chairman of the SEC, the President already exercises tremendous influence over the policies of the SEC. To go beyond even these powers by loading the commission with his political supporters will utterly pervert the purposes in creating an independent commission in the first place.

ORIGINS OF THE BIPARTISAN INDEPENDENT COMMISSIONS

The principle of the bipartisan independent commission did not suddenly spring into the structure of our Government. It grew gradually out of our experience with attempts to protect the public interest. The first such commission to be established by the Federal Government was the Interstate Commerce Commission, created in 1887.

When Congress approached the task of creating the first Federal regulatory commission, it had before it the diversified experience of some 20 States which had somewhat similar types of commissions in operation. It had also some impressions of the English experience in railroad control. One of the Nation's foremost authorities on independent commissions, Robert E. Cushman, has said, however, that—

> It is a fallacy to assume that lawmakers and statesmen always benefit from past experience and that existing precedents are fully known and properly evaluated by them. It is hard to prove that any particular body of experience influenced legislators to pass a particular law; difficult to judge how much weight to attribute to past experience as against current ingenuity in the solution of any legislative problem. (The Independent Regulatory Commissions, pp. 19–20.)

Thus Congress, at the time of the establishment of the ICC, had no fixed notions as to any precise formula for the operation of such an agency. It was only certain, as pointed up in the report of the Cullom committee—Senate Report No. 46, 49th Congress, 1st session, 1886—that abuses in the railroad industry needed regulation.

Cushman has said that, during the debates on the act, "freedom from Presidential domination was probably assumed." Although, as he says, "The word independence does not appear in the debates," he states that "independence, if it meant anything, appears to have meant bipartisanship as a guaranty of impartiality."

Certainly, bipartisanship was a talking point in favor of the legislation. Representative Herman, for example, cited the broad powers of the proposed commission, but said:

> I express my confidence in advance as to the integrity and ability and fidelity of the commission. They are appointed by the President of the United States presumably from its best known, oft tried, and capable citizens. They pass through the critical ordeal of a senatorial confirmation. The life record of each one is passed in review. They are appointed from different political parties, and thus partisan bias is largely disarmed. (CONGRESSIONAL RECORD Appendix, vol. 18, p. 35.)

It is obvious, then, that even though The next bipartisan independent regutory commission was not firmly fixed with the creation of the ICC, bipartisanship was, from the first, an established principle, along with an assumed freedom from Presidential domination.

PRINCIPLE OF INDEPENDENCE OF REGULATORY COMMISSION FIXED AT TIME OF CREATION OF FTC

The next bipartisan independent regulatory commission to be created was the Federal Trade Commission, in 1914. By

this time, the principle of bipartisan membership was firmly established and the idea of independence had taken root. The House report on the measure said:

One of the chief advantages of the proposed commission over the Bureau of Corporations lies in the fact that it will have greater prestige and independence, and its decisions, coming from a board of several persons, will be more readily accepted as impartial and well considered. For this reason also it is essential that it should not be open to the suspicion of partisan direction, and this bill provides, therefore, that not more than three members of the commission shall belong to any one political party. (H. Rept. 597, p. 11 (51 CONGRESSIONAL RECORD 11089).)

During the Senate debate on the bill, Senator Norris, of Nebraska, stated:

I think that is right—that it would be a permanent commission, one that would not be dependent upon the success of any political party or any administration to continue it in power, and therefore would feel like enforcing the law without reference to what effect it might have on politics. I am not saying that that is true. I am not offering any suggestions in defense of this bill; I wanted to call the attention of the Senate to the statement made by the Senator from Nevada, founded, as I believe, upon a proper statement of the conditions that have existed in the past which make it necessary for Congress to protect the country from the evils of our partisan administration. (CONGRESSIONAL RECORD, vol. 51, p. 12648.)

Although independence of the executive was not stressed during debate on the Interstate Commerce Act, such independence, based on the principle of bipartisan commission membership, came to be a recognized asset of the ICC. In fact, the ICC experience was cited by Senator Newlands, of Nevada, to justify the independence of the FTC. For example, he stated:

In reply to the Senator from Minnesota [Mr. Nelson], I have to say that the Interstate Commerce Commission always has been a bipartisan board. That is one of its chief virtues. A majority only of that Commission can belong to one political party. It is provided in the trade commission bill that a majority only can belong to one political party. Unfortunately, when the Federal Reserve Board was created such a provision was not put into the law. In my judgment it ought to have been put into the law, and the correction should be made as early as possible.

I can understand very easily how that board can drift into partisan administration if it is composed entirely of the members of one party.

Senator Newlands was stressing bipartisan membership as a means of preventing partisan administration of the law. But the debate on the FTC Act went even further, actually stressing the independent nature of the Commission in and of itself. In this regard, Senator Newlands cited the ICC as "a nonpartisan organization, which moves absolutely free from the influence either of Congress or the President, an independent organization." (51 CONGRESSIONAL RECORD, 11235.)

Senator Morgan stated:

Whatever we do in regulating business should be removed as far as possible from political influence.

It will be far safer to place this power in the hands of a great independent commission that will go on while administrations may change. That is one reason why I believe in having all these matters place, so far as they can be, in the hands of a commission, taking these business matters out of politics.

Mr. Covington, of Maryland, speaking in the House, not only desired a commission similar to the Interstate Commerce Commission, but went on to explain that—

the great value to the American people of the Interstate Commerce Commission has been largely because of its independent power and authority. The dignity of the proposed commission and the respect in which its performance of its duties will be held by the people will also be largely because of its independent power and authority. Therefore, the bill removes entirely from the control of the President and the Secretary of Commerce the investigations conducted and the information acquired by the Commission under the authority heretofore exercised by the Bureau of Corporations or the Commissioner of Corporations.

If the debate on the ICC Act did not directly disclose the intent of independence of the Commission, the experience of the ICC was relied on heavily in creating an independent Federal Trade Commission. By this time, the independence of the ICC seemed firmly established, and there were numerous references to the value of independence in establishing the FTC on this basis.

The Federal Power Commission, as originally created, was composed of the Secretaries of War, Interior, and Agriculture. Thus, there was no bipartisan provision in the original act, and the body was not independent of the executive branch. The act creating the Commission was amended by Public Law 412, 71st Congress, Forty-sixth United States Statutes at Large, page 797, which provided for an independent 5-member appointive commission, no more than 3 of whom shall be of the same political party.

SEC CREATED AS INDEPENDENT AND BIPARTISAN COMMISSION

By the time the SEC was established, the principle of independent, bipartisan regulatory commissions was so thoroughly accepted as not even to warrant debate.

The Securities and Exchange Act of 1934, 48th United States Statutes at Large, page 881, provided for the creation of a five-member commission to administer the act. It further provided that not more than three of the Commissioners shall be of the same political party, and that in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable. The House bill, H. R. 9323, which on enactment became the Securities and Exchange Act of 1934, provided for the administration of the act by the Federal Trade Commission. The Senate bill, S. 3420, provided for the Commission of five members as finally adopted. The provision concerning the five-member Commission was retained in the conference bill and ultimately enacted. Although considerable debate took place on the question of administration by the Federal Trade Commission or by a separate commission, no specific debate was found, nor did the reports on the two bills comment on independence or bipartisanship. These were accepted without the necessity of debate.

Another important feature of the SEC, and virtually all regulatory commissions, is that members are appointed with overlapping terms. This had the twofold purpose of assuring continuity of regulatory policies and preventing a new administration from suddenly and violently reversing such policies by completely new memberships on the commission. It is still a further safeguard against executive domination of the independent commissions. This is further, and, I believe, conclusive, evidence of the fact that Congress intended this agency to be independent—free from the danger of domination by any particular administration or any one political party.

CONGRESSIONAL INTENT CLEAR

Mr. President, I have shown congressional intent in creating the independent bipartisan regulatory commissions. I think Cushman summed it up pretty well when he wrote:

Congress has made the commissions independent in order to place the regulatory tasks assigned to them outside the range of partisan control. During the early period especially, "independence" meant to the average Congressman "bipartisanship" and the detachment naively supposed to result from it. This kind of independence was regarded as vitla. Later on, after the Interstate Commerce Commission had grown up, independence came to be associated in the congressional mind with the highly creditable achievements of this first great commission. It stood for a measure of impartiality and efficiency rarely prevailing in an executive department, and greatly to be desired.

We may conclude, then, that Congress has had two general aims in creating independent regulatory bodies: first, to secure reasonably impartial and nonpartisan handling of quasi-judicial tasks; second, the honest and efficient handling of tasks too big to be entrusted to the politicians in the executive departments.

There cannot be the slightest doubt of congressional intent in establishing independent, bipartisan commissions.

Now, let me take up the specific issue before us, namely, the nomination of Mr. Harold C. Patterson to membership on the SEC. His nomination is to fill a Democratic vacancy on the SEC.

THE PATTERSON NOMINATION EVADES INTENT OF LAW

Mr. Patterson testified at the hearings that his nomination was cleared by the Republican National Committee. This procedure for Democratic appointments perverts the very purpose of bipartisan commissions. Obviously clearance with the Republican National Committee cannot have reference to anything other than politics. If the Republican National Committee is to clear nominees for appointment to bipartisan commissions, these agencies can and will be completely dominated by the administration in power through its political agency.

Mr. Patterson says he is a Democrat. However, he stated that he did not support the Democratic candidate in the last presidential election. His original sponsor was also an Eisenhower supporter. Mr. Patterson was appointed to a position as Director of the Division of Trading and Exchanges by the new administration, a position recognized as a pa-

tronage position. In short, there can be no question that his political loyalties lie with the present administration, regardless of what he says about the nomenclature under which he operates. Indeed, that can be the only purpose of his clearance by the Republican National Committee.

The Patterson appointment may or may not comply with the letter of the law, but it certainly evades its spirit and intent. If the bipartisan requirement can be circumvented by a Republican President appointing a man who is his political supporter to a position reserved by law for the opposition party, the bipartisan provision become meaningless verbiage.

If we permit the nomination of Mr. Patterson to be confirmed, Congress should do 1 of 2 things. Either we should abolish the bipartisan requirement to avoid making a mockery out of the law, or we should amend the law to provide that "not more than three of such commissioners shall be members of the same political party, or political supporters of the President, or sponsored by political supporters of the President." In addition, perhaps we should establish clearance facilities for minority appointments, either by the respective party leaders in Congress or the affected national committee.

It should not be necessary for us to do this, however. I strongly urge the rejection of the Patterson nomination, so that the President will know that he will encounter opposition every time he attempts to evade the spirit and purpose of the law.

EXECUTIVE DOMINATION OF INDEPENDENT AGENCIES SHOULD STOP

Mr. President, I should like to add one or two words. As a result of the recent hearings which were held regarding a study of the stock market, it has become quite evident that already in this administration there has been achieved a great degree of centralization stemming from the White House and the Treasury. This is significant when one recalls the criticism of the Secretary of the Treasury to a mere study of the market. He did not criticize so much what was said, but he characterized the study itself as being similar to the shouting of "fire" in a crowded theater. So it can be seen that already there is an effort—and I would say successful effort—to dominate what are supposedly and what were intended to be independent agencies. I think it would be a very long step backward if we further subjected the SEC to the domination of the now prevailing political party in the executive branch of the Government.

Mr. BIBLE. Mr. President, I yield 30 minutes to the distinguished Senator from Oregon.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I wish to commend very highly the Senator from New York [Mr. LEHMAN] and the Senator from Arkansas [Mr. FULBRIGHT] for the very able speeches and arguments they have presented this morning on a serious problem of government, so serious that I am greatly concerned that so few of our colleagues seem, in these hurried days, to be giving it the attention it deserves. But this is not the first nomination which has been discussed in the Senate in the last 2½ years that has involved a threat to good government. One would think that our colleagues would have learned from past experience.

Two and half years ago some of us discussed the Talbott nomination, and we warned then that the confirmation of the nomination would come home to plague the Senate. I can count noses, and I know its opponents are not going to prevent confirmation of the nomination of Patterson today, but I want the record to show that this nomination will come home to plague the Senate of the United States.

What I am sad about, Mr. President, is that the Senate is not rising in unanimity, Republicans and Democrats alike, to protect the independence of the bipartisanship of administrative tribunals, such as the Securities and Exchange Commission which have been created by Congress. That is the question which is at stake today.

I remind my colleagues most respectfully that the President of the United States has had much to say about ethics. I venture to suggest that he should practice what he preaches. I wish to say, and I say this with a full realization of the import of the statement, that from the standpoint of political ethics, it is unethical for the President of the United States to appoint an Eisenhower Democrat to a bipartisan commission, because the President of the United States cannot square that appointment with political ethics.

It is not ethical for the President of the United States to appoint a non-Democrat to a commission when a Demcrat within the meaning of the law Eisenhower Democrat is not a Democrat within the meaning of the law which established bipartisan commissions. The purpose of the law was to assure the American people that such commissions would be manned by representatives of the two major parties, not by representatives of one major party. What is there in a name if in fact the man the President selects for appointment is not a man from the opposition party, but a man from his own political camp? That is what the President has done, and I charge him this morning on the floor of the Senate with bad political ethics. Any sophomore in college would tell the President, if the President would but ask him, that the appointment of a man from the President's own political camp is not in keeping with the spirit and intent of the law which provides for bipartisanship membership of these independent agencies; indeed, in my judgment, there is a serious question as to whether or not the appointment of Mr. Patterson meets the legal requirements for appointments to these bipartisan commissions.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARLSON. I merely wish to mention that I have been in Washington for some time, as has the Senator from Oregon, and I can well remember Roosevelt and Truman Republicans being appointed to commissions. I wonder if the Senator from Oregon would care to comment on that.

Mr. MORSE. The Senator from Kansas cannot remember a case of that kind which was supported by the Senator from Oregon. If the Senator can, I ask him for his bill of particulars. The Senator ought to be willing to stand up and present a bill of particulars on that allegation, and point out where the Senator from Oregon supported any such conduct. I never have done so, and I never will.

Mr. President, I wish to repeat that I am disappointed and saddened by the fact that we have a President of the United States who would unbalance independent agencies of the Government which are quasi-judicial in nature, by putting one of his partisans on a bipartisan commission—an action which he is asking the Senate to confirm this morning—and calling him a Democrat despite the bipartisan requirements of the law.

The President of the United States cannot square that with decency in Government, and I am saddened that he stooped so low in cheap party politics as he has in this matter. We are talking now not about individuals, but about the need for preserving what I think is a very important feature in our Government, of checks and balances.

As the Senator from Arkansas has so brilliantly demonstrated this morning, the reason why throughout our history we have established bipartisan independent agencies has been to strengthen our governmental system of checks and balances. The confirmation of the pending nomination would undermine our system of checks and balances, and the responsibility for doing so must be placed on the very steps of the White House.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. With respect to the inquiry of the Senator from Kansas, I should like to say that I do not know whom he had in mind, because he did not say, but I can think of many appointments by Democratic administrations of Republicans who were not Truman Republicans or Roosevelt Republicans to positions not required by law to be bipartisan. I can think of appointments of persons like John Foster Dulles, Robert Lovett, Warren Austin, Frank Knox, to important positions which were not required by law to be bipartisan. To me that would indicate that those administrations did not pervert the law which required Republicans on bipartisan commissions.

Mr. MORSE. I might mention Henry Stimson.

Mr. FULBRIGHT. And Henry Stimson. I should like to have the Senator from Kansas particularize. I am not aware of any to whom he referred. There may have been some minor appointments, but the fact is that Democratic administrations went very far in preserving the spirit of bipartisanship

in some of the highest positions in the Government.

Mr. MORSE. I wish to speak on some basic principles of government of which I think we should not lose sight, because, after all, we have a solemn obligation, under our oath of office, to protect the constitutional form of government.

The role of government is to balance conflicting interests, and not to have one group or faction represented in preference to another. Only government can play this role, because it is not identified with the desires or the ends of any one group. Whenever government is used to foster selfish ends of some particular pressure group, the government fails in its responsibility to the people to protect the public interest.

We call the principle of the balancing of conflicting interests, which I have just mentioned, "representing the public interest" in a manner which truly represents and protects the public interest. We have traditionally pictured our Government as a balance wheel. Its role has been to make it possible for all factions or groups to compete on as nearly an equal basis as possible. We have preferred this competitive type of interchange to stringent government controls. History has proved the wisdom of this approach.

Very frequently we have described a government to which this principle is applied as a government of law, not a government of men. All too frequently this very important democratic principle has become a political cliché on the lips of politicians, but I wish to stress the point that the principle that ours is a government of law, not a government of men, is one which in its application will determine whether the Government fulfills its primary responsibility of representing the public interest and protecting the public against selfish interests on the part of those who would despoil the governmental processes.

The success of this type of government rests directly upon the degree of faith the various elements of the society have in government.

In order to make it possible for the Government better to fulfill its function, the Congress has created, from time to time, independent commissions vested with quasi-judicial and legislative functions. Congress intended these commissions to be independent, and an indication of the intention of Congress is the fact that we call them "independent commissions," as was pointed out by the Senator from Arkansas [Mr. FULBRIGHT]. These commissions were never meant to be an appendage of the executive branch; in fact, legislative history will show that Congress intended them to be more closely connected with the Congress itself, rather than with the executive branch.

The Securities and Exchange Commission is one of these independent regulatory bodies. The Securities and Exchange Act of 1934 created this five-man Commission. Among other things, the act provides that "not more than three of such Commissioners shall be members of the same political party." The obvious reason for this provision is that it gives a bipartisan flavor to the Commission. It also was meant to ensure that no more than three members of the Commission would reflect the political philosophy of the administration in power. Let us note, Mr. President, that this is fully in line with our concept of balancing the conflicting interests.

The present membership of the Commission is 3 Republicans and 1 Democrat. By law the next appointee, then, has to be a Democrat. If the President is anxious to carry out not only the spirit and intent of the law, but also the letter of the law, he should appoint a Democrat to this office.

Mr. Harold C. Patterson has been nominated for this position. Mr. Patterson was sponsored by a supporter of President Eisenhower. Earlier today, I pointed out to the Senator from New York [Mr. LEHMAN] that the sponsor of the appointee was the mayor of Alexandria, Va., an Eisenhower Democrat, and a person active in the Eisenhower campaign. In fact, as was stated yesterday in the Washington Post and Times Herald, in an article which I have already today placed in the RECORD, in the course of my colloquy with the Senator from New York, the mayor is now sponsoring for the next election an Eisenhower-for-President movement among Democrats.

I believe it important that the record show the sponsorship of the nominee for membership on the Securities and Exchange Commission. It seems to me that I have some right to speak on the matter of political independence and on the matter of what I consider to be the duty of an individual when it comes to bipartisanship, because in 1952 I found myself in a position where I became so dissatisfied with the political standards of the Republican Presidential candidate that, in good conscience, I could not support him. Not only that, but I felt that the situation was so serious that it was my public duty publicly to oppose him; and I felt that when I publicly opposed him, I was under the ethical obligation to leave my party. So I resigned from my party, as a matter of conscience, because I felt I had no right to remain within any party and oppose its candidate. So I have very strong feelings on the question of political morality and the responsibility of any President—be he Republican or Democrat—when he fills vacancies on bipartisan commissions, to make certain that in filling a particular post he strictly observes the bipartisan requirement by appointing a man who is not a member of a party which shares his political point of view.

However, at the hearings before our committee, Mr. Patterson admitted that he was a supporter of the Republican candidate for President in 1952; and I believe that anyone who listened to Mr. Patterson testify in committee came away with the understanding that the nominee still shares the point of view of and supports the Republican President.

I repeat, Mr. President, that the selection of a person with that political philosophy does not keep faith with the spirit and intent of the bipartisan commission law which was passed by Congress in order to provide for bipartisan commissions.

Furthermore, the record shows that Mr. Patterson was cleared by the Republican National Committee. That is a remarkable political procedure and one should not need to say more about whether the President of the United States picked a Democrat for this post. I think we should take judicial notice of the fact that the President picked a political henchman for the post, not a Democrat, and I think it is a sad reflection upon the administration of our law in regard to bipartisan commissions that the name of a person nominated for a bipartisan post is submitted to the Republican National Committee for clearance.

So, Mr. President, my conclusion in the committee was that Mr. Patterson is not a Democrat, in fact, and that confirmation of his nomination would even be questionable as regards its legality under the Securities and Exchange Act.

I believe it is also notable that the nominee was in the brokerage business, and then was selected by the Chairman of the Securities and Exchange Commission, Mr. Demmler, to fill a supergrade position on the staff of the Securities and Exchange Commission. That fact is indicative of political patronage in the filling of the office. Mr. Patterson served for 1 year in that post and now has been nominated for elevation to membership on the Commission itself.

I think that procedure is subject to the interpretation that the administration was very careful to see to it that the economic interests of Mr. Patterson were taken care of during the interim year when he moved from the brokerage business into a Government job, and now from that Government job into membership on the Commission itself.

Mr. President, I believe that this appointment raises a serious question of executive interference with an independent regulatory commission. I think it endangers good government and endangers the whole administrative law procedure, insofar as the administration of these quasi-judicial bodies by bipartisan commissions is concerned, and it also sows the seeds of suspicion as to their independence.

Above all else, Mr. President, the Securities and Exchange Commission must, as in the case of any other governmental agency, represent the public interest. But, in my judgment, Mr. Patterson's nomination, if confirmed, would not in any way be representative of the public interest. Instead, his background is that of experience in the brokerage business. Confirmation of the nomination of Mr. Patterson would mean that all five members of the Securities and Exchange Commission would have come from the very industry the Securities and Exchange Commission is supposed to regulate in the public interest.

The Senator from New York covered this item in great detail. I shall not go into it, other than to repeat the premise that the four present members of the Commission are men who, either as lawyers, have represented powerful clients in the brokerage industry who have found themselves in conflict with the

Securities and Exchange Commission, or who themselves have been taken directly from the industry. Not a single one of them meets the qualifications of what I would consider to be a public representative, in that not a single one of them has come from outside the industry itself.

As to the nomination of Mr. Patterson from the standpoint of the tests which I have laid down as my guide for 10 years in casting my votes on Presidential nominations, I must answer—and I am happy to answer—the question as to which one or which ones of the criteria Mr. Patterson fails to meet.

One of those criteria is, of course, that he must meet the qualifications of the law. In my judgment, Mr. Patterson does not meet them. In my judgment, Mr. Patterson does not meet the qualification of being a Democrat. In my judgment, he is not a man who is qualified to fill a Democratic post on a bipartisan commission, for the reasons I have already set forth.

The second criterion goes to the question of competency. When a member of a committee in a hearing cross-examines a nominee, listens to his answers, and studies him as a witness, he must reach a judgment as to whether or not he thinks the nominee is competent to fulfill the responsibilities of the job. I think all doubt should be resolved in favor of the nominee. I leaned over backward in an endeavor to resolve doubts in favor of Mr. Patterson, but as I listened to him answer questions, as I judged the nature of his answers, I came to the conclusion that this man effuses mediocrity. In my 10 years in the Senate I have never observed a nominee for a high post who in my judgment was so mediocre in his obvious abilities. I do not believe that this man possesses the competency which should be possessed by a man appointed to fill this very responsible post. Therefore I reject him on the ground of incompetency, as the second ground of rejection.

I reject him on a third ground. I reject him on the ground of self-interest. I came to the conclusion, as I listened to this man's testimony and adjudged him in the committee hearing, both before the subcommittee and the full committee, that he will not rise above his interested background in the field of securities. I cannot bring myself to vote for the nomination of a man who I think will not rise above self-interest.

Lastly, I think we have a solemn duty in the Senate to protect the congressional interest in maintaining a bipartisan regulatory commission system in our country. I am sad to say that I think the President, by this nomination, as well as by some others, shows an increasing tendency to break down the bipartisanship of our regulatory bodies.

I invite the attention of Senators to some of the other appointments the President has made.

He appointed Mr. William E. Dowling to the Tariff Commission. On July 29, 1955, the Detroit News commented that "he was described by the White House as an 'Eisenhower Democrat'."

On the Federal Trade Commission he appointed Mr. Robert T. Secrest, a Democrat; but Secrest testified last week that he was selected and approved by the Republican National Committee.

On the Federal Power Commission he appointed Mr. Seaborn L. Digby; and there is grave doubt as to whether or not he is, in fact, a Democrat. There is good reason to believe that he is a supporter of Eisenhower. In my judgment the appointment of Democrats who are supporters of Eisenhower is not keeping faith with our bipartisan regulatory system.

I realize that honest and sincere men differ with me in this point of view. However, as I have studied the legislative history of the regulatory bodies, as brought out by the Senator from Arkansas [Mr. FULBRIGHT] earlier in the day—he was assigned to cover that subject, and did it in a brilliant manner—I reached the conclusion that what we are dealing with here is an attempt on the part of the President of the United States to break down the bipartisanship of our quasi-judicial regulatory bodies.

Therefore, for the three reasons I have set forth, I think this nomination should be rejected.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a joint statement issued by those of us in the committee who are opposed to the nomination.

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

We oppose the nomination of Harold C. Patterson to membership on the Securities and Exchange Commission because it is out of harmony with the spirit of the law which created the Commission and because we do not believe it to be in the public interest.

The Securities Exchange Act of 1934 creates a Securities and Exchange Commission composed of five Commissioners. The act specifically states that "not more than three of such Commissioners shall be members of the same political party." The purpose of this provision was to preserve the SEC, an independent regulatory Commission, free from the complete domination of the executive branch of the Government.

The SEC was created by law as an independent agency. It possesses legislative and judicial powers. It was never intended that it be an arm of the executive branch of the Government. In fact its responsibilities lie closer to the Congress than to the Executive.

Mr. Patterson testified at the hearings that his nomination was cleared by the Republican National Committee, although it was admittedly for a Democratic vacancy. This apparently normal procedure for Democratic appointments perverts the very purpose of bipartisan commissions. Obviously clearance with the Republican National Committee cannot have reference to anything other than politics. If the Republican National Committee is to clear nominees for appointment to bipartisan commissions these agencies can and will be completely dominated by the administration in power through its political agency.

Mr. Patterson says he is a Democrat. However, he stated that he did not support the Democratic candidate in the last presidential election. His original sponsor was also an Eisenhower supporter. Mr. Patterson was appointed to a position by the new administration which was recognized as a patronage position. In short there can be no question but that his political loyalties lie with the present administration. Indeed that can be the only purpose of his clearance by the Republican National Committee.

Another equally compelling reason compels our opposition to this nomination. If the Patterson nomination is confirmed, all five Commissioners will reflect the point of view of the industry they are entrusted to regulate.

The present Chairman, Mr. Armstrong, comes from a large Chicago law firm, a great many of whose clients are subject to Commission rules and regulations.

Another member, Mr. Orrick, comes from a large San Francisco law firm which represented many clients affected by the SEC regulations.

Another Commissioner, Mr. Goodwin, was formerly a partner in Dillon Reed & Co., an investment banking firm.

The fourth Commissioner, Mr. Adams, a holdover, was formerly State securities commissioner of Connecticut, but even he was a member of an investment banking firm in Hartford.

And now the nomination of Mr. Patterson makes industry representation on the SEC unanimous—not a single representative of the public interest among them. For Mr. Patterson, until a year ago, was a partner in Auchincloss, Parker & Redpath, members of the New York Stock Exchange. He has also been an officer and member of the board of governors of the National Association of Securities Dealers, a member of the board of governors of the American Stock Exchange and of the Washington Stock Exchange.

Perhaps something can be said for having 1 or 2 Commissioners drawn from the industry regulated. But to have all five in that category is unthinkable.

We oppose the domination of independent regulatory commissions by the executive branch of the Government, and Congress will be failing in its duty if it permits this to take place.

We condemn the turning over of an independent regulatory commission to complete domination by representatives of the industry it is supposed to regulate. This is like making a quarterback the referee in a game played by his own team. Regulation of the securities laws cannot be compared to refereeing a football game, however. Billions of dollars of investments by millions of trusting investors depend on the unbiased judgment of the SEC, as does the smooth functioning of our capitalistic economy.

The Patterson appointment does violence to the spirit of the Securities Exchange Act and puts the regulated industry into the role of the regulator.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

Mr. HUMPHREY. Mr. President, how much time is left on the side of the opponents?

The PRESIDING OFFICER. The opponents of the nomination have 51 minutes.

Mr. HUMPHREY. Mr. President, I yield to myself 5 minutes. I understand that other Senators desire to be heard on the side of the opposition to the nomination of Mr. Harold C. Patterson to be a member of the Securities and Exchange Commission.

I wish to associate myself with the statements of the Senator from New York [Mr. LEHMAN], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Oregon [Mr. MORSE], in opposition to this nomination. I think the Senator from Oregon has made a very penetrating analysis as to his own observations on the qualifications of Mr. Patterson, and upon the question of whether or not this nomination complies with the spirit and intent of the law.

I think it is fair to say that from time to time Presidents appoint persons to various positions who may be more or less sympathetic with the point of view of the Presidents. This is particularly true with respect to study commissions and advisory commissions. It is particularly true, at times, when the appointee is a personal representative of the President, such as one who may be appointed as a roving ambassador, or even in the field of the Diplomatic Service, because the nomination is the President's own personal nomination. The individual is to represent him, and to report back directly to the President. He is to be responsible only to the President.

At times Presidents may appoint "Truman Republicans," "Roosevelt Republicans," or "Eisenhower Democrats." But this is a different situation, and it ought to be so noted. This is a situation in which the Congress of the United States has established a Securities and Exchange Commission as a quasi-judicial body. It is separate from the legislative branch of the Government, and separate from the executive branch. If it has any connection with either branch of the Government, the connection is more direct with the legislative branch.

I think it is very important that the Congress of the United States jealously guard the regulatory agencies which have been established under public law. These regulatory agencies were designed to meet a specific need. The Securities and Exchange Commission came into being because of open corruption on the stock market. It came into being because of open fixing of the market. It came into being because of open collusion in the market between the operators in the market. It came into being because at one time there was far too much connection between the operations of the stock market and the operations of the Government of the United States.

I shall not review all the history of the sordid picture that once existed in the country, in which the free market, the stock market, was literally made an area of corruption and collusion and nefarious kinds of business practices, where millions and millions of dollars were lost, and billions and billions of dollars in assets were liquidated.

As a result of that dismal picture, Congress established what is known as the Securities and Exchange Commission. That Commission is supposed to be bipartisan. Not only is it supposed to be bipartisan, but the members of the Commission are supposed to be persons who have no direct interest in securities as such. They are supposed to represent the public interest, and to regulate securities and exchanges in the public interest.

Recently, in connection with the Dixon-Yates contract—I shall not call it a contract, the Dixon-Yates deal—we had the picture of a Presidential assistant calling from the White House to the Securities and Exchange Commission asking the Commission to withhold its hearing upon certain bond issues until a vote had taken place in the House of Representatives.

That in itself was unethical. I say to the self-styled ethical administration that the spectacle of an assistant to the President of the United States interfering with the independent jurisdiction of the Securities and Exchange Commission cannot be defended in any way. It is an indefensible action for the Commission to be loaded, so to speak, with persons who are strictly sympathetic with the point of view which may be exercised from the mysterious place called the White House. That is a further departure from what we call ethical practices, and from the spirit of the law.

I make note of the term "White House." Every time I pick up a newspaper I see the term "White House." I have never known of any house being able to speak or to be endowed with human faculties. I have never known of a house to have a spirit or a soul or tissue or blood. However, I find that the White House does have all. It is a sort of disguise, an apparatus, a mechanism, a machine, with which we cannot identify individuals. It is a kind of concept, a system, a mechanical proposition, rather than any particular individual.

Mr. President, I say that the nominee does not meet the qualifications prescribed by the law. I believe it to be important to call the attention of the Senate to page 22 of the hearings. When Mr. Patterson was asked by whom he had been consulted, he said he had been consulted by the members of the Commission. When did the members of the Commission start selecting their own members? That is a most unusual picture.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. When we add to that the fact that the Chairman of the Commission over a year ago selected him for——

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield myself an additional 5 minutes.

Mr. MORSE. When we add to that the fact that the Chairman of the Commission about a year ago selected Mr. Patterson to head one of the divisions, we see again the direct connection between the Chairman and the nominee. That is a serious mistake. It creates the danger the Senator from Minnesota is referring to. It will not lead to an independent Commission. It will create the temptation to appoint a man who will be under obligation to the Chairman of the Commission and under obligation to every Commissioner who has interviewed him. For what purpose did they interview him? It was brought out in the hearing. It was to determine whether they would support him.

It is none of their business who is appointed to the Commission. It is none of the business of a member of an independent agency who is appointed to fill a vacancy on the Commission. In fact, they should keep their hands off, just as a Federal judge must keep his hands off when it comes to making an appointment to a judicial position.

Let us suppose that the individual judges of a circuit court were to select the successor to fill a vacancy on the court. We can imagine what would happen to them. They would be subjected to charges of unprofessional conduct as judges, and they would be subjected to discipline so far as the canons of the legal profession are concerned.

Mr. HUMPHREY. I thank the Senator from Oregon. I may add, as a supplement to his comment, that this sort of thing will lead to political inbreeding. It is a sort of regulatory nepotism. In other words, the Commissioners are selecting their own kind, and keeping the appointment within their own family, so to speak.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. The Senator may wish to call it political inbreeding. I call it political prostitution.

Mr. HUMPHREY. The Senator uses different terminology, but the meaning of what we have in mind is not at all dissimilar. I wish to say that this pattern of appointment is being adopted in agency after agency. Only recently, the representative of the small-business men, the American Federation of Independent Business, called upon the chairman of the Small Business Committee, as well as on the Committee on Banking and Currency, to look into the activities of the Federal Trade Commission. I can announce today that, as chairman of the subcommittee handling the matter, the subcommittee will look into it. There again we witness the appointment of people to a Commission who at one time had an interest directly opposed to the purposes of the law which the Commission is supposed to administer, and from which law it derives its authority.

On the Federal Power Commission we have witnessed the same kind of appointments being made, whereby the purpose and intent of the law have been set aside by the clever device of using selected appointments.

The junior Senator from Minnesota said in 1953 that the administration would give to the American public the picture of what one might call progressive government, and that that would be the front porch kind of political picture, but that in the regulatory agencies something else would take place, namely, that those agencies would be sterilized, so to speak, from their regulatory functions. That is precisely what is beginning to happen.

Mr. President, I object to this nomination on two grounds. First, I object to it on the ground that the President is appointing a person who does not qualify under the terms of the bipartisan spirit and intent and letter of the law as written by Congress when it established the Securities and Exchange Commission.

Secondly, I object to the appointment because, I repeat, there is a kind of inbreeding going on in the regulatory agencies which is anything but in the public interest.

The Securities and Exchange Commission has a vital role to perform in the American economy. In the light of what has been happening on the stock market, in light of the fact that this administration shows a tendency toward inflation, and in light of the tremendous oppor-

tunities which exist in the market for all kinds of economic practices which could lead to trouble, it appears to me that we ought to very careful indeed with appointments to the Commission.

Congress has a special responsibility in connection with the regulatory bodies. The Congress is responsible to make certain that the appointments are, in accordance with the law, bipartisan in the full meaning of that term.

Secondly, it is the responsibility of Congress to make certain that the appointments are in the public interest. We have had too much violation of the so-called conflict-of-interest statutes during this administration. I shall not take time to go into the most recent instance. The former Secretary for Air has resigned, as he well should have. I wish to pay a special tribute to the Senator from Oregon [Mr. MORSE] for having had the courage to stand on the floor day after day and to point out what was taking place in that particular instance.

I do not wish to burden the RECORD or in any way do injury to Mr. Talbott. However, I say again that the administration found itself in a very difficult position because it did not adhere to the provisions of the so-called conflict-of-interest statutes.

All of us remember that when Mr. Wilson came before the Committee on Armed Services he had to be reminded of the provisions of the conflict-of-interest laws. He, too, had to tell us of the sacrifices he made. Instance after instance can be pointed out of the full purpose and intent of the regulatory bodies and departments, as prescribed by law, having been diluted and weakened by the nature of the appointments that have been made.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. I am glad the Senator has made that point. It involves one of the criteria which Mr. Patterson has not met. The Senator will recall that earlier in this administration, when we blocked the nominations for the Cabinet until there could be time to discuss the qualifications of the nominees, we found that a number of them showed a lack of sensitivity to the conflict-of-interest principle. They did not see why they should not be exempt; they did not see why they should have to sell their stock. One of them was the Secretary of the Army, Mr. Stevens. I was subjected to a great deal of criticism because of my stand on his nomination. As we read his testimony before the Armed Services Committee, it is evident that he did not appreciate the necessity of the people of the United States being protected from men who had a conflict of interest by requiring them to place themselves in a position where there was not a conflict of interest.

It is not pleasant to say these things. When I say them, I say them with a heavy heart. The fact of the matter is that this administration has not protected the American people from the conflict of interest on the part of many of its nominees.

Mr. HUMPHREY. Mr. President, I close my remarks on this issue by saying that the point was made this morning that there was a long list of persons who had a conflict of interest. I would add to the list of those who were appointed Mr. Charles Wilson. I do not know whether he was a Roosevelt Republican or a Truman Republican. I do not know whether he was an Eisenhower Republican, but he was a Republican. He was appointed to an important post. Time after time in the past there were men appointed in the spirit of real bipartisanship. This administration talks about bipartisanship, but it is the most partisan administration we have had for years. It is partisan to the last degree. We cannot name more than 2—I can think of 1, but to be most generous, we cannot name 2 men with bipartisan backgrounds who have been appointed to any major position in any major agency, in this administration.

We have been told time after time, particularly in the field of foreign policy, that the nominees were bipartisan. I would like to have the names of the bipartisan persons who have been appointed to these Government agencies. I cannot forget how a former United States Senator, James Mead, of New York, was dropped from a Government agency.

Mr. MORSE. It raises a question of whether he was not dropped because he was a true Democrat.

Mr. HUMPHREY. I will let the facts speak for themselves.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the distinguished Senator from Connecticut [Mr. BUSH].

Mr. BUSH. Mr. President, I rise to say a few words in support of the nomination of Mr. Patterson. One hardly knows where to begin, because so many unkind things have been said about this very amiable, mild gentleman, who has an excellent record in life for which he need apologize to no one. It is one which has not been under attack, so far as I know.

One of the worst things said about him was that he voted for President Eisenhower. A great many people did that, Mr. President. A great many members of the Democratic Party did that. There were people from this gentleman's own State of Virginia who did that, and there were people in other States which are customarily Democratic States who did that. I do not believe it is considered any crime, if a man is a Democrat, to vote occasionally for someone in the opposing party, if he thinks it is time for a change. I believe many persons did think that in 1952.

Mr. President, I do not believe the two-party system is in danger of breaking down as has been suggested. I see no evidence whatever in the Senate or in the House of Representatives that the two-party system is breaking down, especially in view of the fact that the Democrats control both the Senate and the House. They captured that control less than a year ago, despite the fact that we have a very popular President of the United States, who is a Republican and who enjoys a very wide degree of approval by members of both parties. In fact, the degree of approval which he enjoys after 2½ years in office is almost unprecedented. It is one of the most remarkable things in our political history.

Mr. President, Mr. Patterson, who has been nominated for the Securities and Exchange Commission, is, as I have said, a man of high character, a man of good reputation, a reputation which has not been questioned; nor have his integrity, his honor, and his professional ability been questioned, even by those who are so strongly opposed to his nomination. He knows the business. I suggest that when a man has dealt with a particular industry, business, or profession, he can better represent the public, because he knows something about the business or profession or industry. This gentleman, Mr. President, does indeed know about the securities business, the brokerage business, the exchange, underwriting and distributing business. He spent 25 years in it.

Only last week I asked one of the partners in the firm of Auchincloss, Parker & Redpath—I think that is the name of the firm with which Mr. Patterson was associated—how long Mr. Patterson had been with the firm, and I was told that he had been with it 25 years.

I asked, "Did he have a good record?"

The reply was, "It was excellent." I asked, "Do you think he is a good man?" He said, "I do."

I asked, "Do you think he would be a good member of the Securities and Exchange Commission?" He said, "I certainly do."

Mr. President, when we select a governor of a Federal Reserve bank we do not consider it disadvantageous for the candidate to have had a banking career, either as an officer or a director. If we are selecting a Secretary of Agriculture we do not select someone who knows nothing about farming. I remember how Secretary Benson's appointment was applauded because of his broad background in the field of agriculture. So, when it comes to appointing a lawyer for the Department of Justice or someone to be Attorney General, we do not select a farmer or a scientist. We select a lawyer, someone who is competent to deal with the law. If a Secretary of the Treasury is to be chosen, we do not pick a scientist; we choose someone who has had such a background as to enable him to understand the monetary and financial problems which are presented to the incumbent of that office.

In the case of Mr. Patterson, I submit, Mr. President, that he has a background which will enable him to understand the problems with which he will be confronted. He is a man whose integrity has never been questioned. I submit that with his background of experience, he is qualified indeed to represent the public interest. It has been said that we should have someone who would represent the public. Of course we should have someone who would represent the public. All the Commissioners should represent the public. That is their job. But my contention is, and I believe it is the belief of the President, or he would not have nominated this

man, that he is better qualified to represent the public if he is familiar with the subjects he is called upon to consider and if he knows something about the problems which come before the Securities and Exchange Commission.

So I say, Mr. President, that I think this man has qualifications which justified the President naming him to be a member of the Securities and Exchange Commission.

I go back a few years, and I remember the first Chairman of the Securities and Exchange Commission, the Honorable Joseph P. Kennedy, of Boston.

What was his background? Incidentally, he was an excellent chairman of the SEC. He started off with a bang and got everyone behind him. He did an excellent job. What was his background? I took this information from Who's Who this morning.

From 1912 to 1914 Mr. Kennedy was a bank examiner. From 1914 to 1917 he was president of the Columbia Trust Co., a banking organization. From 1919 to 1924 he was manager of Hayden Stone & Co. That is a brokerage and underwriting firm, one of the largest in the business, with offices in Boston, New York, and other cities at that time. From 1930 to 1934, he was engaged in corporation finance. I do not know exactly what that means, but certainly it was in a financial field, and no doubt Mr. Kennedy was very active in that field.

Mr. Kennedy was well known in those days as a man who invested and reinvested and made money trading securities in the market. That was one of the reasons why he was so highly respected when he went to the SEC. The public felt that he understood the subject thoroughly, and would therefore be able to represent the public well, because he was a man of honor and integrity. He served with great distinction. He was President Roosevelt's first appointment to the Securities and Exchange Commission.

Another man whom President Roosevelt appointed to the Securities and Exchange Commission was John W. Hanes. John Hanes was then a partner in a firm named Smith, Barney and Company, which was a merger of two brokerage firms that were very active in the underwriting and distributing business, too. Mr. Hanes was appointed by President Roosevelt because of his knowledge of the securities market and the distributing business, the industry which is so important in financing corporations and the great enterprises of the United States.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. KNOWLAND. I yield an additional 10 minutes to the Senator from Connecticut.

Mr. HUMPHREY. Mr. President, will the Senator from Connecticut yield on my time?

Mr. BUSH. In a moment; not now.

Mr. Hanes served with such distinction on the Securities and Exchange Commission that President Roosevelt later appointed him to be Under Secretary of the Treasury to Secretary Morgenthau. In that post also Mr. Hanes served with distinction.

Who else was appointed to the Commission? I observe the name of Edward T. McCormick, who is now the president of the American Stock Exchange. He was formerly Chairman of the SEC, and before becoming Chairman he was a member of the Commission. What was his background? Who's Who, which is my only source of information on this subject, lists his background as that of securities analyst. In other words, he worked for the firms which were in the underwriting and distributing business, handling securities of the investment-banking fraternity. That was where he grew up. From there he went to the Commission, of which he became Chairman, and later he became president of the American Stock Exchange.

So, I submit that the record shows that my good friends in the Democratic Party and the Presidents under the Democratic regimes selected for service on the Securities and Exchange Commission men who knew what the securities business was all about. I think the fact that both President Roosevelt and President Truman appointed men with backgrounds such as I have outlined is an indication that they felt it was desirable to have men with some professional competence serve on a specialty organization like the Securities and Exchange Commission.

Does the Senator from Minnesota wish me to yield now?

Mr. HUMPHREY. I thank the Senator. I may say that any time I use will be taken from the time allotted to our side, so there will be no difficulty on that point.

My only question, merely for the accuracy of the record, is this: During the time when Mr. Kennedy, for example, was Chairman of the Commission, can the Senator from Connecticut assure the Senate that all five Commissioners were members of the very business they were called upon to regulate? Or were there some members of the Commission who were noninvestment specialists, nonbrokers, nonstockholders?

Mr. BUSH. I do not remember who the other members of the Commission were at that time. I remember that Mr. Kennedy was such an outstanding personality that he rather dominated the Securities and Exchange Commission, and I am very glad he did, because he performed outstanding service.

Mr. HUMPHREY. I, too, am very happy that he did. I think he did an outstanding job. But I think the Senator from Connecticut would recognize and agree that it is somewhat unusual to have all five members of a regulatory body come from the very business they are supposed to regulate.

Mr. BUSH. I would not accept the Senator's statement that they all come from the business they are called upon to regulate. At least one of the opponents of the nomination cited the fact this morning that the present Chairman of the Commission is Mr. Armstrong, who is an attorney from Chicago. I think he said also that the gentleman from California——

Mr. HUMPHREY. Mr. Orrick.

Mr. BUSH. Mr. Orrick, yes—who has recently been appointed, also is an attorney.

Mr. HUMPHREY. But their clients are people who are in the securities business.

Mr. BUSH. Not all of their clients are in that category.

Mr. HUMPHREY. I understand, for example, that Mr. Armstrong comes from a large Chicago law firm and represents many clients who are affected by SEC regulations.

Mr. BUSH. I have no doubt that Mr. Armstrong's law firm serves clients who issue securities as a corporation; or perhaps the firm has clients who are in the underwriting and distributing business or the brokerage business. I believe, though, that his firm is not exclusively devoted to that practice by any means.

Mr. HUMPHREY. Would not the Senator from Connecticut agree that it might be well to have at least 1 or 2 members of the Commission who are particularly interested in the overall nature of the American economy, and who are not specialists and are not particularly or directly connected with the securities business itself?

Mr. BUSH. I do not know exactly what the Senator has in mind when he speaks of someone who is interested in the overall picture of the American economy. Does he mean scientists or farmers?

Mr. HUMPHREY. It is not necessarily a credential for the position that one have an intimate working knowledge of the details of the profession. I think, for example, that Justice William O. Douglas once was the Chairman of the Securities and Exchange Commission; was he not?

Mr. BUSH. He was, indeed.

Mr. HUMPHREY. He was a pretty good commissioner.

Mr. BUSH. And he was a lawyer.

Mr. HUMPHREY. He was a lawyer who represented what I consider to be the public interest.

The Senator from Connecticut is familiar with regulatory agencies. He knows that in many States the statutes provide that certain persons may not be members of agencies or commissions if a majority of the members of the commission are engaged in the business which is to be regulated. That is not at all uncommon. Sometimes there are prohibitions in the law denying a person the right to be appointed, or denying the privilege of appointment, if he is intimately connected with the business he will be expected to regulate.

I think that is going too far. I think men are needed on the Securities and Exchange Commission who know the securities business; but I believe there is a point where it is necessary to draw the line, where a balance is needed. I do not think the Senator will disagree with me as to that.

Mr. BUSH. I do not entirely disagree with the Senator. I do not mean to say that someone should not be placed on the commission who might have a background as a professor of economics, as a professor of law, as an educator, or something of that sort. I would not neces-

sarily say that membership on the commission needs to be 100 percent comprised of persons who have been active in the securities business; no.

But the Senate has before it the nomination of a good man, an honest man, a decent man, one who has a background in the business of securities, and a good and honorable background.

It seems to me that when the President of the United States has selected a person having such attributes, the arguments made against his nomination are not really of much force and effect.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut has yielded back the remainder of his time. Are there any other speakers on the nomination?

Mr. HUMPHREY. Mr. President, I understand the junior Senator from Oregon [Mr. NEUBERGER] would like to be heard. I yield 5 minutes to the junior Senator from Oregon.

Mr. NEUBERGER. Mr. President, I desire to speak only very briefly on the nomination. As a new Member of the Senate, I am somewhat puzzled by the fact that some Government commissions require bipartisan membership and others do not. This seems to be a practice which, like Topsy, has just "growed." For example, I do not understand why the Securities and Exchange Commission should be bipartisan and the Atomic Energy Commission, which, in my opinion, is perhaps the most important commission in the entire Government at the present time, need not be bipartisan. Nor do I understand the practice of requiring bipartisanship, and then allowing so-called captive members of the minority to be appointed.

It seems to me that we must make some kind of reform if this practice of bipartisanship is to be successful. We all know that there is nothing at all to prevent a President of the United States who is a Republican from appointing a so-called captive Democrat. That is apparently what has been done in this instance. Nor is there anything to prevent Democratic President of the United States from appointing captive Republicans.

If we are to perpetuate this method of requiring minority representation on Government commissions, I believe we must institute a reform. I think, for example, it should be required that when the President of the United States names so-called minority members to a commission—that is, persons in the opposite political party from himself—the nomination should have the approval of the leader in the United States Senate of the political party whose member has been appointed. Otherwise, Mr. President, I think we have absolutely no safeguard to carry out this bipartisanship in spirit.

Anybody can find a nominal Democrat who is not a Democrat at heart, and I suppose anyone can find a nominal Republican who is not really a Republican at heart.

For example, just to be absolutely candid, if I ever reached the position where I would make appointments—and I never expect to do so—I might name to a commission the distinguished senior Senator from North Dakota, who very often votes with the Democrats on many economic issues, and I wonder if the Republican Party would regard the appointment as complying with the law.

Without mentioning any names, I suppose if some Member on the other side of the aisle were required to appoint a nominal Democrat, he might, if he looked hard, find some Democrat on this side of the aisle who did not always vote with the Democrats on economic and social issues.

I think such appointments, while complying with the letter of the law, certainly would not be complying with the spirit of the law. Such appointments would be creating what a famous poet once described as hostages to fortune—a person who seemingly was on this side of the aisle, but was really in the control of the person who had appointed him, because while nominally a Democrat, he would not agree with the Democrats, or, while nominally a Republican, he would not agree with the prevailing Republican policy.

So it would be my suggestion that if we are to continue this practice of bipartisanship in Government commissions, the Senate leader of the party whose member was appointed should be consulted before the appointment is made, lest we have only so-called captive Republicans or captive Democrats on commissions.

In conclusion, I again wish to call to the attention of the Senate the fact that there is very little consistency in these appointments at the present time. Why is it that some Government commissions require bipartisan representation and others do not? Again I repeat, if it is sound to have bipartisan representation on the Securities and Exchange Commission, on the Federal Trade Commission, and on the Federal Power Commission, then why not, for example, on the Atomic Energy Commission?

It seems to me we should have one rule which would affect all commissions alike. I can see no reason why we must continue a practice which, like Topsy, has just "growed."

The PRESIDING OFFICER (Mr. MORSE in the chair). The Chair recognizes the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I do not believe any other Senator desires to be heard. I suggest the absence of a quorum.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the time taken for the call of the roll be charged equally to each side.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is, Will the Senate advise and consent to the nomination of Harold C. Patterson, of Virginia, to be a member of the Securities and Exchange Commission?

Mr. FULBRIGHT. Mr. President, on this question, I ask for the yeas and nays.

Mr. KNOWLAND. Mr. President, I join in the request for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the distinguished senior Senator from Indiana [Mr. CAPEHART].

The PRESIDING OFFICER. The Senator from Indiana is recognized for 10 minutes.

Mr. CAPEHART. Mr. President, I do not think I shall speak for 10 minutes.

I am a member of the Banking and Currency Committee which considered the nomination, and in the committee I voted to report the nomination, with a recommendation that it be confirmed.

The name of the nominee is Patterson; he comes from Virginia; he is a Democrat. When he was before our committee, I asked him point blank what his politics was. He said he was a Democrat, but he added that he voted for Eisenhower in 1952. Of course I congratulated him for doing so, because I think that shows excellent judgment on the part of a man, and shows that he would make a fine member of the Securities and Exchange Commission.

One of the arguments against the nominee is that he did vote for Eisenhower, and that the nominee is not a good Democrat. Mr. President, I do not know when it became illegal or disgraceful to vote for the candidate of a party to which one does not belong. I know Members of the Senate who have voted for both Democrats and Republicans. I believe I know Democratic Members of the Senate who supported President Eisenhower, and yet retained their seats on the Democratic side of the aisle in the Senate. I know other Democrats who publicly supported Mr. Eisenhower, even though I do not know whether they voted for him.

However, it is argued against confirmation of the nomination of Mr. Patterson that he is an Eisenhower Democrat, and that the position to which he has been nominated requires, under the law, that it be filled by a Democrat. This agency is one of the bipartisan agencies, and in this case not more than three of the Commissioners can come from any one political party.

As I have said, the nominee comes from Virginia. His nomination was endorsed by both the Virginia Senators. The nominee is a lawyer, and he has also been in the investment business. He has likewise been a member of the staff of the Securities and Exchange Commission for several years, or perhaps longer. Therefore, he has had considerable experience with the Securities and Exchange Commission. So we are following a principle I rather like, namely, that of promoting staff members to be Commissioners. I always liked to follow that principle in business—namely, to promote men from the ranks to the higher positions—if I could do so.

It is argued against confirmation of the nomination that the nomination was

cleared by the Republican National Committee. Well, I suspect it was. I think that is as it should be, because when the Democrats were in control of the administration—during the terms of President Truman and President Roosevelt—the Democratic Party cleared all the nominees, both Republican and Democrats. I have no quarrel with that; I think it is as it should be. I believe it is a good thing. There must be some place where such matters are to be cleared. So I see nothing at all wrong with it.

I remember a nomination for a position on the RFC; the name of the nominee was Dunham. When we asked him whether his nomination was cleared with the Democratic National Committee, he said, "Why, yes; I was not only cleared, but they invited me there for a talk, and they asked me whether I could go along with the other Democrats on the committee." He said he told him that he could.

I find absolutely nothing in the record, absolutely nothing in the testimony, absolutely nothing in any speeches made in the Senate against the nominee by Senators who are opposed to his nomination, against his character. The only thing I find that Senators who are opposed to him have against him that it is alleged that he is not a good Democrat; that he voted for Eisenhower; and that he comes from the industry rather than from public. That is about all I have found against the nominee.

Are those valid reasons for rejecting the nomination? Should we reject a nomination which the President sends to the Senate on the ground that the man is not a good Democrat? How do we know whether or not he is a good Democrat? Only he knows that. We have no way of knowing.

We certainly cannot criticize the gentleman because the Republican National Committee cleared him, if it did—and I believe it did. That is certainly not his fault. If they telephoned him and asked him to come in, if he wanted the position he would have to come in. I will not criticize him for that. I will not criticize either the Republican or Democratic National Committees for clearing appointments in this manner.

I find nothing against the nominee. I do not know too much about his ability; but I do not know that that is our province. We are asked to advise and consent. We are not in a position to look up the history of nominees. We leave that to the executive branch.

It seems to me that the arguments made against the nominee do not hold water. I do not think they are valid. It is said that some of the members of these commissions should be chosen from the public, some from business, and some from some other place. There is nothing in the law requiring such a practice. So far as I know, it has never been followed with respect to any of these commissions, either by the Democrats or by the Republicans. I do not know any particular reason why it should be.

I do not subscribe to the idea that merely because a man is in business he is no good, or that because he is in business he is good, or that because he has had no experience he could not learn, and learn quickly. I do not subscribe to such theories. I think it is up to each individual to decide whether he is to be honest and capable, and whether or not he will be a good Government official. Men either grow into such positions or they do not grow into them. I do not believe that past experience has too much to do with the situation, provided a man is given an opportunity to learn, and possesses a certain amount of intelligence, as I believe this nominee does.

I cannot find any valid reason for not voting for the nomination. I think the nominee is as good a Democrat as could be found. I would not know how to go about finding Democrats for these positions. It seems to me that this nominee is as well qualified as we could expect. Both Senators from Virginia are supporting him. They ought to know about him. The nominee comes from their State. They ought to know whether or not the arguments used against the nominee are valid. It is my understanding that they are supporting him.

I recommend to the Senate that it confirm this nomination.

Mr. KNOWLAND. Mr. President, I yield to myself 3 minutes.

The committee hearings show that the distinguished junior Senator from Virginia [Mr. ROBERTSON] appeared at the hearing. I read from page 1 of the hearings, quoting the junior Senator from Virginia:

> Senator ROBERTSON. Mr. Chairman, I am not on the subcommittee. I just wanted to come and show my interest in my fellow Virginian and express the hope that the committee would favorably recommend his confirmation, because in my opinion he well merits the promotion that the President has seen fit to give him.

This is a case in which the President of the United States has reached into the staff of the Securities and Exchange Commission and promoted someone from the staff to be a member of the Commission.

A few short days ago complaints were being made because the President of the United States had not selected someone from a list of locomotive inspectors and promoted him to be chief of the division.

This nomination is a promotion, based upon merit, of a man who is apparently well qualified. I have been unable to find any evidence casting a reflection upon his integrity or his ability. It is in conformity with the custom, the practice, and the requirement of the law that there be a bipartisan board.

The nominee has testified he has participated in the Democratic Party primaries. I know it to be a fact that during the Roosevelt and Truman administrations men who held nominal Republican registration, and who had voted either for Roosevelt or Truman in the election, were appointed to fill various posts. So this is not an unusual situation. The nominee testified that he has participated in Democratic primaries and has been a Democrat, but apparently he supported Dwight Eisenhower in the Presidential election.

Under the circumstances, I believe that the nomination should be confirmed.

Mr. President, I yield 10 minutes to the Senator from Maine [Mr. PAYNE].

Mr. PAYNE. Mr. President, while I do not happen to be a member of the subcommittee which heard the testimony on the nomination of Harold C. Patterson, nevertheless, I am a member of the Banking and Currency Committee of the Senate, and cast my vote for a favorable report to the Senate on this nomination.

My reason for doing so is that, basically, I consider the man well qualified to administer intelligently and in a straightforward manner, in the interest of the public, the Securities and Exchange Commission Act, as it was passed by the Congress.

If one is undertaking to determine the nature of a human ailment, he obtains the services of the best surgeon or diagnostic expert he can find, rather than going to a horse doctor. In this particular instance, the activities and workings of the Securities and Exchange Commission involve a delicate operation, which concerns many people. The task must be intelligently approached. To administer the act in such a manner as to carry out the intent of the Congress requires the services of a man who knows the law, who knows the workings of the Commission, and the manner in which its activities are carried on.

I have heard it said here that the public interest was being lost sight of. Only a short time ago I referred to the dictionary to learn what Webster had to say about public interest. He says that it means having a civil or official character, authority, or status, and that it imposes upon the individual the obligation of serving all the public, without discrimination, more or less subject to regulation of law.

Nowhere in the testimony of Harold C. Patterson before the subcommittee can anything be found which would have justified the subcommittee in reaching any other determination than that the nominee imposed upon himself an obligation to see to it that the law, as written by the Congress, was administered in the interest of the public. What more can we ask of a man? When a man gives us his word, who are we to question it, until his actions belie his statements before the committee?

It amazes me to hear the question raised as to whether he is or is not a true Democrat. Strangely enough, during recent years I have heard that there are many fine members of the Democratic Party. Many of them are very close friends of mine. However, there are two schools of thought in the Democratic Party. There are the straight line Jeffersonian Democrats. Then there is another branch of the party, which has gone off into what is called the Liberal-New Deal-Fair Deal philosophy. Certainly, when a man who has been honest and forthright before a committee of the Senate is asked what his party affiliation is and says "I am a Democrat," to ask him whether he is a Stevenson Democrat, a Kefauver Democrat, or some other kind of Democrat, is going pretty far. The fact that he honestly answered, "I am a Democrat," should certainly satisfy everyone.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. PAYNE. I yield.

Mr. CAPEHART. Furthermore, he was frank and honest enough to say, "However, I voted for Eisenhower in 1952." For that I congratulate him. He did not have to say that.

Mr. PAYNE. He did not have to say it.

Mr. CAPEHART. But he wanted to be frank and honest.

Mr. PAYNE. That is correct.

Mr. CAPEHART. He said, "I am a Democrat. I am a registered Democrat. I live in Virginia. However, I want you to know that in 1952 I voted for Eisenhower." That shows how honest the man is. That kind of man is intelligently honest. He did not want to fool us.

Mr. PAYNE. After a man has gone into the voting booth to cast his vote, it is his privilege to determine whether he will say who he voted for.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PAYNE. I yield.

Mr. FULBRIGHT. Does the Senator believe if he had answered to the contrary his nomination would be before the Senate for confirmation today?

Mr. PAYNE. What is the Senator's question?

Mr. FULBRIGHT. Suppose Mr. Patterson had said he had not voted for President Eisenhower. Does the Senator believe that the nomination would be before the Senate today?

Mr. PAYNE. I do not believe there is any question that the same questions would still have been raised.

During the course of my public life I have known of a great number of my good friends on the other side of the aisle who were very glad and very willing to endorse the recommendation of a Democratic President in the case of a Roosevelt Republican and a Truman Republican. I know some of the men who were appointed in those years. Those questions were never raised.

There is no sense dragging this matter out. I merely wish to say this: Is it the right of the President to make the nomination? The question is answered in the affirmative.

Has the President followed the line that is set forth in the law, that the appointee should be a Democrat, so as to give representation to the minority and to the majority in proportionate numbers? The answer is in the affirmative.

Is there anything in the law which spells out what the man's qualifications should be? No, there is not.

The law does set forth clearly and unmistakably the very complicated provisions pertaining to the operations of the Securities and Exchange Commission. I submit that no person is better able to understand the functions of a Commissioner of the SEC than a person who has been in the business himself.

When he says he will perform his duties honestly and capably in the interest of the people, I have faith in the decisions he will make when he submits that kind of statement to a committee listening to his testimony.

For the reasons stated, Mr. President, I shall stand by the decision I reached earlier in connection with the appointment of Mr. Patterson, when I voted to report the nomination to the Senate, and it is my hope that the fairminded Members of the Senate, who recognize a good man when they see one, will not turn their backs on a nominee of this type, but will confirm him by an outstanding vote.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes. I merely wish to make a few observations on some remarks made by some of my colleagues. I understood the Senator from Indiana to say that Mr. Patterson is a lawyer. There was no testimony to the effect that Mr. Patterson is a lawyer. For practically all his adult life he has been a broker. He was a partner in the Auchincloss brokerage firm in Washington just prior to his appointment last year to the staff of the SEC. There is no objection to having, as members of the Commission, 1 or 2 representatives of the securities business. The point we seek to make is that the entire membership of the Commission, all five members, should not be composed of men in the securities business or of attorneys who represent clients in the securities business. We believe that as a matter of good governmental practice, there should be some diversity of view and certainly some representatives of the public interest.

The point was made that Mr. Patterson was promoted from the staff of the SEC. That is a rather far-fetched idea. He was appointed to the staff only last year as a Republican patronage appointment. To say that the appointment was made from the staff seeks to leave the impression that Mr. Patterson is a career man and that he has spent at least a substantial amount of time in the SEC, assisting in conducting its operations. He has been there a very short time as a result of a political appointment. He is a representative of the securities business, of the brokerage business. As I said, there is nothing wrong with that, although we believe it is poor practice to have all the members represent that point of view.

I gather from the remarks of the Senator from Indiana [Mr. CAPEHART] that he simply does not believe in bipartisan appointments. He apparently believes them to be a lot of nonsense. He believes that every administration has followed the course of ignoring bipartisan requirements; therefore, why should not the present administration do it? Several Members have stated that such practices were carried out under Democratic administrations. In a Government as big as ours probably cases like that have occurred in all administrations. However, no one who has suggested that that was done has pointed out any cases. I cannot recall any prominent cases. I do recall a number of very important positions going to Republicans, who were not Roosevelt Republicans. I cannot imagine Mr. Stimson being a Roosevelt Republican, or Mr. Knox being a Roosevelt Republican. The same may be said with respect to such Democratic appointments as John Foster Dulles, Warren Austin, Robert Lovett, and many others. They were representatives of their party. I never heard of anyone who said they were not.

I believe it was good governmental practice to invite such men into the Government, to give a different point of view.

John Foster Dulles is certainly not a Truman Republican. He is a Republican. He was called into the Government service in a Democratic administration for the purpose of providing a sort of bridge, it might be said, between the parties. I believe that is an illustration of the Democratic administration conforming to the spirit of the law even in cases where the law does not require it. In the case of Cabinet positions there is no requirement that the appointments be based on bipartisanship.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FULBRIGHT. I yield myself an additional 2 minutes.

The point has been made that it was not a crime to vote for Eisenhower. Of course it was not. No one says it was. However, the law provides that on the SEC there shall be representation of both parties. I believe my colleagues are getting mixed up in the nomenclature. The point is that the law intended that the appointee be of the opposite party, whatever the name. That is, the law provides that he not be a supporter of the administration. That is what the law means. That is the intent of it, regardless of what we may call it. That is the point, regardless of whether we call people conservative, liberal, Democrat, or Republican. The one thing the law does provide is that the SEC shall be a bipartisan commission, at least two of the members of which are not supporters of the appointing power, in this case the President. I believe that is all it means. When asked about it, Mr. Patterson very frankly said that he had voted for Eisenhower. Having been cleared by the party concerned, he would have been a very foolish man if he said he had not voted for Eisenhower. That would have made him not only a liar, but a stupid one.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CAPEHART. He volunteered the information that he voted for Eisenhower.

Mr. FULBRIGHT. I believe the record will show that I asked him if he supported the Presidential nominee of the Democratic Party, and he said "No." I distinctly remember asking him that question.

Mr. CAPEHART. I was under the impression that he volunteered the information.

Mr. FULBRIGHT. It was in reply to my question. He had given no evidence of concealing it, but he had not voluntarily stated it. I do not think that is any crime. I have a great many friends who supported Mr. Eisenhower.

But that is not the point at issue, Mr. President. The issue is whether it is good governmental practice for the President to act as Mr. Eisenhower has in this

case, and whether his action accords with the law which requires that both parties be represented. I take the provision of law to mean that there must be a representative on the Commission who does not support the appointing power, in this case, the President of the United States.

Mr. O'MAHONEY. Mr. President, will the Senator from Arkansas yield time to me?

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from Wyoming.

DO NOT PACK THE SEC WITH BANKERS

Mr. O'MAHONEY. Mr. President, I am frank to say that my opposition to Mr. Patterson's nomination to the Securities and Exchange Commission does not depend at all upon the presidential candidate for whom he voted. The truth of that statement will be borne out by the fact that in the past month I have spent most of my time bringing about the confirmation of judicial nominations submitted to the Senate by the present President of the United States. So the political alinement is the least concern of mine in the consideration of Mr. Patterson's nomination.

My concern arises from the fact that his appointment to the SEC means that every member of that body will be affiliated one way or another with the investment business, and thus the real purpose of the law which guarantees that the Commission have an open mind will be defeated.

The Commission was created by law for the protection of the people, the common people, in the purchase of securities issued and placed upon the market.

During the period preceding the economic slump of 1929 it was revealed that millions of investors throughout the United States, farmers and ranchers in the Western and Southern States, indeed, agriculturists throughout the land, workers in the big cities, small-business men, and professional people, had been victimized by holding companies which were selling worthless stocks to them on the representation of holding companies, brokers, bankers, and investment houses that the stocks were good.

The Securities and Exchange Commission was established by law for the protection of the common people of the United States against the sale of such worthless securities, against the sale of securities which were designed to bring about the concentration of economic power through holding companies. Many of the holding companies were compelled to divest themselves of their holdings in various subsidiaries; and a greater participation by the public resulted from this divestment by various holding companies of the operating subsidiaries through which they dominated the Nation's electric utility bureaus.

A POLITICAL ISSUE FOR 1956 IS BEING CREATED

Mr. President, I should think that the Members of the Senate on the other side of the aisle would give most careful consideration to the words which I am now about to pronounce. If they support Mr. Patterson in the vote on the confirmation of his nomination they will be creating an issue for the Democratic Party in the campaign of 1956 which will be understood in every home in the land; and no amount of rhetoric——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield 5 more minutes to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, no amount of rhetoric and oratory will close the eyes of the people of the United States to the fact that if the nomination of Mr. Patterson is confirmed the Securities and Exchange Commission will become almost completely a Commission of bankers and investment lawyers.

Are the Republican Senators going to say that it is the desire of the President, the desire of the Republican Party, and their own desire as Senators, to deny the farmer, the worker, and the small-business man representation on the Securities and Exchange Commission? A vote for Mr. Patterson will do just that and it cannot be denied.

Mr. President, I have before me a statement which was issued by the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alabama [Mr. SPARKMAN], the Senator from Illinois [Mr. DOUGLAS], the Senator from New York [Mr. LEHMAN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Oregon [Mr. MORSE], regarding the nomination of Mr. Patterson. In the statement are listed the names of the present members of the SEC. Examining this statement, I wish to amplify what the Senators said.

The statement shows that the present Chairman, Mr. Armstrong, comes from a large Chicago law firm, a great many of whose clients are subject to Commission rules and regulations. What was this firm? I would add this information to the statement by the Senators who issued it. It was the law firm of Lincoln, Isham & Beale, attorneys for Commonwealth-Edison Co., which was the largest operating firm in the Insull empire, one of the empires which brought about the collapse in 1929, when the abuses by Mr. Insull were such as to make it inevitable that Congress should pass a law establishing the SEC and providing for the divestment by holding companies of some of their holdings.

Another member of the Commission is Mr. Rowen, who comes from a large San Francisco law firm representing many clients affected by SEC regulations.

Mr. Goodwin was also a member of a corporation. He comes from the State of Alabama. He was a member and a partner in Dillon, Reed & Co., which company is an investment banking firm.

IS THIS GOP THE PARTY OF BIG BUSINESS?

Is it possible that the Senate of the United States is going to say to the people of the United States that we will select as SEC Commissioners men trained by the investment bankers to protect them from the sale of weak or worthless securities? Or, to put it another way, suggested by the chairman of the committee, is it possible that the Members of the Senate, Republicans and Democrats alike, are going to say to the investors of the United States, "We are going to select investment bankers to protect you against investment bankers?" I thank the Senator from Arkansas for his suggestion. I am happy to have adopted it.

The fourth Commissioner is Mr. Adams. He comes from an investment banking firm in Hartford, Conn.

We have also the case of Mr. Demmler, who is the ex-Chairman of the SEC. He resigned only a few weeks ago when the Dixon-Yates matter began to get hot, and no explanation was ever given as to why he resigned.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. FULBRIGHT. I yield an additional 5 minutes to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. Demmler, when he was appointed to the Commission, came from the law firm of Reed, Shaw, Smith, & McClay, of Pittsburgh, of which former Senator Reed, of Pennsylvania, was the head.

Whom did that firm represent? It represented the Mellon investment firm. One of its brilliant staff of able lawyers, he suddenly appeared with this administration to become chairman of the SEC.

To show what this means, choosing all the commissioners from one industry, so to speak, it is only necessary to point out that Mr. Robert A. McDowell, head of the Division of Corporate Regulation, came to the SEC from the firm of Sullivan and Cromwell of New York, attorneys of the first Boston corporation in the Dixon-Yates matter.

Mr. President, how is it possible for the Senate, in the closing hours of this session, to give its approval to a nomination which will make the SEC into an organization completely composed of investment bankers and lawyers of investment bankers?

LET US AVOID CREATING CONFLICT OF INTERESTS

We talk about conflict of interests. The President only yesterday sent to the Senate a letter which was delivered to the minority leader, the senior Senator from California, notifying the Senate of the resignation of Mr. Talbott, Secretary of the Air Force.

What were Mr. Talbott's connections? He was a member of a management firm, and he acknowledged before a Senate committee that on the letterheads of the Department of the Air Force he was soliciting business for the management firm of which he was a partner. He was exonerated of any violation of law or ethics. But, Mr. President, we cannot afford to place men in positions where they are subjected to the temptation to serve their own selfish interests. It would be unfair to Mr. Patterson to confirm his nomination, just as it was unfair to Mr. Talbott to confirm his nomination and place him in a position where he could use the stationery of one of the great departments of the United States Government to pursue an attempt to build up the business of his organization.

What is being said to us when we are urged to confirm the nomination of Mr. Patterson is that we need not care whether the farmers, the cattlemen, the small-business men, the workers, the in-

vestors, the people who are saving their money, are to be protected by men who know their problems and are free from danger of favoring special interests.

I sincerely believe that in the interest of protecting small business and small investors, the President should withdraw the nomination if the debate in the Senate continues long enough for him to realize the nature of the nomination and its effect on economic welfare. I trust that even though the nomination is confirmed, the President may see fit to withhold the actual appointment.

We cannot close our eyes to the fact that under the present administration there is a sort of staff organization of the executive branch. The President depends upon the leaders of his staff to look after much of the domestic business of the country, while he is devoting his time to grave international problems, in the conduct of which I think he is sincerely trying to win peace.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. Mr. President, will the Senator from Arkansas yield me 1 more minute?

Mr. FULBRIGHT. Yes; I yield the Senator an additional minute.

Mr. O'MAHONEY. So the staff members who dare to suggest the nomination of a man who will make the SEC an organization from which everyone is barred except investment bankers and their lawyers are doing a disservice to their own President, and certainly they are doing a disservice to the people of the United States.

I hope the nomination will be overwhelmingly rejected, if the vote is about to be taken.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield 2 minutes to me?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, are we to understand that in this instance, and in other instances of nominations to boards and commissions, the President should select persons who have had absolutely no experience, and who know absolutely nothing about the problems involved?

For example, of what good could a farmer or someone else who knew absolutely nothing about the investment business or investment law be as a member of the SEC? Of what good would such a person be to the Commission if he had absolutely no experience in the securities and exchange field?

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CAPEHART. What could such a person do?

Mr. O'MAHONEY. There is no such suggestion.

Mr. CAPEHART. The Senator's argument against Mr. Patterson——

Mr. O'MAHONEY. My argument is against packing the Commission with investment bankers.

Mr. CAPEHART. Just a moment. I have ears; I can hear. The Senator's whole argument is based upon the fact that all five of the members are experienced persons.

Mr. O'MAHONEY. They are all from one class.

Mr. CAPEHART. Suppose some of them were previously in the investment business or were lawyers for investment companies. When was it decided we should go outside of experience to get someone to protect us? If Senators were in trouble, would they hire a lawyer who had had absolutely no experience?

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CAPEHART. No. Let me speak now. Would Senators hire lawyers who knew absolutely nothing about a subject? Would they hire lawyers who had absolutely no experience? Would they appoint or hire someone who had absolutely no experience to do a specific job, someone who could not read a financial statement, who knew nothing about the law, who did not know the difference between preferred stock and common stock, and debentures and bonds? Is that the argument the Senator is making?

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Will the acting minority leader yield me 2 more minutes?

Mr. FULBRIGHT. I will yield the Senator 2 minutes from my time.

Mr. CAPEHART. Does the Senator from Wyoming think a better job could be done by hiring someone who knew nothing at all about the subject?

Mr. O'MAHONEY. Mr. President, is the Senator asking me a question?

Mr. CAPEHART. Yes; I have asked the question.

Mr. O'MAHONEY. I answer the Senator from Indiana by stating that I have no doubt in the world that he himself could select from his own employees, from the management of his great manufacturing institution to be members of the Commission, men who are neither investment bankers nor lawyers, but who could read a balance sheet, and who could better represent the people of the United States and the investors of the United States than could the investment banker who has been nominated.

Mr. CAPEHART. Does the Senator take the position that the nominees to this Commission should not come from business?

Mr. O'MAHONEY. Not at all.

Mr. CAPEHART. That they should not come from the investment banking field?

Mr. O'MAHONEY. I am simply saying that the whole Commission——

Mr. CAPEHART. Is the Senator saying that a lawyer should not have represented an investment firm, so as to have enabled him to get some experience in that field? The able Senator from Wyoming is a lawyer. Does he take the position that such persons ought not to be appointed?

Mr. O'MAHONEY. Certainly not. The Senator from Indiana is trying to argue himself into believing what he is saying. I did not say that at all. I say there should not be a Commission of five members all chosen from one group.

Mr. CAPEHART. Does the Senator mean a Commission of five experienced persons?

Mr. O'MAHONEY. I do not. I mean a Commission of five investment bankers and lawyers for investment banking houses.

Mr. CAPEHART. Three with experience, and two without any experience?

Mr. O'MAHONEY. Not at all.

Mr. CAPEHART. I simply wish to make one statement, and then I shall take my seat. There is a concentrated effort on the part of the opposition to the nomination—this is my personal opinion——

The PRESIDING OFFICER. The time of the Senator from Indiana has expired. Does the Senator from California yield additional time to the Senator?

Mr. KNOWLAND. I yield 2 minutes to the Senator from Indiana.

Mr. CAPEHART. Even though in this instance the nominee has the same political faith our opponents espouse, there has been concentrated effort on the part of too many Senators in the opposite political party from that of the President of the United States to discredit and try to run out of Government all businessmen and all experienced persons, and to cast a shadow of doubt upon their integrity and honesty. One sees it manifested in the newspapers every day. One sees the effort made on the floor of the Senate every day. One feels it in the air. There is some sort of propaganda campaign in progress to discredit the Eisenhower administration and the Eisenhower appointees.

The opposition to the nomination before the Senate is an example. The only thing which can be found against the nominee is that he has had experience. The only thing which can be found against him is that he has had many, many years of experience in dealing with the very subject with which he will be expected to deal as a member of the Commission. It is said that someone who has had no experience should be appointed.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. CAPEHART. Yes; I yield.

Mr. O'MAHONEY. I wish to give the Senator examples of Republican members of the SEC who fall within my description and who were members of the Commission. Mr. Richard McIntyre, who for several years was a government attorney, was appointed to the SEC, as a Commissioner. Judge Healy, who was general counsel of the Federal Trade Commission, was also appointed to the SEC.

Mr. Robert O'Brien, of the staff of the SEC, was made a Commissioner. Mr. Donald L. Cook, a government attorney, was made a Commissioner. Jerome Frank, a government lawyer, now a judge, not an investment banker, and not a lawyer for investment banking houses, was made a member of the Commission. Former Representative Eicher,

of Iowa, was a Republican, but not an investment banker, so that the argument which is being made here in effect, namely, that members of the Commission should be chosen from the profession with which the Commission deals, falls to the ground.

There are thousands of investors in the United States thoroughly familiar with fiscal affairs who are not investment bankers or attorneys for investment banking houses. There are thousands of businessmen, there are thousands of lawyers, there are thousands of citizens fitted and available for appointment to this Commission. The appointee of the Commission should not be selected from the very group the Commission was established to regulate.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired. Does the Senator from California yield further time to the Senator from Indiana?

Mr. KNOWLAND. Mr. President, before the vote on the nomination is taken, I should like to say that some question was raised as to nominations which in previous administrations were made without any consultation with the Republican leadership of the Senate.

I am informed that at the time Mr. Arthur S. Flemming was appointed to the Civil Service Commission in 1939, there had been no consultation with the official Republican leadership in the Senate or the House.

When Mr. Lowell B. Mason was appointed in 1945 to the Federal Trade Commission, there had been no consultation with the Republican leadership in the Senate or the House.

When Mr. Eric A. Johnston was appointed in 1948 to the Public Advisory Board of the ECA, there had been no consultation with the Republican leadership in the Senate or the House.

When Mr. Philip D. Reed was appointed in 1948 to the United States Advisory Commission on Information, there had been no consultation with the Republican leadership in the Senate or the House.

When Mr. Walter L. Dunham was appointed in 1949 to the Reconstruction Finance Corporation, there had been no consultation with the Republican leadership of the Senate.

In 1952, when Mr. Wilson L. Townsend was appointed to the Export-Import Bank Board, there had been no consultation with the Republican leadership of the Senate.

In addition to that, previous administrations had a rather unusual practice. Since the law provided that, let us say, no more than 3 appointments should come from 1 political party, instead of appointing Republicans who had at least voted in the Republican primaries—as the nominee under consideration has voted in Democratic primaries—and who might have voted in a presidential election once in a while, previous administrations engaged in the unusual procedure of appointing so-called independents, and in effect charging them to the Republican minority.

The administrations to which I referred appointed Mr. Nelson Lee Smith to the Federal Power Commission in 1943.

Mr. William J. Patterson was appointed to the Interstate Commerce Commission in 1939.

Mr. Ewell K. Jett was appointed to the Federal Communications Commission in 1944.

Mr. William Ward Smith was appointed to the Maritime Commission in 1946.

Mr. Edward Webster was appointed to the Federal Communications Commission in 1947.

Mr. Philip B. Flemming was appointed to the United States Maritime Commission in 1949.

Mr. John Carson was appointed to the Federal Trade Commission in 1949.

Mr. Charles M. LaFollette was appointed to the Subversive Activities Control Board in 1950.

Mr. Seymour E. Harris was appointed to the Commodity Credit Corporation in 1950.

The political designation of all the persons I have just named was "Independent," with the exception of William Ward Smith, who gave his political affiliation as "none."

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. Does the Senator from California yield back any time still remaining to him?

Mr. FULBRIGHT. Mr. President, I am about to suggest the absence of a quorum, and I am prepared to yield back the time remaining to us.

Mr. KNOWLAND. I suggest we both yield back our time, and then suggest the absence of a quorum.

Mr. FULBRIGHT. I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Is not the pending question, Will the Senate advise and consent to the nomination of Harold C. Patterson, of Virginia, to be a member of the Securities and Exchange Commission?

The PRESIDING OFFICER. That is correct.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is absent by leave of the Senate.

The Senator from Texas [Mr. JOHNSON] is absent by leave of the Senate because of illness.

I further announce that if present and voting, the Senator from Massachusetts [Mr. KENNEDY] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Wyoming [Mr. BARRETT] is absent because of illness in his family.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. JENNER], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from Idaho [Mr. WELKER] are necessarily absent.

The Senator from Ohio [Mr. BRICKER] and the Senator from Iowa [Mr. HICKENLOOPER] are absent by leave of the Senate, on behalf of the Joint Committee on Atomic Energy.

The Senator from Maryland [Mr. BUTLER] and the Senator from Connecticut [Mr. PURTELL] are absent on official business.

If present and voting, the Senator from Wyoming [Mr. BARRETT], the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Connecticut [Mr. PURTELL], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The result was announced—yeas 49, nays 29, as follows:

YEAS—49

Aiken	Ellender	Mundt
Allott	Ervin	Payne
Beall	Flanders	Potter
Bender	Goldwater	Robertson
Bennett	Holland	Russell
Bible	Hruska	Saltonstall
Bush	Ives	Smith, Maine
Byrd	Kerr	Smith, N. J.
Capehart	Knowland	Stennis
Carlson	Kuchel	Thurmond
Case, N. J.	Long	Thye
Case, S. Dak.	Malone	Watkins
Cotton	Martin, Iowa	Wiley
Curtis	Martin, Pa.	Williams
Dirksen	McCarthy	Young
Duff	McClellan	
Dworshak	Millikin	

NAYS—29

Barkley	Jackson	Morse
Chavez	Johnston, S. C.	Murray
Clements	Kefauver	Neely
Douglas	Kilgore	Neuberger
Fulbright	Langer	O'Mahoney
Green	Lehman	Scott
Hayden	Magnuson	Smathers
Hennings	Mansfield	Sparkman
Hill	McNamara	Symington
Humphrey	Monroney	

NOT VOTING—18

Anderson	Eastland	Johnson, Tex.
Barrett	Frear	Kennedy
Bricker	George	Pastore
Bridges	Gore	Purtell
Butler	Hickenlooper	Schoeppel
Daniel	Jenner	Welker

So the nomination was confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the confirmation of the nomination.

The PRESIDING OFFICER. The clerk will state the next nomination on the Executive Calendar.

DEPARTMENT OF LABOR

The legislative clerk read the nomination of Newell Brown to be Administrator, Wage and Hour Division, Department of Labor.

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

Mr. SMITH of New Jersey. Mr. President, as ranking minority member of the Committee on Labor and Public Welfare, from which this nomination was reported, I desire to make a few remarks upon the nomination of Mr. Newell Brown to be Administrator of the Wage and Hour Division of the Department of Labor.

Mr. Brown's name came before the Senate by nomination by the President of the United States last February. The Department of Labor has been without a Wage and Hour Administrator since that time. I felt the responsibility, during the intervening period, of requesting hearings from the committee practically once a week from February until July. On July 26 hearings were held by a Labor subcommittee, of which I was a member.

Personally, I feel deeply concerned, in the light of the record Mr. Brown made before our committee, and his own personal record, which we heard from various sources, that he should be apparently opposed for this position. He had a great record, including his war record. He was awarded the Legion of Merit, and was a member of a unit which received the President's Distinguished Unit Citation.

The reason I mention that is that one of the witnesses against him raised the question of his integrity, ability, and sincerity. That question was cleared up in the hearings without difficulty.

At the opening of the hearings the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON] appeared and made strong statements supporting Mr. Brown.

Another witness was Hon. PERKINS BASS, a Representative in Congress from the State of New Hampshire. I will not go into detail with regard to the various statements. They appear in the record.

Beginning on page 5 of the hearings will be found the statement by Mr. Brown of his career and his past record. His career is briefly summarized on page 6, under the heading "Biographical Information."

He was born in June 1917, in Berlin, N. H., 1 of 5 children. He attended the public schools there. He went to Phillips Academy, at Andover, Mass. He graduated from Princeton University in 1939.

The record of his career shows that he was a reporter for the Trenton Times newspapers, in Trenton, N. J., from 1939 to 1940; editor and publisher of the Franklin (N. H.) Journal-Transcript, a weekly newspaper, from 1946 to 1949; secretary to Gov. Sherman Adams from 1949 to 1950; editor of the Strafford Star, of Dover, N. H., an afternoon daily newspaper, in 1950; and director of the Division of Employment Security of New Hampshire, from August 1950 to date.

His war record shows that he entered the Army on December 1, 1940, as a volunteer. The testimony shows that he entered as a second lieutenant and was honorably discharged, after his war service, as a lieutenant colonel, in March 1946. He is married and has five children. He lives in Concord, N. H.

Various other positions which he has held in New Hampshire are enumerated. I ask unanimous consent that the biographical statement be printed in the RECORD at this point as part of my remarks.

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

BIOGRAPHICAL INFORMATION, NEWELL BROWN

Born: June 1917, Berlin, N. H.; son of W. Robinson and Hildreth Brown; 1 of 5 children.

Schooling: Berlin public schools; Phillips Academy, Andover, Mass. (4 years); Princeton University, A. B., 1939.

Work history: Reporter, Trenton Times newspapers, Trenton, N. J., 1939–40; editor and publisher, Franklin (N. H.) Journal-Transcript, weekly, 1946–49; secretary to Gov. Sherman Adams, 1949–50; managing editor, Strafford Star, Dover, N. H., afternoon daily, 1950; director, Division of Employment Security, New Hampshire, August 1950 to date.

War record: Entered Army December 1, 1940; honorable discharge as lieutenant colonel, March 1946.

Married: Alice Dodge Osborn, November 1, 1941; 5 children: girls age 12, 10, and 2; boys 8 and 9.

Home: 8 Park Ridge, Concord, N. H.; phone: Capitol 5–6852.

Other background: Former vice president and now treasurer of New Hampshire Taxpayers' Federation; chairman, Concord Good Government Committee; chairman, legislative committee, Interstate Conference of Employment Security Agencies; former vice president, New Hampshire Weekly Publishers Association.

From time to time active in and director of various local and State civic organizations and charity institutions.

Sports: Various on amateur basis, particularly skiing.

Mr. SMITH of New Jersey. At the hearing the nominee was examined by the Senator from Illinois [Mr. DOUGLAS], who was chairman of the subcommittee. The Senator from Illinois stated:

Senator DOUGLAS. We have received a number of letters in your behalf, Mr. Brown, one from George Fecteau, national director of the United Shoe Workers of America, CIO, which we will make a part of the record.

We also have a letter in your behalf from Mr. Arthur Connor, representative and former president of the New Hampshire State Federation of Labor, and a letter from Orrin Brewer, president of the A. C. Lawrence Leather Workers Union, Local No. 2, of Winchester, N. H.

A telegram in your behalf from Mr. Emile Simard, business agent of the New Hampshire Shoe Workers' Union of Manchester; and a letter from Clifford H. Miller, chairman of the Unemployment Compensation Committee of the New Hampshire Manufacturers' Association, in your behalf.

Those will all be made part of the record.

In addition to these testimonials, there was a question as to Mr. Brown's war record, which brought out the information which I have previously stated. The statement in that connection is found on page 23 of the record.

Mr. Brown volunteered for service on December 1, 1940, before the United States entered World War II. He served in the Army for 5¼ years. He started as a second lieutenant, and in 5¼ years had reached the rank of lieutenant colonel. I read from page 23 of the hearings.

Mr. BROWN. I served in this country for about 3½, nearly 4 years, and the balance of the time was in Burma with the Office of Strategic Services as commander of native troops behind the Jap lines.

Senator PURTELL. Would you mind telling us in view of the fact that the question has already been asked what decorations have been awarded to you by your Government for the services you rendered to this country as an officer in the Army?

Mr. BROWN. Well, only two of consequence, sir, the Legion of Merit, and I was a member of a unit which received the President's Distinguished Unit Citation.

I mention those things, Mr. President, because nothing has been brought up in any way in our hearings which questions the sincerity, the ability, or the integrity of Mr. Brown, except the one witness I mentioned, and I believe the evidence showed that he was on the wrong trail in discussing Mr. Brown's integrity.

The nominee has been the State administrator for unemployment compensation work in the State of New Hampshire. Apparently all the opposition that was brought up against him, I regret to say, was brought up by the American Federation of Labor, which opposes the setup of State administrators, and believes that unemployment compensation should be handled from Washington. Mr. Brown was opposed on the ground that, as chairman of the State administrators of UCC all over the United States, he had supported vigorously the so-called Reed bill, which the Senate had passed by a vote of 78 to 3, showing the attitude of the Senate. The House had passed it by a similarly overwhelming vote. All the discussion of Mr. Brown's qualifications turned on his position on that particular piece of legislation.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. SMITH of New Jersey. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I believe the Senator from New Jersey knows the position I take on Presidential nominations. First, the presumption is in favor of the President until it is——

Mr. SMITH of New Jersey. I have always respected the Senator from Oregon for his position.

Mr. MORSE. The presumption is in favor of the President until it is successfully rebutted. Second, the nomination should be confirmed unless it can be shown that the person is lacking in honesty and integrity, or does not possess the character we have a right to expect of public servants.

Third, that the individual has the competency and qualifications for the job. In some instances the statutes themselves prescribe certain qualifications a person shall have. If he does not have those qualifications, his nomination should not be confirmed.

We have just concluded the consideration of a nomination in connection with which I felt the presumption in favor of the President had been overcome. Because of the three reasons I have stated in my discussion, I felt that the Patterson nomination should not have been confirmed. I shall not review that case. However, I did think that in that instance the presumption had been overcome.

Another criterion is absence of any conflict of interest. If the individual concerned may have opportunity for selfish gain from the appointment which would jeopardize his ability to serve the public interest, his nomination should not be confirmed.

Of course, there is also the question of loyalty to our country.

However, those are the criteria which I have followed for 10 years.

Having made that statement and I believe the Senator knows I am always frank about these matters—I must say to the Senator that I am troubled by the fact that some representations have been made to me by the American Federation of Labor. I am always frank to give the source of the questions I raise. Some representations were filed with me by the American Federation of Labor. They are in the form of protests against the nomination before the Senate. They are protests based on two of the criteria I have mentioned. I should like to ask the Senator from New Jersey some questions with respect to those protests. My mind is still open on the nomination, and I cannot tell the Senator how I shall vote on the nomination until I get the answers to the questions I am about to ask.

Mr. SMITH of New Jersey. I sincerely hope that I shall convince the Senator that he should vote for the confirmation of the nomination.

Mr. MORSE. The first protest is that the nominee does not possess any of the professional qualifications for the job. It is pointed out that the appointment is to the office of Administrator of the Wage and Hour Division of the Department of Labor; that Mr. Brown has had no experience whatever to qualify him for that job, and that, although he has been the director of the Division of Employment Security in New Hampshire, he has had no familiarity at all with the requirements and the technical knowledge that are requisite for the position of Wage and Hour Administrator.

They point out that it is implied that the President should select someone who is qualified for the job under the criteria I have mentioned.

I should like to read some testimony which has been called to my attention:

Senator LEHMAN. May I ask you whether you feel that the Fair Labor Standards Act should be amended so as to increase coverage under the law?

Mr. BROWN. Again I am not sufficiently a student to have an opinion that I could argue successfully about.

Senator LEHMAN. You have no views on that subject?

Mr. BROWN. I have no firm opinion; no, sir.

That is the complaint that has been made to me.

Mr. SMITH of New Jersey. I do not know what the Senator is reading. I remember that Mr. Brown said definitely that he was in favor of increasing the minimum wage. I believe he said distinctly that that was a matter of continual concern to the country. I remember that very clearly. I do not know from what part of the testimony the Senator is reading. Our subcommittee was composed of the Senator from Illinois [Mr. DOUGLAS], the Senator from West Virginia [Mr. NEELY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Arizona [Mr. GOLDWATER], and myself. The Senator from Illinois very faithfully attended every meeting of the subcommittee.

Mr. MORSE. Mr. President, will the Senator permit me to make a correction in what I read? I started to read beginning with the question by the Senator from New York [Mr. LEHMAN]. I thought the sentence above the question was an incomplete sentence. That sentence reads:

Would it be better for me to say, Senator, "Yes, I definitely believe in any increase" if that was your question, sir.

That is according to the testimony before the subcommittee. Then the Senator from New York asked:

Senator LEHMAN. Can you tell us to what extent you feel that the minimum wage should be increased?

Mr. BROWN. No, sir; I don't know enough about it to have formed any opinion on that.

Senator LEHMAN. May I ask you whether you feel that the Fair Labor Standards Act should be amended so as to increase coverage under the law?

Mr. BROWN. Again I am not sufficiently a student to have an opinion I could argue successfully about.

Mr. SMITH of New Jersey. Mr. President, may I read the full colloquy?

Mr. MORSE. I wish the Senator would.

Mr. SMITH of New Jersey. I read from page 22 of the hearings:

Senator LEHMAN. I am not a member of the subcommittee, but I would like to ask you, Mr. Brown, do you personally support an increase in the Federal minimum wage?

Mr. BROWN. My job as Administrator, sir, I would think, would be to administer the law as the Congress passed it regardless of my personal views on the subject. I would be glad to express my views if you would like to have them.

Senator LEHMAN. I would be very glad to have them, if you would.

Mr. BROWN. I do believe in an increase and as long ago as 1953 I so expressed myself to Mr. Fecteau whose letter you have there endorsing me, and I think you will find also in his letter that he says he has talked to me about it and finds my views on the subject entirely acceptable to him as a CIO leader.

Would it be better for me to say, Senator, "Yes, I definitely believe in an increase" if that was your question, sir.

Senator LEHMAN. Can you tell us to what extent you feel that the minimum wage should be increased?

Mr. BROWN. No, sir, I don't know enough about it to have formed an opinion on that.

Senator LEHMAN. May I ask you whether you feel that the Fair Labor Standards Act should be amended so as to increase coverage under the law?

Mr. BROWN. Again I am not sufficiently a student to have an opinion that I could argue successfully about.

Senator LEHMAN. You have no views on that subject?

Mr. BROWN. I have no firm opinion; no, sir.

Mr. MORSE. I am very glad to have the full statement on that point. The excerpt which was handed to me—I was not reading from the printed hearings—was not complete. If I had had the record before me, I would have gone back as far as I needed to go back to get it in full.

So that the record will be perfectly clear, Mr. Brown, as shown on page 22, testified that he thought there should be an increase in the minimum wage, but that he did not feel he was a sufficient student of the subject to have formed an opinion so that he could discuss the question of how much it should be. I believe that is a fair statement of his testimony on that point.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. MORSE. What does the Senator from New Jersey feel about the competency of the nominee from the standpoint of experience in the field of labor legislation? Does he feel that with his competency and the background he possesses it can be said that Mr. Brown is sufficiently versed so that he can administer this position from the standpoint of possessing the technical knowledge necessary for the proper performance of his duty?

Mr. SMITH of New Jersey. I recall that he was appointed in 1950, and he has been devoting practically his entire time to labor matters.

Mr. MORSE. He was appointed to what?

Mr. SMITH of New Jersey. To the present job he holds. He is the employment security administrator for New Hampshire, having charge of unemployment compensation. So he has been very deeply immersed in all labor problems there. He was examined in 2 or 3 sessions of the subcommittee. I think the distinguished Senator from Illinois [Mr. DOUGLAS] was satisfied on that point. He certainly did not vote against reporting the nomination. The Senator from Arizona [Mr. GOLDWATER] and I both thought Mr. Brown was extraordinarily qualified, and we liked the way he cheerfully answered questions concerning wage rates and concerning the Canadian immigration question. We thought he showed a masterly understanding of the problem. Some people may not agree with his conclusions.

Mr. MORSE. Some of the labor representatives who are protesting the nomination have taken the position that his work as director of the New Hampshire Bureau of Employment Security, dealing with unemployment compensation and unemployment problems, happens to involve a field so unrelated to the duties he will have to perform as Administrator of the Wage and Hour Division that they do not feel his experience has any relevancy to the requirements of the job as Wage and Hour Administrator. What does the Senator from New Jersey have to say about that point?

Mr. SMITH of New Jersey. There could not be a field much wider than that in which Mr. Brown operated. He

went into all sorts of labor questions, including the relation of New Hampshire and other States to Canadian labor. I felt that here we had a man who was particularly well trained in the various ramifications of labor problems.

Let me read, in this connection, if I may, from the letter to which I previously referred, from George Fecteau to the Senator from New Hampshire [Mr. COTTON], dated May 18, 1955.

Mr. MORSE. On what page of the report is that letter?

Mr. SMITH of New Jersey. It is on page 6. I shall not read the entire letter. I read from the very bottom of page 6 as follows:

On several occasions Mr. Brown and I have discussed the intent and purpose of the wage-and-hour law and I am convinced that he is well aware of the need of a higher minimum wage and an effective administration of same throughout the country in order to protect working men and women everywhere, and also to protect New England against other areas that are presently taking advantage of low minimum wages in order to lure away many of our industries.

In my opinion, if Mr. Newell Brown's appointment as Administrator of the Wage and Hour Division is confirmed, he will make an able, efficient, energetic, and unbiased Administrator, and I believe the interests of New England and the country as a whole will be well served.

Mr. President, I ask unanimous consent that the entire letter from George Fecteau, dated May 18, 1955, to the Senator from New Hampshire [Mr. COTTON], be printed in the RECORD at this point in my remarks.

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

MAY 18, 1955.

Hon. NORRIS COTTON,
Senator, State of New Hampshire,
Senate Building, Washington, D. C.

DEAR SENATOR: This letter is in reference to Mr. Newell Brown's appointment as Administrator of the Wage and Hour Division of the United States Department of Labor.

As national director of the United Shoe Workers of America, CIO, for the States of Maine, New Hampshire, and Vermont, representing a membership of 8,000 shoe workers in New Hampshire, and as representative of CIO on the Governor's Advisory Council for Unemployment Compensat'on in New Hampshire, may I call the following facts to your attention.

Since the shoe industry is the largest industry in New Hampshire, employmentwise, and the wage and hour law vitally affects all shoe workers, it is not only necessary to provide a higher minimum wage, but it is equally important that all other provisions of the wage and hour law be fairly and impartially enforced if we hope to encourage a decent standard of living and eliminate the cutthroat competition that presently exists in our industry.

Mr. Brown, while director of the Division of Employment Security in New Hampshire, has, in my opinion, done an excellent job in administrating affairs of that department. Although at times some representatives of labor and of management were not always satisfied with his decisions, I am quite sure that none can say that he did not conform with the law, therefore, we should not lose sight of the fact that Mr. Brown's duties were to administer the law, not to make it.

I believe that a study of the New Hampshire unemployment compensation law will show that during the time Mr. Brown has been its director the law has been improved and liberalized until today it is one of the best in the country.

On several occasions Mr. Brown and I have discussed the intent and purpose of the wage and hour law and I am convinced that he is well aware of the need of a higher minimum wage and an effective administration of same throughout the country in order to protect working men and women everywhere, and also to protect New England against other areas that are presently taking advantage of low minimum wages in order to lure away many of our industries.

In my opinion, if Mr. Newell Brown's appointment, as Administrator of the Wage and Hour Division, is confirmed, he will make an able, efficient, energetic, and unbiased Administrator and I believe the interests of New England and the country as a whole will be well served.

With best personal wishes, I remain
Sincerely yours,

GEORGE FECTEAU,
National Director, United Shoe Workers of America, CIO.

Mr. MORSE. Mr. President, will the Senator from New Jersey tell me whether it was the opinion of the Committee on Education and Labor that this nominee possessed the necessary background, experience, qualifications, and competency to fulfill the duties of this position?

Mr. SMITH of New Jersey. I would say to the distinguished Senator from Oregon that it is a matter of great regret to me that the nomination was not considered between February and July 26. On July 26 we were all under pressure. It was no one's fault; but we were under pressure. The chairman of the committee appointed a subcommittee to examine into the nomination. We held hearings. The Senator from Illinois [Mr. DOUGLAS] was present at every session. I was present, except on one occasion. The Senator from Arizona [Mr. GOLDWATER] was present. The Senator from New York [Mr. LEHMAN] was present at some of the hearings, as was also the Senator from Colorado [Mr. ALLOTT]. There was a voice vote. Only two members of the entire committee asked to be recorded in the negative. The Republicans who had attended the hearings voted favorably. There were two negative votes recorded, and the other Democrats voted "present." They were not recorded against confirmation of the nomination.

Mr. MORSE. So far as the Senator knows, there were no affirmative Democratic votes, but there were two negative Democratic votes?

Mr. SMITH of New Jersey. I do not know. I understood from the Senator from Illinois that if he voted on the floor he would vote for confirmation——

Mr. MORSE. I hope the Senator does not object to my interrupting him in this way.

Mr. SMITH of New Jersey. I think the Senator should do so.

Mr. MORSE. I think it is fair, the question having been raised, that the legislative history should be brought out in this manner.

Mr. SMITH of New Jersey. That is correct.

Mr. MORSE. Did the committee take a rollcall vote on the nomination?

Mr. SMITH of New Jersey. No. I should have liked to have had a rollcall vote.

Mr. MORSE. Was the matter referred to the full committee?

Mr. SMITH of New Jersey. Of the 5 members of the subcommittee only 3 were present when the nomination was voted on. The Senator from Illinois said he would vote "present," but he would not vote against confirmation. The Senator from Arizona [Mr. GOLDWATER] and I voted in the affirmative.

Mr. MORSE. I misunderstood the Senator. I thought the Senator was talking about two Democratic votes, and he was talking about the subcommittee vote. Now he is talking about the full committee vote?

Mr. SMITH of New Jersey. The Senator from Massachusetts [Mr. KENNEDY] did not attend any of the hearings, but he stated that a year ago he had talked with Mr. Brown and he felt from that conversation, that Mr. Brown was not qualified. But he did not hear any of the testimony bringing the matter up to date. Of course, he was unable to attend any of our hearings.

Mr. MORSE. Does the Senator from New Jersey have any reason to believe that the two negative votes were based on the ground of lack of competency, or upon some other ground, or some unknown ground?

Mr. SMITH of New Jersey. I do not know. After seeing that fine young man who answered every question frankly without any evasion of any sort, it is very difficult for me to understand how it would be possible to vote against confirmation of his nomination. The Senator from Massachusetts [Mr. KENNEDY] said he disapproved of the Reed bill which Mr. Brown had defended so strongly and which the Senate passed a few years ago by a vote of 78 to 3. The American Federation of Labor was opposed to the Reed bill. But the interesting thing was that Mr. Brown showed a wonderfully intimate knowledge of labor matters. I do not think any of us got any feeling whatever that he was trying to evade or to deceive or was in any way unwilling to say where he stood on labor questions. Some people might differ with him, but they could not question his entire sincerity.

Mr. MORSE. Was there any question asked him which would show his knowledge or lack of knowledge concerning the wage and hour law?

Mr. SMITH of New Jersey. I do not recall any particular questions beyond those which the Senator from New York [Mr. LEHMAN] put to him.

Mr. MORSE. I now wish to raise a delicate matter——

Mr. SMITH of New Jersey. Let me correct myself. I did say at the end—I think it is in the record—"Is there any reason, Mr. Brown, why you should feel in any way disqualified?"

He stated that he thought he was qualified from his 5 years of active experience in this field.

Mr. MORSE. I understood from the Senator that except the very brief examination by the Senator from New York concerning the Wage and Hour Act, no one on the committee subjected

him to any extensive examination on the Wage and Hour Act, and, therefore, any allegation that he lacks competency in this field is faced with the fact that no record was made about it in the hearings. Is that not true?

Mr. SMITH of New Jersey. I do not think any question arose about it. He had said he favored an increase in the minimum wage, and he gave his reasons therefor. He understood the subject, but so far as not saying what it ought to be was concerned, I think he was perfectly right in that. He had not studied all the figures, and did not say whether the rate should be 90 cents or a dollar. He did not take a position on that question.

Mr. MORSE. Probably the reason why he was not examined more extensively was that the matter had not been sufficiently explained, so that he could have properly argued it.

Now I wish to raise a very delicate subject matter, which I am certain the Senator from New Jersey will consider in a very objective manner. I do not know all the facts, but it has been represented that one of the reasons for objections to this nominee is that while he was director of the Bureau of Employment Security in New Hampshire, he sponsored, or, at least, had something to do with, the calling of a conference in his State, which delegates from similar bureaus in other States attended. At the conference a cocktail party was held, and Mr. Brown attempted to use State funds with which to pay the expenses of the liquor party.

It is my understanding that he got into difficulties with the State council, which rejected the bill he submitted for the payment of the expenses of the cocktail party, but that subsequently money was made available to him from various sources, anonymously, including employees of his office staff; that he went subsequently to Boston, I think, or to some other city, to attend another conference; and that at that conference additional money was given to him to pay the liquor bill which had been rejected by the New Hampshire State officials.

I understand quite a furor was caused in New Hampshire; that a newspaper in that State made the matter an issue; and that the nominee was subject to a very severe attack because of the incident.

I think the matter should be discussed and clarified before a vote is taken, because hypothetically speaking—not speaking about Mr. Brown, but hypothetically speaking about Mr. X—if Mr. X attempted to misuse public funds, it would raise in my mind a serious question as to his qualifications subsequently for appointment to a position of public trust.

I have told the Senator from New Jersey all I know about the matter, other than the references to it in the transcript of the record, which consists of some of Mr. Brown's testimony on the subject. I should like to have the opinion of the sponsor of the nomination in behalf of the committee with reference to the matter.

Mr. SMITH of New Jersey. I am very glad the Senator from Oregon has raised the question, because it was discussed at great length in the hearings, beginning at page 173, where Mr. Brown answered this charge. I shall read into the RECORD his answer; then I shall read a letter from the State comptroller, to whom the matter was referred by the council. The question as to whether the money was legitimately used in connection with the entertainment was raised in the council, and the vote was 3 to 2 against Mr. Brown, so he immediately repaid from his own funds the amount involved. His testimony before the committee appears on page 173 of the hearings. He indicated that it would take quite a long time for him to tell his own story, and the Senator from Illinois [Mr. DOUGLAS] said, quite properly:

You have unlimited time.

I now read Mr. Brown's testimony.

Mr. BROWN. I am trying to make it brief and talk about what interests you.

The cocktail-party proposition started this way. When I first joined the division, a year after I got there, I came to the conclusion that the nondirectorial people in the division, those on the professional level—managers, and so forth—who did not in the normal course of the division's work get out of State to rub shoulders with their opposite numbers in other States would be benefited by that experience annually. It is a program that has a good many interstate implications and professional people always benefit from that kind of contact. So I thought up the idea of having a New Englandwide annual conference of the lower levels, or lower echelons, in the employment security agencies of the six New England States. And we had such a conference. The query came up on how to finance it. I had this contingent fund, what Mr. Cruikshank referred to as "mad money." It is penalties, interest, and fines that we collect in the course of a year from employers mostly. It goes into a fund and I can spend it for certain purposes if approved by the governor and council. I got the approval to spend a thousand dollars for this purpose. The reason I needed any money at all was twofold. No. 1: These people are not paid very much. They cannot take $22 or $24 out of their jeans to come up to New Hampshire, plus travel, very easily, particularly right after Labor Day. And the second reason: Of course, I could have gone to the New Hampshire Manufacturers Association or some large employer—or in some States labor unions help sponsor things of that kind. But I feel very strongly personally that in a job like this—and that includes all of my employees—you ought to stay away from obligation to anybody with whom you do business. And I believe in that as to Christmas presents and everything else. I couldn't charge conferees a registration fee. They were overstretched anyway paying their own way. So, I decided the sane and sensible thing to do was to spend government money for this purpose. I ran the conference for 3 years, spending part of the money each year for a social hour, an organized conference cocktail party, as you find at any conference. I guess 1 year we did have a small registration fee and paid for it out of that registration fee. But the other 2 years we used this money. In the fall of 1954, last fall, an issue was raised. The question of the politics of the papers in New Hampshire, Mr. Chairman, comes up.

New Hampshire being at the moment a more or less one-party State, we have the condition that exists frequently in one-party Southern States where there is some friction within the one party. And it appears that the major paper in New Hampshire and the then Governor, Hugh Gregg, didn't always see eye to eye, and word got around that government money was being spent for cocktails in this show of mine. And the paper made a very big production of it.

Senator DOUGLAS. This was an intraparty fight?

Mr. BROWN. Intraparty fight; yes. The paper made a big production of it, and I was away at the time, and there were mistakes as to whether or not I had any intent to charge the government for the party. I had every intent to, and the bill was on the record.

Nothing was hidden about it, but there were some misstatements made. When I got back, I cleared them up and said I intended to charge the government, to which the Governor said, "Well, I think you had better reach into your own pocket. I didn't know that was what you were going to use the money for, and I don't think it is proper."

I said, "Well, I think it is proper, and I would like to talk to the governor and council about it." So I had a hearing before the governor and council and the vote was 3 to 2 against me, and I paid for it, and the rest of the story you have heard.

The $75 that my employees contributed entirely voluntarily is sitting in a bank box somewhere waiting for another party. As to the contingent-fund proposition, you had this morning a letter from Mr. Arthur Bean, who was and is comptroller of the State of New Hampshire, and who is the best-informed individual and direct superior in any fiscal matter of this kind. I would like to read this letter in toto and drop the matter there, unless the committee has any further questions.

It was entered in the record this morning, but I would like to read it, because the allegations have been made. This was written to Senator BRIDGES, dated June 17.

Mr. President, I now read the letter to the Senator from New Hampshire [Mr. BRIDGES] from Arthur E. Beam, which is dated June 17, 1955:

DEAR SENATOR BRIDGES: In answer to your request for information regarding Newell Brown, with particular reference to his handling of division of employment security contingent fund, I must refer back to the year 1951, when Mr. Brown, early in his new duties as director of employment security, requested of this office that an audit be made of his division.

Due to a shortage of personnel, it was not possible for us to make this audit until the spring of 1953—that was 2 years later—"The audit found everything in good order; a question arose as to the method of processing payments from the contingent fund."

In order to clear up this question, a ruling was requested from the attorney general's office. The attorney general ruled that expenditures made from the contingent fund should be processed through the comptroller's office. Upon receipt of this ruling, Mr. Brown immediately brought his procedures into conformity with the ruling and has abided by it in his handling of the funds ever since.

In the fall of 1953, this office requested Mr. Brown to get governor and council approval of certain proposed expenditures and they were so approved. Newspaper stories appearing at the time inferred that we had made a secret audit and that there was the possibility of action being taken to deprive the division of the contingent fund, and that there was evidence of improper or questionable use of the funds.

Our answer to this is that we never have made a secret audit to our knowledge. The question of taking away the contingent fund has never been brought up. We did not find anything improper or questionable in the expenditures that had been made.

Our only question was one of how these expenditures should be processed and approved under the law. We could not and

we cannot in the situation find anything to reflect in any way on Mr. Brown's integrity, ethics, and good faith as a public official.

ARTHUR E. BEAN, *Comptroller.*

Mr. Brown then said:

With that, Mr. Chairman, I am through.

Then the Senator from Illinois [Mr. DOUGLAS] asked Mr. Brown a few questions following that.

Mr. MORSE. Am I correct in my understanding that even though Bean wrote the letter which the Senator has just read, nevertheless, the use of the funds to meet the expenses for the cocktail party was disapproved by the council?

Mr. SMITH of New Jersey. Yes, by a vote of 3 to 2, and Mr. Brown assumed the expense thereafter. Contributions were made by his employees who were there. He did not take the refund. He put it in a fund to be used for future entertainment of a similar kind.

Mr. MORSE. That leads me to ask several other questions.

Turning to page 163 of the hearings, at the bottom of the page, Mr. Brown said:

I won't go into the cocktail end of the cocktail story, except for the matter of this business of contributions. I will cover the details of how the bill was incurred in the first place later, but speaking only to Mr. Cruikshank's written testimony, the story is this:

Then Mr. Brown goes on to point out, as the Senator from New Jersey has, that the expenditures were turned down by the governor's council by a vote of 3 to 2.

Then he said, as appears in the first paragraph on page 164:

Two or three days later, an anonymous envelope appeared on my desk with, oh, $30 or $40 in it. I called in my secretary and one of my directors, and said, "I don't want any of this at all. I made the mistake on this thing in the first place. Let's forget the whole thing. What do you think I had better do?

Their reaction was: "Well, we think the people would like to help you out."

"Well," I said, "I have no interest in it. I don't want it. Let's forget the whole business."

Over the next 3 weeks, these blank envelopes continued to appear until there were, I think, about $200.

Then he said what I pointed out a few minutes ago:

Then I wrote a little article in our house organ expressing appreciation, not knowing where it came from or who contributed it, and then the next thing I know, I went to a regional meeting in Boston and the director of employment security from the State of Rhode Island appeared with a handful of bills as big as my fist and said, "These are donations from the other five New England States and the regional office. They heard about the trouble you got into."

My question is, it is true, is it not, that even though Mr. Brown testified he did not want any of this money, much of which was apparently contributed by employees in his own office, and anonymously, he did use the money to pay the bill?

Mr. SMITH of New Jersey. He used the money to pay the bill, but there was money left over, and that excess went into a contingent fund.

I wish to read from the point where the Senator from Oregon left off. Mr. Brown said further:

It got into the papers, needless to say. "They heard about the trouble and they want to give you a hand."

When we got all through, there was $425 against a $350 bill. The $75 balance is in the hands of my deputy and is being held for some divisionwide social occasion. It has not been cashed yet, and my wife keeps looking at the checkbook and keeps saying, "How can I balance up with $75 outstanding? Where is it?" That is where it is now.

Mr. MORSE. Mr. President, let me repeat my question for the record. Mr. Brown received, in the first instance, anonymously, apparently from employees in his organization, between $30 and $40. During the next 3 weeks he continued to receive, anonymously, contributions from persons who I assume were employees in his office, in the amount of $200. Then later he got some money from persons outside the State who had been at the conference, in the amount of $425. He used all that money to pay the $350 bill, $75 being left over, which is now, I understand, in some sort of a trust fund which will be used for some other social function in the future. Is that correct?

Mr. SMITH of New Jersey. That is right. His total receipts were $425, and the bill was $350, which he paid out of his own pocket. He was reimbursed to the extent of $350. Those who had been there paid for the bill. The balance, or $75, was put into a fund.

Mr. MORSE. Mr. President, I should like to ask a final question. I am a little concerned, although I am not prepared to say I think it is a disqualification, over the fact that the nominee apparently was willing to accept money which his employees contributed anonymously to pay the expenses. I would question that that is good office practice. I do not think an administrator should ever accept money from employees to pay off what became a personal obligation of his own, and when the Governor's council refused to pay the bill it certainly became a personal obligation of Mr. Brown. Did it not?

Mr. SMITH of New Jersey. Obviously it did, because at that stage of the game he paid the bill. His friends felt they should share the expense of the round-robin entertainment among the employees of the five other States.

Mr. MORSE. They were members of his office. I do not think that is good administrative policy.

Mr. SMITH. Some of the contributions came from people from all the other States.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. ALLOTT. I should like to call the attention of the Senator from Oregon to the previous statement which has been read, to the effect that this was a party for the lower echelons, and the people who worked were the same people who attended the party. That is very obvious. The statement is contained in the hearings that they were anonymous contributions.

Mr. MORSE. Yes; they were anonymous.

Mr. ALLOTT. I think the Senator from Illinois [Mr. DOUGLAS] made the most pertinent remark when he said that sometimes a man's friends put him in a worse position than his enemies do.

Mr. MORSE. That is about what I was going to say.

Mr. ALLOTT. I think the remark of the Senator from Illinois to that effect will be found in the hearings.

Mr. MORSE. That is what I was about to say in the comment I had not finished before the interruption occurred.

I think that as a matter of office practice, the administrator, the employer, the top man in such a situation is personally liable for the bill, and should have seen to it that he, and no one else, paid the bill. I believe that would have been much to be preferred. But the fact that he did not is not to be considered as evidence of any defect of character or any disqualification for the job.

Mr. ALLOTT. If the Senator will yield, let me say he understands he did pay for it, and then money in reimbursement started to come in.

Mr. SMITH of New Jersey. Yes, from someone in the New England States.

Mr. ALLOTT. But the $200 did not; I think that amount was over the $200.

Mr. SMITH of New Jersey. It was a part of the $450; yes, I think that is true.

Mr. GOLDWATER. Mr. President, will the Senator from New Jersey yield to me?

Mr. SMITH of New Jersey. I yield.

Mr. GOLDWATER. I may be able to add information which will be of help to the Senator from Oregon. During Mr. Brown's explanation, I think he said he was told he could get the money for the proposed entertainment of the lower echelon, and he acted on that information. Then the council later—as is shown in the evidence—voted 3 to 2 that that was not a proper expenditure of State funds. Mr. Brown agreed with them, and paid out of his own pocket the amount due for the cocktail party. After he paid that from his own account, these anonymous sums started to come in. He stated—and the statement appears in the hearings—that he attempted to find the source of the anonymous donations, but was unable to do so; and, being unable to determine whence they were coming, it was impossible for him to stop them.

I think the Senator from Oregon in his experience, both in civil life and in political life, can recall incidents which might be said to be similar. I am sure that anyone who has lived a full life has occasionally been "stuck" with a check.

Mr. MORSE. If I was, I paid for it myself.

Mr. GOLDWATER. And it is not unusual for persons to offer to share.

In this case I am convinced that Mr. Brown tried to do everything within his power to find who was sending the money, and try to stop it from being sent. But not knowing the source of the money, he was unable to stop it.

I wish to point out that he was of the opinion that he could get the money

from the State, for this purpose, before he undertook to do the entertaining.

Mr. MORSE. I think it is interesting, because I do not think there is in the record anything to show that he attempted to refund the money, although the record shows that he did ask that no contributions be made.

I read now from page 175 of the hearings:

Mr. BROWN. I did ask them if they knew where the contributions came from. They said: "No, we don't know where they came from." That is right; then the contributions kept coming.

Senator DOUGLAS. Did you ever ask any of your assistants to suggest that contributions would be welcome?

Mr. BROWN. No, sir. Several times at staff meetings I thanked those who had, and said "Cut it out," or words to that effect.

Senator DOUGLAS. You didn't say "Here is the money; come and get it, according to the amount you contributed"?

Mr. BROWN. I did not, sir; no.

Senator DOUGLAS. The problem is very difficult, of friends getting one into trouble.

That is the point the Senator from New Jersey made.

I think it is also true, from the record, that previously, on other occasions, the money from the contingent fund had been used for similar purposes. Is that not true?

Mr. SMITH of New Jersey. I think it is true.

Mr. MORSE. So what he did in this instance was to continue a practice which previously had been established; and apparently no question had been raised about the use of State funds for this purpose in other instances. Am I correct about that?

Mr. SMITH of New Jersey. I think that is correct. The fund was made up—as the Senator from Oregon probably has read in the hearings—from fines and other payments mostly made by employees, as the record shows; and he was the one who was able to levy the fines, and he had the money put into a fund, to be used as a contingent fund; and he thought it legitimate to use that money for the entertainment of the persons coming from the other States and the persons in the lower echelon.

I will say the question is a debatable one. However, as soon as he was told that the council felt otherwise, he immediately recognized that he had made a mistake, and he paid the bill himself. Then his friends said, "We want to help pay for this, because, after all, it was a party for all of us."

Mr. MORSE. In that connection, I read from the bottom of page 173 of the hearings:

So I decided the sane and sensible thing to do was to spend government money for this purpose. I ran the conference for 3 years, spending part of the money each year for a social hour, an organized conference cocktail party, as you find at any conference. I guess 1 year we did have a small registration fee and paid for it out of that registration fee. But the other 2 years we used this money. In the fall of 1954, last fall, an issue was raised. The question of the politics of the papers in New Hampshire, Mr. Chairman, comes up.

Mr. SMITH of New Jersey. That is the portion of the testimony I read before.

Mr. MORSE. Yes; the Senator from New Jersey read it before; and I had been searching for it, because I wanted to refer to it when I raised this question.

Mr. President, I have about concluded my remarks, but I should like to make the following comment: All of us differ as to what would be the proper course of action in such a situation. The record shows that the practice of using government funds for this purpose existed in New Hampshire, and apparently had been approved by his superiors, or at least had not been rejected by them.

I wish to say that I do not approve of the use of the taxpayers' money at any time for the purchase of liquor.

Mr. SMITH of New Jersey. I may say it was not taxpayers' money. These were funds and penalties levied on employers for violations of the law in some way; and he collected the money from employers.

Mr. MORSE. But it was not Mr. Brown's money.

Mr. SMITH of New Jersey. It was a contingent fund.

Mr. MORSE. The payments certainly went into the contingent fund, which belonged to the State office.

Mr. SMITH of New Jersey. That is correct.

Mr. MORSE. In that sense, the funds were State funds.

Mr. SMITH of New Jersey. Yes; but they did not come from taxing the taxpayers.

Mr. MORSE. If they are State funds, they belong to the taxpayers.

Mr. SMITH of New Jersey. They belong to the people of the States, who are taxpayers. But that is certainly a remote way of saying that the money is the taxpayers' money.

Mr. MORSE. Very well. Then let me say that I do not believe in expending the people's money for the purchase of liquor, in the administration of government.

Mr. SMITH of New Jersey. But the amount spent for liquor was a very small part. They also paid the expense of bringing persons from five States.

Mr. MORSE. I am referring only to the small part which was paid for liquor.

Mr. SMITH of New Jersey. Yes.

Mr. MORSE. I do not expect many persons to agree with me on this point; but I wish to say for the record that I think we are dealing with an evil in the administration of government in the United States. I deplore the fact that official Government functions involve the use of the taxpayers' money for the purchase of liquor. If a man wants to drink liquor, that is his private business; but I think it becomes the public business when public funds are used for the purchase of liquor.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. DOUGLAS. Is the Senator from Oregon aware that the Senator from Illinois repeatedly has tried to cut the so-called entertainment expense funds of the Foreign Service, in order to prevent the serving of liquor at diplomatic functions?

Mr. MORSE. And each year, without exception, I have supported the Senator from Illinois in that endeavor.

Mr. DOUGLAS. And each year, without exception, we have been defeated.

Mr. MORSE. That is true; and perhaps we shall continue to lose.

However, I wish to make this point, and then I must leave for a conference, which I hope to reach in time to vote: I wish to say that today alcoholism is one of America's greatest menaces from the standpoint of health and otherwise. It is very deplorable to see, as all of us have, very fine human beings permitting themselves to be deteriorated and destroyed by alcoholism.

When we are dealing with a social menace I do not believe the stamp of Government approval should ever be allowed to be placed on it. The use of alcohol by an individual is, of course, a private matter; but if any Government department uses public funds for the purpose of giving cocktail parties, I think the administrator of that department or agency should be criticized for such a course of action.

Mr. SMITH of New Jersey. Certainly, I respect the Senator's point of view.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. ALLOTT. I merely wish to associate myself with the remarks of the Senator from Oregon. I do so because, in 1949, I raised certain objections publicly in my own State with respect to a fund of $20,000 which had been provided by the legislature to arrange a Governor's conference. I do not believe the fact that the Governor was of the opposition party had anything to do with the case. However, I feel the same way as does the Senator from Oregon, and I heartily concur with his remarks in that connection.

There is one thing which the Senator from Arizona [Mr. GOLDWATER] has brought out, and I think the Senator from Oregon also understands the situation very well. The practice involved in this case had been followed previously. Also, before the conference was even organized the expenses had been approved and authorized by the Governor and the council, and afterward the question with respect to this item arose.

Mr. MORSE. That is why I thought it was only fair to bring out the fact that it had been done before. I have tried to be very fair in this case.

Mr. ALLOTT. I agree to that.

Mr. MORSE. This question has been raised, and I shall be asked, "Did you or did you not approve that particular course of action?" I do not approve that particular course of action in this instance or in any other instance.

I am almost through with my comment on the expenditure of Government funds for the purchase of liquor. I think we might as well face the fact that it is one of the great social issues within our population. A great many of our people have very strong feelings on the subject. I have always taken the position that each man should decide for himself what he wishes to do with regard to liquor, but I do not think Government officials should at any time use public funds for

the purchase of liquor to serve at any Government function. I think it ought to be eliminated.

I do not hold to the point of view that a person must be half soused to have a good time at a Government function. One reason why I steer away from Washington cocktail parties as much as I can, unless I am required to be present as an official representative of my State, is that I cannot imagine a greater waste of human energy than milling and mulling around at a cocktail party, with a considerable number of people always sufficiently under the influence of liquor so that they paw one around. That happens to be a personal point of view. I do not find such occasions at all pleasant.

Mr. SMITH of New Jersey. A great many of the Senator's colleagues share his feelings about the milling and mulling around.

Mr. MORSE. Let me make this additional comment: I hope Mr. Brown has learned—I am sure he has—from this particular experience that one usually gets into trouble when he plays around with liquor.

The second observation I wish to make is that I do not think it was discreet on his part to decide that it was the better part of wisdom to accept money which he knew came from the employees in his office. I think he should have insisted that in some way, somehow, as the Senator from Illinois [Mr. DOUGLAS] suggested at the hearing, the money be placed on the desk and the staff members told to come and get their proportionate share.

But again, I do not think that incident overcomes the presumption which has been raised in support of the nomination, particularly in view of the record which has been called to my attention.

Mr. SMITH of New Jersey. I thank the Senator for his contribution, and for the questions he has asked in an effort to clarify the record.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Newell Brown to be Administrator, Wage and Hour Division, Department of Labor?

Mr. COTTON. Mr. President, as a Senator from the State of New Hampshire, let me say that I have known Mr. Brown for many years, and I want to testify to his integrity, character, and fitness for this position.

Mr. NEELY. Mr. President, apparently there will be no yea-and-nay vote on this nomination. For the RECORD, I wish to state that I voted against the nomination in the committee, and I propose to vote against the nomination on a voice vote in the Senate.

Mr. HUMPHREY. Mr. President, I want the RECORD to show that I shall also vote in the negative.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Newell Brown to be Administrator, Wage and Hour Division, Department of Labor?

The nomination was confirmed.

POSTMASTER

Mr. HUMPHREY. Mr. President, I believe the next order of business on the Executive Calendar is the nomination of a postmaster in North Carolina. It is my understanding that the junior Senator from North Carolina [Mr. SCOTT] has some comments to make on that nomination.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Margaret E. Smith to be postmaster at Montreat, N. C.

Mr. SCOTT. Mr. President, this person is personally obnoxious to me, and I object to the confirmation of the nomination.

Mr. JOHNSTON of South Carolina. Mr. President, I think the Senator from Kansas [Mr. CARLSON], a former chairman of the committee, will confirm the statement which I shall make. It is customary in our committee, when any Senator says a nominee is personally objectionable to him, not to act favorably on the nomination. For that reason the nomination has been reported adversely from the committee, and I ask that it be rejected.

Mr. CARLSON. Mr. President, I concur in the statement made by the chairman of the Committee on Post Office and Civil Service with regard to this nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Margaret E. Smith to be postmaster at Montreat, N. C.?

The nomination was rejected.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I believe that in accordance with the understanding between the acting majority leader and the minority leader, it was the intention to have a morning hour following the completion of consideration of the Executive Calendar. We have now completed the Executive Calendar.

The PRESIDING OFFICER. The Chair is advised that the Senate should first resume legislative session.

Mr. HUMPHREY. I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Is this the same legislative day?

The PRESIDING OFFICER. It is the legislative day of August 2.

LEGISLATIVE APPROPRIATIONS FOR 1956—ADDITIONAL CONFEREE

During the proceeding in executive,

Mr. HAYDEN. Mr. President, as in legislative session, I ask unanimous consent that the senior Senator from California [Mr. KNOWLAND] be appointed an additional conferee on the part of the Senate on the bill (H. R. 7117) making appropriations for the legislative branch for the fiscal year ending June 30, 1956, and for other purposes.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1189. An act to permit national banks to make 20-year real estate loans, 9-month residential construction loans and 18-month commercial construction loans; and

S. 2039. An act to authorize the Secretary of the Interior to lease any unassigned lands on the Colorado River Indian Reservation, Ariz., and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7618) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MURRAY of Tennessee, Mr. MORRISON, and Mr. REES of Kansas were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2430. An act to release certain restrictions on certain real property heretofore granted to the city of Charleston, S. C., by the United States of America;

H. R. 2552. An act to authorize the modification of the existing project for the Great Lakes connecting channels above Lake Erie;

H. R. 2667. An act to amend section 208 (b) of the Technical Changes Act of 1953 (Public Law 287, 83d Cong.);

H. R. 3413. An act to amend the Internal Revenue Code of 1954 to provide that the tax on wire and equipment service shall not apply to amounts paid for the installation of community television-receiving antenna equipment;

H. R. 5047. An act to increase the compensation of trustees in bankruptcy;

H. R. 6143. An act to amend the Internal Revenue Code of 1939 to provide that for taxable years beginning after May 31, 1950, certain amounts received in consideration of the transfer of patent rights shall be considered capital gain regardless of the basis upon which such amounts are paid;

H. R. 6309. An act to authorize construction of the Mississippi River-Gulf outlet;

H. R. 6686. An act providing for a preliminary examination and survey by the Secretary of the Army for the purpose of controlling water-chestnut infestation in the upper Chesapeake Bay tributaries;

H. R. 6712. An act to amend section 1237 of the Internal Revenue Code of 1954;

H. R. 7049. An act to revise, codify, and enact into law title 10 of the United States Code, entitled "Armed Forces," and title 32 of the United States Code, entitled "National Guard"; and

H. R. 7634. An act to provide that amounts which do not exceed 60 cents shall be exempt from the tax imposed upon amounts paid for the transportation of persons.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 135. An act for the relief of the Elkay Manufacturing Co., of Chicago, Ill.;

S. 463. An act to authorize the issuance of commemorative medals to certain societies which Benjamin Franklin was a member, or sponsor, in observance of the 250th anniversary of his birth;

S. 878. An act to amend the act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character;

S. 1093. An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes;

S. 1159. An act for the relief of Wilma Ann Schilling and her daughter, Ingertraud Rosalita Schilling;

S. 1296. An act for the relief of Maria Anna Coone;

S. 1577. An act to amend the acts granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate toll bridges across the Connecticut River;

S. 1730. An act for the relief of Anna Marie Hitzelberger Scheidt, and her minor child, Rosanne Hitzelberger;

S. 1758. An act to amend the Bankhead-Jones Farm Tenant Act, as amended, to modify, clarify, and provide additional authority for insurance of loans;

S. 1965. An act to repeal a particular contractual requirement with respect to the Arch Hurley Conservancy District in New Mexico;

S. 2198. An act to extend the period of restrictions on lands belonging to Indians of the Five Civilized Tribes in Oklahoma, and for other purposes;

S. 2403. An act to authorize the dual employment of custodial employees in post office buildings operated by the General Services Administration, and for other purposes;

S. 2511. An act to amend the Agricultural Adjustment Act of 1938, as amended;

S. 2604. An act to increase the borrowing power of the Commodity Credit Corporation;

S. 2630. An act to facilitate the establishment of local self-government at the communities of Oak Ridge, Tenn., and Richland, Wash., and to provide for the disposal of federally owned properties of such communities;

H. R. 593. An act to convey by quitclaim deed certain land to the State of Texas;

H. R. 5249. An act to amend the Internal Revenue Code of 1954 to provide for refund or credit of internal revenue taxes and customs duties paid on distilled spirits and wines lost, rendered unmarketable, or condemned by health authorities as a result of the hurricanes of 1954;

H. R. 7018. An act to authorize subpenas in connection with the enforcement of the narcotic laws, and for other purposes;

H. R. 7034. An act to provide permanent authority for the relief of certain disbursing officers, and for other purposes;

H. R. 7035. An act to amend section 1 of the act entitled "An act to authorize relief of accountable officers of the Government, and for other purposes," approved August 1, 1947 (61 Stat. 720); and

S. J. Res. 91. Joint resolution to authorize the Secretary of Commerce to sell the steamship *La Guardia*.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 2430. An act to release certain restrictions on certain real property heretofore granted to the city of Charleston, S. C., by the United States of America; to the Committee on Armed Services.

H. R. 2552. An act to authorize the modification of the existing project for the Great Lakes connecting channels above Lake Erie;

H. R. 6309. An act to authorize construction of the Mississippi River-gulf outlet; and

H. R. 6686. An act providing for a preliminary examination and survey by the Secretary of the Army for the purpose of controlling water chestnut infestation in the upper Chesapeake Bay tributaries; to the Committee on Public Works.

H. R. 2667. An act to amend section 208 (b) of the Technical Changes Act of 1953 (Public Law 287, 83d Cong.);

H. R. 3413. An act to amend the Internal Revenue Code of 1954, to provide that the tax on wire and equipment service shall not apply to amounts paid for the installation of community television receiving antenna equipment;

H. R. 6143. An act to amend the Internal Revenue Code of 1939 to provide that for taxable years beginning after May 31, 1950, certain amounts received in consideration of the transfer of patent rights shall be considered capital gain regardless of the basis upon which such amounts are paid;

H. R. 6712. An act to amend section 1237 of the Internal Revenue Code of 1954; and

H. R. 7634. An act to provide that amounts which do not exceed 60 cents shall be exempt from the tax imposed upon amounts paid for the transportation of persons; to the Committee on Finance.

H. R. 5047. An act to increase the compensation of trustees in bankruptcy; and

H. R. 7049. An act to revise, codify, and enact into law, title 10 of the United States Code, entitled "Armed Forces," and title 32 of the United States Code, entitled "National Guard"; to the Committee on the Judiciary.

AMENDMENT OF SECTION 8 OF CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930

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. 7618) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSTON of South Carolina. 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. JOHNSTON of South Carolina, Mr. SCOTT, and Mr. CARLSON conferees on the part of the Senate.

LEGISLATIVE APPROPRIATIONS, 1956—CONTINUING RESOLUTION

Mr. CLEMENTS. Mr. President, at the desk is House Joint Resolution 434, which provides for the operating of Congress during the next 12 months. I ask unanimous consent that the joint resolution be laid before the Senate for consideration.

Mr. KNOWLAND. Mr. President, because the distinguished acting majority leader must leave now to attend a conference, and because the joint resolution relates to the continuation of the legislative appropriation, I shall not object to having the joint resolution considered.

The PRESIDING OFFICER. The Chair lays before the Senate House Joint Resolution 434, which will be stated by title for the information of the Senate.

The joint resolution (H. J. Res. 434) to provide appropriations for the legislative branch for the fiscal year ending June 30, 1956, was read twice by its title.

Mr. CLEMENTS. Mr. President, I move that the Senate proceed to the consideration of the joint resolution.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. CLEMENTS. Mr. President, I ask that the Senate agree to the joint resolution.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed.

REPLY OF THE SECRETARY OF THE INTERIOR TO CERTAIN CHARGES

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD a letter written by the Secretary of the Interior, the Honorable Douglas McKay, to the Senator from Oregon [Mr. MORSE], in reply to certain allegations appearing in the RECORD of June 22, 1955.

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

THE SECRETARY OF THE INTERIOR,
Washington, D. C.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: On page 7601 of the CONGRESSIONAL RECORD for June 22 there is printed, at your request, a resolution entitled "Request for resignation of Secretary of the Interior" and the first paragraph reads as follows:

"Whereas the Secretary of the Interior, Douglas McKay, used to sell Chevrolets to the State of Oregon while Governor;"

This statement is absolutely false. When I was elected Governor in 1948 I was well aware that the constitution of Oregon prohibits any member of the board of control from entering into a contract with the State government. Upon assuming office, therefore, I sent a letter to all the State departments advising them that they could not do business with the Douglas McKay Chevrolet Co., Inc.

The second charge, "Whereas Secretary McKay seeks to either close down, or sell out to private monopoly, the Alaska Railroad in spite of its profitable operating record," is also false. The first year of operation of the Alaska Railroad under this administration resulted in a $719,000 profit. In addition to

this, we reduced the freight rates in February of 1954. This year we are doing even better and we hope to put the Alaska Railroad on a self-supporting basis. There has been no effort on my part to sell the railroad or to close it down. Please be informed that I would not sell it, if I could, without the permission of Congress.

The remaining charges in the resolution are equally ridiculous. That it was written at all or inserted in the RECORD plainly indicates to me that the intent was to smear McKay rather than to provide citizens with sound and valid information regarding the operation of their Government.

Very truly yours,

DOUGLAS MCKAY,
Secretary of the Interior.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, so that there will be no misunderstanding, it is our intention, after consultation with the acting majority leader, that there shall be a short period for the transaction of morning business, with statements by Senators limited to not more than 2 minutes in connection with which we ask the full cooperation of all Members of the Senate.

With that understanding, I suggest the absence of a quorum. After morning business has been concluded the Senate will proceed to legislative business.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Millikin
Allott	Hayden	Monroney
Barkley	Hennings	Morse
Beall	Hill	Mundt
Bender	Holland	Murray
Bennett	Hruska	Neely
Bible	Humphrey	Neuberger
Bush	Ives	O'Mahoney
Byrd	Jackson	Payne
Capehart	Johnston, S. C.	Potter
Carlson	Kefauver	Robertson
Case, N. J.	Kerr	Russell
Case, S. Dak.	Kilgore	Saltonstall
Chavez	Knowland	Scott
Clements	Kuchel	Smathers
Cotton	Langer	Smith, Maine
Curtis	Lehman	Smith, N. J.
Dirksen	Long	Sparkman
Douglas	Magnuson	Stennis
Duff	Malone	Symington
Dworshak	Mansfield	Thurmond
Ellender	Martin, Iowa	Thye
Ervin	Martin, Pa.	Watkins
Flanders	McCarthy	Wiley
Fulbright	McClellan	Williams
Goldwater	McNamara	Young

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FREAR], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is absent by leave of the Senate.

The Senator from Texas [Mr. JOHNSON] is absent by leave of the Senate because of illness.

Mr. SALTONSTALL. I announce that the Senator from Wyoming [Mr. BARRETT] is absent because of illness in his family.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. JENNER], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from Idaho [Mr. WELKER] are necessarily absent.

The Senator from Ohio [Mr. BRICKER] and the Senator from Iowa [Mr. HICKENLOOPER] are absent by leave of the Senate on behalf of the Joint Committee on Atomic Energy.

The Senator from Maryland [Mr. BUTLER] and the Senator from Connecticut [Mr. PURTELL] are absent on official business.

The VICE PRESIDENT. A quorum is present.

Mr. HUMPHREY. Mr. President, just prior to the quorum call I suggested that we might have a period of time for the morning hour. I understand there are Senators who have some insertions to make in the RECORD and other routine business to transact. I think we should proceed in that order. The 2-minute rule was proclaimed earlier, and I shall ask my colleagues to abide by that rule or I shall have to object.

The VICE PRESIDENT. Without objection, that will be the procedure.

Morning business is now in order.

PETITION

The VICE PRESIDENT laid before the Senate the petition of Hans Raid, of Washington, D. C., praying for a redress of grievances, which was referred to the Committee on Post Office and Civil Service.

REVIEW OF THE UNITED NATIONS CHARTER—SECOND INTERIM REPORT OF COMMITTEE ON FOREIGN RELATIONS (S. REPT. NO. 1305)

Mr. HOLLAND (for Mr. GEORGE), from the Committee on Foreign Relations, pursuant to the provisions of Senate Resolution 126, 83d Congress, as amended by Senate Resolution 83, 84th Congress, and continued by Senate Resolution 193, 83d Congress, and Senate Resolution 36, 84th Congress, submitted the second interim report entitled "Review of the United Nations Charter," which was ordered to be printed.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, August 2, 1955, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 38. An act for the relief of Joseph Jerry Earl Sirois (also known as Jeremie Earl Sirois);

S. 56. An act authorizing construction of certain public works on the Mississippi River for the protection of St. Louis, Mo.;

S. 71. An act for the relief of Ursula Else Boysen;

S. 85. An act for the relief of Rosetta Ittner;

S. 86. An act for the relief of Wilhelmine Schelter;

S. 92. An act for the relief of Irene C. (Karl) Behrman;

S. 100. An act for the relief of Hermine Lorenz;

S. 119. An act for the relief of David Wei-Dao Lea and Julia An-Fong Wang Lea;

S. 141. An act for the relief of Pauline Ellen Redmond;

S. 167. An act for the relief of Ernesto DeLeon;

S. 176. An act for the relief of Gerda Irmgard Kurella;

S. 181. An act for the relief of Manhay Wong;

S. 191. An act for the relief of Liselotte Warmbrand;

S. 214. An act for the relief of Ahmst Suat Maykut;

S. 223. An act for the relief of Mary Freida Poeltl Smith;

S. 235. An act for the relief of Melanie Schaffner Baker;

S. 238. An act for the relief of Andreas Georges Vlastos (Andreas Georges Vlasto);

S. 239. An act for the relief of Apostolos Vasili Percas;

S. 240. An act for the relief of Mrs. Helena Planinsek;

S. 254. An act for the relief of Giussepina Cervi;

S. 293. An act for the relief of Miss Cecile Patricia Chapman;

S. 326. An act for the relief of Leopoldine Maria Lofblad;

S. 346. An act for the relief of Klara Anna Maria Fleischer;

S. 352. An act for the relief of Isaac Glickman, Reghina Glickman, Alfred Cismaru, and Anna Cismaru;

S. 388. An act for the relief of Petre and Liubitza Ionescu;

S. 394. An act for the relief of Ali Hassan Waffa;

S. 397. An act for the relief of Maria Bertagnolli Pancheri;

S. 430. An act for the relief of Hedwig Marie Zaunmiller;

S. 464. An act to authorize the Secretary of the Interior to issue patents for certain lands in Florida bordering upon Indian River;

S. 466. An act for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos;

S. 470. An act for the relief of Edith Winifred Loch;

S. 474. An act for the relief of Maria Elena Venegas and Sarah Lucia Venegas;

S. 476. An act for the relief of Harold Swarthout and L. R. Swarthout;

S. 503. An act for the relief of Cirino Lanzafame;

S. 518. An act for the relief of Elsa Alwine Larsen;

S. 535. An act to provide for the conveyance to the State of North Dakota, for use as a State historic site, of the land where Chief Sitting Bull was originally buried;

S. 541. An act for the relief of Martin Aloysius Madden;

S. 606. An act for the relief of Gisela Hofmeier;

S. 707. An act for the relief of Christos Paul Zolotas;

S. 843. An act for the relief of Gerda Graupner;

S. 884. An act for the relief of Gabor Lanyi;

S. 1035. An act for the relief of Ambrose Anthony Fox;

S. 1044. An act for the relief of Edward Naarits;

S. 1051. An act to amend section 8a (4) of the Commodity Exchange Act, as amended;

S. 1105. An act for the relief of Mrs. Lieselotte Emilie Dailey;

S. 1126. An act for the relief of Dimitrios Antoniou Kostalas;

S. 1155. An act for the relief of Iva Druzianich (Iva Druzianic);

S. 1167. An act to amend the Soil Conservation and Domestic Allotment Act;

S. 1187. An act to amend section 5221 of the Revised Statutes, relating to voluntary liquidation of national banks;

S. 1210. An act to amend the Public Buildings Act of 1949 to provide a 5-year limitation on the period of leases of space for Federal agencies in the District of Columbia;

S. 1266. An act for the relief of Helene Margareta Jobst;

S. 1337. An act for the relief of Joseph Vyskocil;

S. 1340. An act to authorize the conveyance by quitclaim deed of certain land to the Brownsville Navigation District of Cameron County, Tex.;

S. 1353. An act for the relief of Mrs. Jeannette S. Hamilton;

S. 1367. An act for the relief of Antonio Jacoe;

S. 1391. An act granting the consent of Congress to the States of California and Nevada to negotiate and enter into a compact with respect to the distribution and use of the waters of the Truckee, Carson, and Walker Rivers, Lake Tahoe, and the tributaries of such rivers and lake in such States;

S. 1395. An act to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton," approved August 20, 1954;

S. 1397. An act providing for the conveyance of certain lands to St. Louis Church of Dunseith, Dunseith, N. Dak.;

S. 1496. An act for the relief of Rurike Hara;

S. 1512. An act to amend section 107 of title 28 of the United States Code so as to eliminate separate divisions and reduce the number of places holding regular terms of the United States District Court for the District of Columbia;

S. 1521. An act for the relief of Garabed Papazian;

S. 1522. An act for the relief of Lieselotte Probzinski Gettman;

S. 1541. An act for the relief of Ernst Fraenkel and his wife, Hanna Fraenkel;

S. 1581. An act for the relief of Constantinos Pantermalis;

S. 1706. An act for the relief of Spyridon Saintoufis and his wife, Efrossini Saintoufis;

S. 1974. An act for the relief of Rosa Birger;

S. 2081. An act to amend the Veterans' Readjustment Assistance Act of 1952 to provide that education and training allowances paid to veterans pursuing institutional on-farm training shall not be reduced for 12 months after they have begun their training;

S. 2168. An act to amend the Fair Labor Standards Act of 1938 in order to increase the national minimum wage, and for other purposes;

S. 2197. An act to authorize the Secretary of the Interior to distribute equally to members of the Kaw Tribe of Indians certain moneys to the credit of the tribe in the United States Treasury;

S. 2253. An act to reemphasize trade development as the primary purpose of title I of the Agricultural Trade Development and Assistance Act of 1954;

S. 2260. An act granting the consent of Congress to the States of Arkansas, Louisiana, Oklahoma, and Texas to negotiate and enter into a compact providing for the apportionment of the waters of the Red River and its tributaries;

S. 2269. An act for the relief of Mualla S. Holloway;

S. 2270. An act for the relief of Nadia Noland and Samia Ouafa Noland;

S. 2277. An act authorizing the Administrator of General Services to convey certain land to the city of Sioux Falls, S. Dak., for park and recreational purposes, for an amount equal to the cost to the United States of acquiring such lands from the city;

S. 2297. An act to further amend the Agricultural Adjustment Act of 1938, and for other purposes;

S. 2312. An act for the relief of certain Korean war orphans;

S. 2351. An act to authorize the conveyance of certain war housing projects in the city of Norfolk, Va.;

S. 2566. An act to amend title 14, United States Code, so as to provide for compensatory absence of Coast Guard military personnel serving at isolated aids to navigation, and for other purposes;

S. 2573. An act to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended;

S. 2575. An act for the relief of Mrs. Gertrud Hildegard Nichols;

S. J. Res. 82. Joint resolution to authorize the Secretary of the Interior to execute a certain contract with the Toston Irrigation District, Montana; and

S. J. Res. 92. Joint resolution to authorize the Secretary of Commerce to sell the steamship *Monterey*.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 2748. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large retail establishments whose activities affect interstate commerce, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. McNAMARA:

S. 2749. A bill for the relief of Rev. James Y. Paik; and

S. 2750. A bill for the relief of Frank Sevcik, Jr., also known as Frantisek or Francesco Sevcik; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2751. A bill to provide voluntary coverage for lawyers and dentists under the Federal old-age and survivors insurance system; to the Committee on Finance.

By Mr. O'MAHONEY:

S. 2752. A bill to amend section 132 of the Legislative Reorganization Act of 1946, relating to congressional adjournment; to the Committee on Rules and Administration.

(See the remarks of Mr. O'MAHONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey (for himself and Mr. IVES):

S. 2753. A bill to provide temporary disability insurance benefits for employees in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. CASE of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MALONE:

S. 2754. A bill to authorize the taxation of certain Federal real property by State and local tax authorities, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. MALONE when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL:

S. 2755. A bill to designate the reservoir above the Monticello Dam in California as Lake Berryessa; to the Committee on Public Works.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 2756. A bill to restore to the rolls certain emergency officers heretofore granted retirement pay; to the Committee on Armed Services.

By Mr. SMATHERS:

S. J. Res. 103. Joint resolution proposing an amendment to the Constitution relating to the choosing of a President and Vice President in certain cases where the powers and duties of the office of the President devolve upon another person; to the Committee on the Judiciary.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT RELATING TO ADJOURNMENT OF CONGRESS

Mr. O'MAHONEY. Mr. President, I introduce, for appropriate reference, a bill to amend the Legislative Reorganization Act, in the hope that it may afford the Committee on Rules and Administration in the next session an opportunity to bring an end to this midsummer madness in which we indulge about this time every session.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2752) to amend section 132 of the Legislative Reorganization Act of 1946, relating to congressional adjournment, introduced by Mr. O'MAHONEY, was received, read twice by its title, and referred to the Committee on Rules and Administration.

LET US END THIS MIDSUMMER MADNESS

Mr. O'MAHONEY. The logjam in which this session of Congress is coming to an end dramatically illustrates the necessity for an amendment of the Legislative Reorganization Act which requires adjournment on July 31. Although this is a requirement which is more honored in the breach than in the observance, and although the leadership has made every effort to complete the work of Congress in an orderly manner, the plain fact is that the work is not completed and cannot be completed when so many Members of Congress are in a rush to go to Russia, to Europe, to Asia, and sometimes home. The acting majority leader [Mr. CLEMENTS] has been particularly effective, but procedural reform is overdue.

The result of the present system is that the advocates of immensely important legislation are clamoring for last-minute action and seeking to push through bills even though the Members as a whole, including even the members of the committees to which the bills are assigned, have not had the opportunity to read the measures or the reports thereon which have been hastily prepared.

The sad fact is that this method of legislating can only result in undermining the legislative powers of Congress. We have more business affecting everybody in the Nation than ever before in history. Witness, for example, the housing bill. This program was initiated during the Roosevelt-Truman administrations. It has been adopted by President Eisenhower. It is opposed by substantial numbers of his own party. The House, in order to effect a compromise, struck all public housing from the bill. The conference restored 45,000 units of the 135,000 President Eisenhower wanted. The Wherry housing law, which allowed private construction of dwellings at airbases and military stations of all kinds, has been repealed, and all of this

has been transferred to the Department of Defense. Members of the Armed Services Committee themselves were doubtful of the wisdom of the change.

Whatever may be the merits about this measure, it illustrates the haste in which legislation is being pushed through in the last days of a midsummer session, when, because of the heat, Members are physically worn out by prolonged sessions of both the committees and the two Houses. It may truthfully be called a midsummer's madness, for neither the committees nor either House can properly legislate in the atmosphere which here exists.

The theory of the Legislative Reorganization Act was that committees should never be permitted to meet during a session of either House. They have been meeting day and night during these closing sessions.

The remedy is to revise the Legislative Reorganization Act so that Congress may recess during the hot summer days and Members may take their vacations in their homes or wherever the essential investigatory duty of Congress calls. I am, therefore, introducing a bill to amend the law by providing that both Houses shall be in recess from the middle of July to the second Monday in September of each year unless otherwise provided by Congress. This would eliminate the mad rush in the heat of July and August, and would enable Congress to give intelligent and orderly attention to the legislation before it during the fall, with ample time to adjourn for Christmas.

I hope the Committee on Rules and Administration in the next session will hold hearings on this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

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

Be it enacted, etc., That (a), section 132, of the Legislative Reorganization Act is amended to read as follows:

"SEC. 132. The two Houses of Congress shall be in recess during the period beginning on July 15 and ending on the second Monday in September, in each year, unless otherwise provided by the Congress."

(b) The amendment made by this act shall be effective beginning with the 2d session of the 84th Congress.

TEMPORARY DISABILITY INSURANCE BENEFITS FOR EMPLOYEES IN DISTRICT OF COLUMBIA

Mr. CASE of New Jersey. Mr. President, on behalf of the senior Senator from New York [Mr. IVES] and myself, I introduce, for appropriate reference, a bill to provide temporary disability insurance benefits for employees in the District of Columbia, and for other purposes.

I ask unanimous consent that an explanation of this bill be inserted in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 2753) to provide temporary disability insurance benefits for employees in the District of Columbia, and for other purposes, introduced by Mr. CASE of New Jersey (for himself and Mr. IVES), was received, read twice by its title, and referred to the Committee on the District of Columbia.

The explanation presented by Mr. CASE of New Jersey is as follows:

This bill is designed to provide an insurance system under which cash payments for a limited period of time would be made to individuals in the District of Columbia who are unable to work because of a physical or mental disability that is not work-connected. The system would be administered by the District of Columbia Unemployment Compensation Board. Every covered employer would be required to secure payment of the disability benefits contemplated by the bill either through a policy of insurance, by qualifying as a self-insurer, or by establishing to the satisfaction of the board that the benefits contemplated by the bill are provided by an agreement between the employer and a union or association representing his employees or several employers and unions or associations. In the latter event the trustee or other administrator would be required to secure payment of benefits through an insurance policy or by qualifying as a self-insurer. Insurance policies for disability benefits required by the bill may be issued either by private insurance companies, or, for employers with gross payrolls of less than $20,000 per year, by the District Insurance Fund established by the bill. This fund is treated as a carrier for the purposes of this bill.

The bill would apply to employment localized in the District of Columbia and to employment not localized in any State (as defined in the bill) if some of the service is performed in the District of Columbia. However, the measure would exclude domestic service in private homes, casual service not in the usual course of business of the employer, and service in the employ of any government, foreign or domestic.

This bill is in accord with the program of the President and is part of the legislative program of the Department of Labor.

NEED FOR TEMPORARY DISABILITY INSURANCE

The last great missing segment of income-insurance in this country is nonoccupational sickness and disability insurance. Some kind of legislation covers all the major insurable categories of wage loss except one of the most obvious and urgent ones—the wage loss of the man who has lost both his income and his health. Yet on an average day, about 2 million people are away from work because of disabilities that have lasted less than 6 months, and about the same number have total disabilities that have lasted over 6 months. Wage loss from sickness averages around $100 per worker a year.

Four States have adopted temporary disability insurance laws. In 1953, the total of wage-loss benefits paid under these laws was about $183 million. It was equivalent to a payment of from $128 to $214 per compensated period.

NATURE OF BENEFIT SYSTEM

Benefits would be paid to eligible persons suffering disability in the employ of a covered employer by an insurance carrier or the employer as a self-insurer, or through a plan or agreement between a company and union which is approved by the board. Eligible individuals who suffer disability while unemployed or in the employ of a noncovered employer would be paid by the board from a fund made up of employer-employee contributions. If an employer or carrier fails for any reason to pay benefits to an eligible employee, the board would compensate such person. In that event the board would be given a right of action against the employer or carrier to recover the disbursement.

FINANCING OF THE GOVERNMENT FUNDS

The bill establishes a District Insurance Fund for the purpose of issuing insurance to any covered employer with a gross payroll of less than $20,000 per year. This fund is to be administered by a manager appointed by but operating independently of the board, and is in all respects to be treated as any other carrier under the bill.

The bill also establishes two other funds, a special fund for disability benefits and a disability benefits administrative fund to be managed and controlled by the District of Columbia Unemployment Compensation Board. The Board would pay administrative costs out of the latter fund and would pay benefits out of the former fund to eligibles who are unemployed, who are engaged in noncovered employment, or to whom payment of compensation is wrongfully refused. Money to maintain both funds would be obtained by assessments made by the Board upon employers, but the latter could require their employees to contribute one-half the cost of such assessments. These employee contributions, however, plus any other contribution required of employees toward the cost of benefits under the act could not be more than one-half of 1 percent of their wages, or 30 cents per week, whichever is the lesser.

EXISTING PLANS

Plans in effect on the date of approval of the bill, and agreements between employers and unions or associations (to the cost of which the employer is obligated to contribute) in effect prior to that date, would be deemed to meet the requirements of the bill until the earliest date upon which the employer may modify or discontinue benefits or discontinue contributions thereunder, but not more than 2 years after the date of enactment of the measure. At the conclusion of the 2-year period only such plans and agreements as are secured to provide the benefits required by the bill, and are approved by the Board, would be considered as meeting the requirements of the bill.

BENEFIT FORMULA

Under the bill, an eligible individual suffering disability while in the employ of a covered employer would be entitled to receive one-half of his average weekly wage, but not more than $36 nor less than $12 (unless his average weekly wage is less than $12, in which event his benefit would be the amount of such wage). An eligible unemployed individual, or one working in noncovered employment, would be entitled to receive benefits computed in accordance with the formula prescribed in section 7 of the District of Columbia Unemployment Compensation Act, which bases the benefit amount upon the wages earned by the individual in the highest quarter of his base period. A waiting period of 1 week would be required unless the break between periods of disability is less than 21 days. No waiting period would be required if an individual becomes disabled while otherwise eligible for unemployment benefits. Eligible persons could receive disability benefits in a total amount of 26 times the weekly benefit amount during a period of 52 consecutive weeks.

ELIGIBILITY FOR DISABILITY BENEFITS

The bill would cover all persons engaged in employment localized in the District of Columbia, or in employment not localized in any State (as defined in the bill) except those performing services which are domestic, casual, or rendered in the employ of a government, foreign or domestic. Covered employees would be eligible to receive benefits from their employer during the period of their employment and for the 4-week period immediately following termination of

their employment (if they worked for one or more covered employers for 4 or more consecutive weeks during the preceding year). Individuals working in noncovered employment or who are unemployed would be protected, provided they earned enough in covered employment during their base period to meet the qualifying wage requirements of the District of Columbia Unemployment Compensation Act. Noncovered workers and those for whom they perform services could be brought within the coverage of the bill if provision is made for the payment of the required benefits and the employer applies to the Board for approval thereof.

No person would be eligible for benefits for a disability occasioned by his own willful intention to injure himself or another or to commit a felony, for a disability due to an act of war after the effective date of the act, or for any period of disability during which the individual performs work for remuneration or is confined in a penal institution. Disabilities due to pregnancy would be compensable only in cases of complications, or where the incapacity occurs more than 28 days after termination of pregnancy.

Since the program is one of insurance for wage loss, eligibility for disability benefits is not stated in medical terms but is related to incapacity for work. Many individuals have diseases for which they are receiving regular medical treatment, yet which do not interfere with their ability to work. Disability is defined, for purposes of the bill, in terms of mental or physical illness, disease, or injury resulting in incapacity to perform the individual's customary or most recent work. The bill recognizes that most spells of disability are brief and that most workers will return to their jobs in a short time. It is designed to limit payment of benefits strictly to those who are not working because of disability.

To receive benefits the disabled individual must file a written notice of disability and claim and must submit a physician's certificate and such other proof as the Board may prescribe. An individual is not entitled to disability benefits for any period in which he is receiving unemployment insurance, or workmen's compensation for the same disability. In any period when an individual is receiving a primary insurance benefit under title II of the Social Security Act or under any pension plan of an employer who has contributed to the cost thereof and has provided the benefits payable under the bill, or is receiving any benefit under a permanent or temporary disability program of the Government (except a veterans' disability program), or of an employer for whom he has performed services, the individual would receive under the bill only the excess, if any, of the amounts to which he is entitled thereunder over the amounts received for such other benefits.

PROCEDURE TO OBTAIN BENEFITS

The insurer of the benefits provided by the bill would be required to pay them periodically and promptly and, except in contested cases, without any decision of the Board. When any claim for disability benefits is denied or not paid for any reason, the claimant could file a protest with the Board, which would proceed as in the case of appeals from the denial of compensation under the District of Columbia Unemployment Compensation Act. Final decisions of the Board would be subject to judicial review in the manner prescribed by that act. Adequate safeguards are contained in the bill to insure that payment of benefits will not be unduly delayed while judicial review is pending. Counsel fees, court costs, and printing expenses would be paid by the Board as administrative expenses in court appeals from a decision (judicial or administrative) favorable to the claimant or reversing a decision in his favor.

EFFECTIVE DATES

Contributions are scheduled to begin January 1, 1956, and benefit payments on July 1, 1956.

TAXATION OF CERTAIN FEDERAL REAL PROPERTY BY STATE AND LOCAL AUTHORITIES

Mr. MALONE. Mr. President, I introduce, for appropriate reference, a bill to authorize the taxation of certain Federal real property by State and local tax authorities, and for other purposes. I ask unanimous consent that the bill may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2754) to authorize the taxation of certain Federal real property by State and local tax authorities, and for other purposes, introduced by Mr. MALONE, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Federal Real Property Tax Act of 1955."

DEFINITIONS

SEC. 2. As used in this act—

(a) The term "Federal agency" means any department, agency, office, or independent establishment in the executive, legislative, or judicial branch of the Government of the United States, and any corporation now or hereafter subject to the provisions of title I of the Government Corporation Control Act (31 U. S. C. 846);

(b) The term "Federal property" means any real property the legal title to which is held by the United States or any Federal agency;

(c) The term "controlling agency," when used in relation to any Federal property, means the Federal agency which is charged with the duty of administering such property;

(d) The term "State" means any State of the United States;

(e) The term "State tax authority" means any State, and any county, city, municipality, tax district, or other political subdivision or public entity thereof having authority under the law of such State to levy and collect within its territorial jurisdiction any tax or special assessment;

(f) The term "tax" means any tax of general application levied according to value by any State tax authority upon real property situated within its territorial jurisdiction;

(g) The term "taxable person," when used in relation to the payment of any tax, means any person who is the owner of any real property and who is not, by reason of his status or the use made of such property, exempt from obligation to pay such tax;

(h) The term "special assessment" means any levy, other than a tax, imposed by any State tax authority directly upon real property situated within its territorial jurisdiction to defray the cost of any public improvement, and equitably apportioned according to the benefit conferred by such improvement upon such property;

(i) The term "real property," when used in relation to any tax or special assessment, means any interest in land, and any improvement thereon if such improvement constitutes real property under law in effect within the State tax authority imposing such tax or special assessment; and

(j) The term "person" means any individual, partnership, association composed of individuals, or private corporation.

CONSENT TO TAXATION OF CERTAIN FEDERAL PROPERTY

SEC. 3. (a) Except as otherwise provided by this act, all Federal property situated within the territorial jurisdiction of any State tax authority shall be subject to the assessment and collection of any tax imposed by such authority to the same extent and under the same conditions as other property of like class situated within such jurisdiction.

(b) No consent is granted by this section to any payment to any State tax authority with respect to any Federal property which—

(1) if privately owned or controlled, would be exempt from tax because of the use to which it is devoted;

(2) is the subject of any revenue-sharing arrangement, entered into under authority of Federal law, where such revenue equals or exceeds the tax which would otherwise be levied in the regular manner;

(3) is devoted primarily to use as a United States courthouse; post office; postal facility; customhouse; assay office; facility for coining money or printing currency; bullion depository; national monument; prison; reformatory, detention farm, or disciplinary barracks; hospital, dispensary, clinic, or other medical facility; sanitorium; home for the aged, or facility providing domiciliary care; or cemetery.

CONSENT TO LEVY OF SPECIAL ASSESSMENTS

SEC. 4. Except as otherwise provided by this act, all Federal property situated within the territorial jurisdiction of any State tax authority shall be subject to the levy and collection of any special assessment upon real property to the same extent and under the same conditions as other property of like class situated within such jurisdiction.

PAYMENT OF TAXES AND SPECIAL ASSESSMENTS

SEC. 5. (a) Payment of any tax or special assessment authorized by section 3 or section 4 with respect to any Federal property shall be made by the Federal agency which is the controlling agency for such property at the time such tax or special assessment becomes due and payable under law in effect within the State tax authority imposing such tax or levying such special assessment. If such agency ceases to exist before payment is made, payment shall be made by the Federal agency which is the successor of such controlling agency, as determined by the Director of the Bureau of the Budget.

(b) Each Federal agency which is the controlling agency for any Federal property situated within the territorial jurisdiction of any State tax authority which is claimed by such authority to be subject to any payment under this act shall furnish to such authority, upon request made in writing by the appropriate officer thereof, such information concerning such property as may be lawfully required with regard to property of like kind owned by taxable persons within such jurisdiction.

LIMITATIONS

SEC. 6. (a) No payment shall be made under this act to any State tax authority with respect to any Federal property unless such authority—

(1) files with the Federal agency which is the controlling agency for such property a claim, in such form and containing such information as the Director of the Bureau of the Budget shall prescribe, for payment under this act with respect to such Federal property;

(2) files with such claim an itemized statement of (A) the property with respect to which such claim is made; (B) the assessed valuation placed by such authority upon such property; (C) the nature and amount of the Federal liability claimed with respect to such property; and (D) the tax rate or rates applied in computing the amount of such liability;

(3) files with such claim a detailed statement of the procedural action which may be taken by such agency to obtain under law in effect in such State tax authority administrative review or judicial review, or both, with respect to the liability of such agency for the payment of such claim in whole or in part;

(4) for the purpose of determining the existence and amount of such liability, makes available to such agency all substantive and procedural rights, administrative and judicial, which would be available under law in effect within such authority in determining the valuation of such property, the rate of tax or assessment applicable thereto, and the amount of the tax or assessment which would be payable with respect thereto if such property were owned by a taxable person; and

(5) for such purpose treats such Federal property in all respects in a manner at least as favorable as the treatment accorded to property of like kind owned by taxable persons.

(b) The failure of any Federal agency to make, or to make timely payment of, any payment authorized by this act shall not subject—

(1) any Federal agency, or any person who is a purchaser of any property from any Federal agency, to the payment of any penalty or penalty interest, or to any payment in lieu of any penalty or penalty interest; or

(2) any Federal property to any lien, attachment, foreclosure, or other legal process or proceeding not expressly authorized by this act.

(c) No consent is granted by this act to any payment to any State tax authority with respect to any Federal property for any period for which any payment of taxes, or any payment in lieu of taxes, is made to such authority with respect to the same property under any other provision of law. Whenever any Federal property is subject to any tax payment under this act to any State tax authority for any period, and also is subject to any payment of taxes or any payment in lieu of taxes under any other provision of law for the same period, such authority may elect to claim and receive with respect to such property payment for such period under this act or under such other provision of law.

ACTION FOR COLLECTION OF TAXES

SEC. 7. (a) Whenever any State tax authority has duly filed with any Federal agency a claim for the payment under this act of any tax or special assessment, and any part of such claim has not been paid, such authority may file, subject to the provisions of subsection (b), an action to recover that portion of such claim which remains unpaid. Such action may be filed in the district court of the United States for the district within which such authority maintains its principal executive or administrative office. Such court shall have jurisdiction to hear and determine such matter, and to enter in such action such judgment or order as it shall determine to be required to carry into effect the provisions of this act. Any judgment or final order so entered shall be subject to appeal pursuant to section 1291 of title 28 of the United States Code.

(b) Action upon any such claim may be instituted under this section by any State tax authority upon the expiration of a period of 1 year after (1) the filing of such claim under section 6 (a), or (2) the completion of any administrative or judicial proceeding instituted by the Federal agency against which such claim was made under law in effect within such State tax authority for the determination of the amount due under such claim, whichever is later. No action shall be brought under this section after the expiration of 6 years following the first date on which such action could have been instituted.

(c) Process in any action instituted under this section against any Federal agency may be served upon the chief administrative officer of such agency who maintains an office within the judicial district in which such action is instituted, or upon the head of such agency.

APPROPRIATIONS

SEC. 8. There are hereby authorized to be appropriated to each Federal agency such sums as may be required for the discharge of its duties and obligations under this act.

SEPARABILITY

SEC. 9. If any provision of this act, or the application thereof to any Federal agency or any State tax authority, is held to be invalid, the remainder of this act, and the application of such provision to other Federal agencies and State tax authorities, shall not be affected thereby.

EFFECTIVE DATE

SEC. 10. This act shall be effective with respect to any tax levied for any period beginning after June 30, 1956, and with respect to any special assessment levied after such date.

Mr. MALONE. Mr. President, for more than two decades the trend toward Government control of more and greater areas and amounts of real property has gripped the bureau officials of this Nation.

For more than a century and a half the settled policy of Congress was to hold the public lands in trust for the States until such time as Federal laws could be adopted to transfer such property to the tax rolls of the States through individual ownership.

This definite policy was evidenced by the 1841 Redemption Act, the 1863 Homestead Act, the additional Homestead Act, the Stock Raising Act, the 1872 Mining Act, the Small Areas legislation, and a succession of other legislative acts all secured for a nominal filing fee or a small payment, with no relation to the actual value of the land.

The last two decades there has been a reversal of executive policy.

The trend over this period has been for the Government to acquire more and more land under the guise of national defense, or that the public owns certain land areas, and, as the landlord, is entitled to an income for its use or full value in the event of disposal.

Mr. President, because of the uneven distribution of such lands owned or to be acquired by the Government, it is believed that, whatever their public use, all of the taxpayers of the Nation should participate on an equal basis for such utilization.

Mr. President, I am, therefore, introducing a bill for the consideration of Congress that would establish equality in this field.

The bill would authorize the taxation of certain Federal real property by State and local tax authorities, and for other purposes.

Such a distribution of the responsibility in connection with Government-owned property might have the effect of discouraging the Government bureau heads in acquiring lands and property not needed for Government use.

The expense of acquiring and maintaining needed lands and property for Government use would then be borne equally by all of the taxpayers of this Nation, wherever located.

DESIGNATION OF RESERVOIR ABOVE THE MONTICELLO DAM, CALIFORNIA, AS "LAKE BERRYESSA"

Mr. KUCHEL. Mr. President, I introduce, for appropriate reference, a bill to designate the reservoir above Monticello Dam in California as Lake Berryessa.

Monticello Dam is now under construction as the key unit of the Solano County project, which will supply water for the city of Vallejo, Mare Island Navy Yard, and farms in Solano County. The reservoir it will create will flood Berryessa Valley, which was named after the family who settled the valley and who resided there for three generations. It was on November 3, 1843, that the Government of Mexico issued a grant to 2 brothers, Jose and Sisto Berryessa, giving them title to the 35,000 acres of land comprising the valley.

Designation of the reservoir as Lake Berryessa will perpetuate the memory of a pioneer family and will be pleasing to the people of California. We are proud of the colorful chapters in our State's history which were Spanish and Mexican, and proud of the contribution to the culture of California on the part of the early Spanish and Mexican settlers.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2755) to designate the reservoir above the Monticello Dam in California as Lake Berryessa, introduced by Mr. KUCHEL, was received, read twice by its title, and referred to the Committee on Public Works.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Pennsylvania:

Address delivered by him at annual convention banquet of the AMVETS, Department of Pennsylvania, Uniontown, Pa., July 30, 1955.

SWISS INDEPENDENCE DAY

Mr. SYMINGTON. Mr. President, it has been brought to my attention that yesterday (August 1) was the date on which Switzerland celebrated its Independence Day.

It is part of our heritage to value independence highly. So also is it with the Swiss people.

In these days of satellites and captive peoples, the importance of freedom and independence is highlighted, possibly more than at any other time in history.

Therefore, it is fitting that we take special notice of this year's anniversary, and extend our wishes to the Swiss people that it be but one in an unbroken line extending throughout the future.

COMMUNIST CHINA AND THE INTERNATIONAL DOPE TRAFFIC

Mr. WILEY. Mr. President, I send to the desk a brief statement on the subject of the responsibility of Communist

China for the international illicit narcotics traffic.

I ask unanimous consent that the text of my statement, together with the text of a full page advertisement which appeared yesterday in the Washington Post and Times Herald, and which was sponsored by the Committee of One Million against the admission of Communist China to the United Nations, be printed in the body of the RECORD at this point, preceded by a list of the chairman, steering committee and members of the committee.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

Down through the years, I have on many occasions drawn the attention of the Senate to the infamous worldwide narcotics traffic, one of the foulest stains on the record of the 20th century civilization.

Wherever it exists, narcotics addiction is a blight and it is a curse. It is a source of degradation and depravity. It is an economic drain on a community and on a nation. It is a breeder of every conceivable sort of crime, including the very lowest types of inhuman evil.

Time after time, as a former member of the Senate Crime Committee, I have taken the floor of the Senate on behalf of antinarcotics legislation and antinarcotics administrative action.

I have been glad to give my support to the great job which has been performed since the inception of that agency by Dr. Harry Anslinger, Commissioner of the United States Narcotics Bureau. I have urged that his relatively meager staff be supplemented with sufficient funds for additional skilled agents, such as he has trained in that great organization.

I have urged that there be a larger assignment of such agents abroad, particularly to the Far East which has been a particular cesspool of the narcotics traffic. I have urged the State Department, and what was formerly the Foreign Operations Administration, to give every possible assistance to the Narcotics Bureau in urging other nations to cooperate with us in our antinarcotics effort.

We can never wipe out the narcotics scourge in our own country, and for that matter in any free country, until it is wiped out at its foreign sources.

Toward that end, I led the effort for ratification of the International Opium Protocol, as indicated in the August 11, 1954, CONGRESSIONAL RECORD.

Toward that end, I held a widely attended special luncheon conference in March of this year here in the Capitol and referred to it at length in the March 28th CONGRESSIONAL RECORD.

Toward that end, I have been pleased to commend the wonderful job which has been performed by the Senate Judiciary Subcommittee on Narcotics Changes in the Criminal Code, headed by the distinguished junior Senator from Texas, Mr. DANIEL, with the strong support of the junior Senator from Wyoming, Mr. O'MAHONEY, and the Senator from Idaho, Mr. WELKER.

Why all this effort on my part? In part because I have seen at firsthand in the United States Narcotics Hospital at Lexington, Ky., and at firsthand elsewhere, what the narcotics traffic really means in terms of the blasting of human lives.

Against this background of my personal efforts and deep feelings on this subject, I noted with deep interest the comments made yesterday by the Committee of One Million Against the Admission of Communist China to the United Nations, in exposing once again the infamous hand of the Peking government in the worldwide narcotics traffic. The Committee of One Million reiterated that Communist China "is inadmissible" to the U. N. because of its outrageous promotion of the international drug traffic.

I heartily agree with the committee. If there were no other reasons against Red China's admission, and certainly the other reasons are legion and they are all strong and compelling, this one reason would be more than sufficient to bar the Peking government from entering the family of nations.

The advertisement sponsored by the committee reprinted the documented, irrefutable charges made by Dr. Anslinger in his address before the 10th session of the U. N. Commission on Narcotic Drugs.

I am pleased that Dr. Anslinger's statements have thus once more been brought so forcefully to the attention of the people of America. When the conscience of mankind speaks out with the boiling indignation of which it is capable, on an abuse so flagrant as this, then perhaps Red China will heed.

Then, too, perhaps, other governments which have looked the other way at narcotics traffic in their midst, and which have failed to crack down to the fullest extent of the law, may get off their "high horse" and start and maintain a relentless crackdown which is indispensable.

After the committee advertisement, I am appending the text of a writeup which appeared in the March 18, 1955, issue of the Wall Street Journal, written by its Geneva correspondent. He reported the activities of the U. N.'s Permanent Central Opium Board, particularly in the combating of the flood of synthetic narcotics which, unless watched exceedingly carefully, can gravitate into the illicit trade. Fortunately, thanks in great part, due to Dr. Anslinger's tireless vigilance and that of his like-minded associates, many of the dangers of such synthetics have been curbed by careful U. N. action.

[From the Washington Post and Times Herald of August 1, 1955]

THE COMMITTEE OF ONE MILLION AGAINST THE ADMISSION OF COMMUNIST CHINA TO THE UNITED NATIONS

Honorary chairman: Warren R. Austin.

Steering committee: Paul H. Douglas, Charles Edison, Joseph C. Grew, Walter H. Judd, H. Alexander Smith, Francis E. Walter.

Treasurer: Frederick C. McKee.

Secretary: Marvin Liebman.

Members: Representative E. Ross Adair, Representative Hugh J. Addonizio, Mr. Conrad Aiken, Representative Bruce Alger, Mr. Robert S. Allen, Representative H. Carl Andersen, Gov. J. Hugo Aronson, Representative Robert T. Ashmore, Representative James C. Auchincloss.

Representative William A. Barrett, Representative Page Belcher, Representative Alvin M. Bentley, Mr. James G. Blaine, Hon. Robert Woods Bliss, Gov. J. Caleb Boggs, Gen. Lewis H. Brereton, Senator Styles Bridges, Mr. George Bucher, Representative Charles A. Buckley, Representative Usher L. Burdick, Representative M. G. Burnside, Mr. Noel F. Busch, Representative Robert C. Byrd, Representative James A. Byrne.

Senator Homer E. Capehart, Representative Robert B. Chiperfield, Gen. Lucius D. Clay, Representative W. Sterling Cole, Prof. Kenneth Colegrove, Mr. Seaborn P. Collins, Father Dennis J. Comey, S. J., Adm. Charles M. Cooke, Mr. Merian C. Cooper, Hon. Thomas J. Cuite, Representative Thomas B. Curtis.

Senator Price Daniel, Representative Clifford Davis, Representative Charles C. Diggs, Jr., Representative John D. Dingell, Senator Everett M. Dirksen, Representative H. A. Dixon, Representative Thomas J. Dodd, Mr. Cleveland E. Dodge, Representative George A. Dondero, Representative James G. Donovan, Hon. William J. Donovan, Representative Wm. J. Bryan Dorn, Mr. John Dos Passos, Gov. Lane Dwinell.

Mr. Max Eastman, Gen. R. L. Eichelberger, Representative Carl Elliott, Representative Harris Ellsworth, Mr. Christopher Emmet.

Representative E. P. Farrington, Representative Dante B. Fascell, Senator Ralph B. Flanders, Representative Gerald R. Ford, Jr., Representative Samuel N. Friedel, Representative James G. Fulton.

Dr. B. A. Garside, Representative Katharine St. George, Hon. Guy M. Gillette, Senator Barry Goldwater, Mr. J. Peter Grace, Jr., Mr. Albert M. Greenfield, Dr. Magnus I. Gregersen, Representative Charles S. Gubser, Representative Ralph W. Gwinn.

Representative Robert Hale, Adm. J. L. Hall, Jr., Adm. William F. Halsey, Gen. E. N. Harmon, Adm. Thomas C. Hart, Representative Wayne L. Hays, Representative Don Hayworth, Gov. Christian L. Herter, Gen. John R. Hodge, Representative Richard W. Hoffman, Mr. Sal. B. Hoffman, Representative Chet Holifield, Senator Spessard L. Holland, Prof. Sidney Hook, Representative Clifford R. Hope, Hon. Stanley K. Hornbeck.

Senator Irving M. Ives.

Representative Donald L. Jackson, Hon. Jacob K. Javits, Gen. Robert W. Johnson, Hon. Jesse H. Jones.

Prof. Horace M. Kallen, Mr. H. V. Kaltenborn, Mr. Ben Kaufman, Representative Carroll D. Kearns, Representative Kenneth B. Keating, Representative Augustine B. Kelley, Representative Edna F. Kelly, Gen. George C. Kenney, Senator Harley M. Kilgore, Gov. Samuel W. King, Senator William F. Knowland, Gov. Walter J. Kohler.

Hon. Arthur Bliss Lane, Representative Harry J. Latham, Gov. George M. Leader, Dr. Emil Lengyel, Gov. J. Bracken Lee, Mr. Marx Lewis, Mr. Ely Lilly, Mr. Jay Lovestone, Adm. Leland P. Lovette, Gen. Frank E. Lowe, Mr. Henry R. Luce, Mr. Eugene Lyons.

Representative H. B. McDowell, Jr., Father F. A. McGuire, C. M., Representative T. H. Macdonald, Senator Mike Mansfield, Gen. George C. Marshall, Bishop Leslie R. Marston, Senator Edward Martin, Representative Joseph W. Martin, Jr., Dr. Frank L. Meleney, Mr. Adolphe Menjou, Archbishop Michael, Miss Emma De Long Mills, Representative Robert H. Mollohan, Senator A. S. Mike Monroney, Senator Karl E. Mundt, Senator James E. Murray, Representative Tom Murray.

Senator Matthew M. Neely.

Representative Alvin E. O'Konski.

Senator Frederick G. Payne, Representative Gracie Pfost, Col. W. Bruce Pirnie, Mr. Merlyn S. Pitzele, Dr. Daniel A. Poling, Senator Charles E. Potter, Mayor Norris Poulson.

Representative Chauncey W. Reed, Mr. Serafino Romualdi, Mrs. Theodore Roosevelt.

Prof. O. Glen Saxon, Mr. George S. Schuyler, Representative Hugh Scott, Mr. Leslie R. Severinghaus, Bishop Bernard J. Sheil, Gov. Allan Shivers, Representative Bob Sikes, Mr. W. Philip Simms, Senator Margaret Chase Smith, Representative Wint Smith, Dr. Robert G. Sproul, Adm. William H. Standley, Adm. Emory D. Stanley, Dr. Wendell M. Stanley, Mr. Sol Stein, Hon. Meier Steinbrink, Gen. G. E. Stratemeyer, Hon. J. Leighton Stuart.

Prof. George E. Taylor, Representative Charles M. Teague, Archbishop Theodotus, Representative Ruth Thompson, Senator Edward J. Thye.

Representative John M. Vorys.

Senator Arthur V. Watkins, Gen. Albert C. Wedemeyer, Bishop Herbert Welch, Representative Jack Westland, Mr. William L. White, Representative Earl Wilson, Mr. Matthew Woll.

Adm. Harry E. Yarnell, Mr. Max Yergan, Senator Milton R. Young, Representative J. Arthur Younger.

DOPE—COMMUNIST CHINA'S ROLE IN THE INTERNATIONAL DRUG TRAFFIC

EXCERPTS FROM REMARKS BY COMMISSIONER HARRY J. ANSLINGER, UNITED STATES REPRESENTATIVE ON THE UNITED NATIONS COMMISSION ON NARCOTICS DRUGS, AT ITS 10TH SESSION, APRIL-MAY 1955

The Communist regime of mainland China has again denied the documented charges made over the past several years by the United States representative on the United Nations Commission on Narcotic Drugs "that the Communist regime of mainland China is distributing drugs abroad and selling heroin and opium in large quantities to the free countries of the world."

Actual conditions in Southeast Asian and other free countries refute this unsupported denial and clearly prove that mainland China is the uncontrolled reservoir supplying the worldwide illicit narcotic traffic.

Here are the facts

Pharmaceutical plants have been established in Communist China to process opium into morphine and heroin, and all these drugs, including raw opium, are used as bartering commodities. Traffickers, operating in the free countries, share the profit of the illicit traffic in narcotics with the Communist regime of mainland China.

Millions of dollars obtained through the sale of opium and other narcotics are used by the Communist regime of mainland China for political purposes and to finance agents who have been found actively engaged in subversive activities. In Japan a member of the Communist Party revealed that her organization, with branches in all big hospitals in Tokyo, Yokohama, Nagoya, Kobe, and Osaka, operated as the Society for the Protection of Health and Peace, with headquarters in the Communist Party headquarters in Tokyo. This trafficker stated that she and five other females of the group made expenses and tremendous profits for the Tokyo branch of this Communist organization through the sale of heroin.

At a meeting of this Communist organization a resolution was adopted that the organization would gain funds by selling narcotics to various hotels, cabarets, bars, and other establishments patronized by American personnel in the Tokyo area. A Chinese, Po Kung Lung, directed the activities of the six females and provided the heroin which was valued at United States $11 per gram and was sold to Koreans and Japanese for further distribution. One of these retailers of heroin was an executive member of a Tokyo district group of the Communist Party and was engaged in the collection of party funds.

MORPHINE AND HEROIN

Large quantities of high quality crude morphine are being manufactured under expert technical supervision in factories in Communist China. The morphine is processed according to pharmaceutical standards and methods, under Government supervision, and not in clandestine laboratories.

Traffic in heroin from the Communist regime of mainland China is increasing, according to enforcement authorities concerned with traffic through Canton, Macao, Bangkok, and other ports. Within the past year other areas have assumed a place of equal importance with Korea and Japan as places where the heroin is furnished directly by Communist agents in the traffic.

One of the principal targets of the traffic from mainland China is Thailand, where 100 tons of opium are sold annually. Consumers of this opium pay the equivalent of US$350,000 per ton for the contraband in the form of smoking opium. From 200 to 400 tons of raw opium are moved annually through Thailand from mainland China. The opium reaches Bangkok by boat, truck, rail, and plane, and 3 to 4 tons can be delivered at any time to a point outside the harbor at Bangkok in the open sea. This opium is priced at US$40,000 per ton and can be purchased in lots of 200 tons on a 6-month basis. Crude morphine is sold by traffickers in narcotics from mainland China at the rate of US$475 per pound in Bangkok. Heroin from these traffickers sells for US$2,000 to US$3,000 per pound in Japan and for $3,000 to $5,000 in the United States.

At the end of 1953 a group of smugglers, including an official of the Bank of Canton, smuggled 23 pounds of heroin and morphine from Yunnan to Bangkok and thence to another transshipment point.

On July 15, 1954, an airline hostess was arrested at a transshipment point with a 2-pound package of morphine, which she was transporting as a courier for aircraft maintenance personnel, after information had been received that narcotics were reaching Tokyo in this manner.

In the early part of 1955, a Chinese courier, arriving in Hong Kong by air, was arrested with approximately 7 pounds of pure heroin transshipped at Bangkok. Shortly thereafter an American was arrested in Hong Kong with approximately 40 pounds of opium and morphine which he was transporting as a courier for traffickers in narcotics from mainland China. The transshipment point was Bangkok.

NORTH KOREA

According to a Pyongyang radio broadcast of December 29, 1953, special factories are being built to extract morphine from opium in North Korea. On October 16, 1954, the South Korean authorities announced the arrest of a North Korean agent who stated that Communist China is furnishing technical specialists to North Korea to operate narcotic manufacturing plants. It is through North Korea that tremendous quantities of heroin from Communist China have reached South Korea and Japan since 1947. Recently an American soldier stated that while stationed in Taegu, South Korea, he and at least 30 other persons were furnished heroin of an almost pure quality without cost. Addiction was acquired making hospitalization necessary upon return to the United States.

JAPANESE SEIZURES

The enforcement division of the narcotic section in the Welfare Ministry of Japan reported that extensive surveillance of 2 Chinese in Tokyo resulted in their arrest and the seizure of 585 grams of 94.2-percent heroin and 275 grams of 92.4-percent heroin in March 1954. The seizure was made as one of the Chinese, Yang Jui An, was leaving the Kakyo Building in the heart of Tokyo. This building is a center for traffickers with Communist connections dealing in heroin and United States currency.

A seizure of 18 pounds of crude morphine and 15 pounds of heroin was made at the end of July in Tokyo. The boss of the group was a Chinese, Li Chin Sui. He had been dealing in heroin from mainland China since 1949, and operated a company which was actually a branch office of the Trade Bureau of South China. At the time of his arrest he was in possession of 3 passports which gave him 3 different identities to operate in Japan, Bangkok, Macao, and other Asiatic ports where are found headquarters of traffickers in narcotics from the Communist regime of mainland China.

Kyodo News Agency reported November 16, 1954, that in 1952 US$70 million worth of narcotics were shipped out of Communist China. Twenty-six percent of this amount was shipped to Japan, and these funds constituted the chief source for financing secret Communist agents.

SEIZURES HERE

Heroin from Communist China has been seized on both coasts of the United States, as well as in the interior at St. Louis, Mo. In connection with the seizure in St. Louis, the source trafficker in Japan stated he had been dealing with the Communist regime of mainland China for 1½ years in obtaining heroin through the use of deck crews of ships as couriers.

On February 2, 1954, in New York City, 20 ounces of heroin, with the characteristic physical and chemical properties of heroin from Communist China laboratories, were seized from a seaman as he attempted to smuggle the contraband ashore from the round-the-world steamship *President Arthur*.

On November 18, 1954, a seizure of 25 ounces of 95-percent heroin was made from Chinese crew members of a ship at Staten Island.

In Santa Cruz, Calif., on November 4, 1954, a seizure of 28 ounces of pure heroin was made from 2 crew members of the steamship *President Cleveland*.

In Los Angeles Harbor on January 18, 1955, a seizure of 5 pounds of heroin was made from a ship just arrived from the Far East.

UNITED NATIONS CONCERN

Further confirmation of this traffic is found in United Nations Document E/CN 7, April 1, 1955, as follows:

Burma: "There were also 360 seizures of opium smuggled into Burma by land from China."

Korea: "Most of the drugs are imported illicitly, especially from North Korea, in spite of continuous control by competent authorities."

Thailand: "There is still a large illicit traffic in opium, chiefly in raw opium, coming over the northern land frontiers into the interior of Thailand."

For several years the attention of the free nations of the world has been focused on the position which the Communist regime of mainland China has assumed in carrying on a flourishing worldwide traffic in opium, morphine, and heroin. Mere denials comprise no answer to the documentation of this traffic.

The one sure way to destroy the United Nations is to admit any nation that consistently violates the charter. The Peiping regime's part in promoting the world drug trade is only one of its many charter violations. The Committee of One Million publishes Commissioner Anslinger's documented testimony as further proof of Communist China's inadmissibility to the United Nations.

[From the Wall Street Journal of March 18, 1955]

U. N. FRETS OVER GLUT OF OPIUM AND NEW SYNTHETIC NARCOTICS—TALES OF CHAN THEW YONG, ZAYED HASSEIN HASSAN, JAMES FROGGATT-TYLDESLY

(By Mitchell Gordon)

GENEVA.—The United Nations is worried about lovely white poppies, swaying waist-high in the Asian wind. It is fretting, too, about 1-methyl-4-phenylpiperidine-4-carboxylic acid ethyl ester.

The poppies are producing a growing world surplus of opium. As for that other substance, which we will not ask the printer to attempt again, it is representative of an increasing host of synthetic narcotics already beginning to intensify the surplus.

As stocks grow, the pressure mounts for more of the opiates to push their way out of proper medical use and into bootleg channels, causing deep concern to the U. N.'s permanent Central Opium Board headquartered in the old League of Nations building here in Switzerland. It should perhaps also concern any American who thinks about the future of the dope traffic in his own country.

THE CAMEL WAS ECSTATIC

The illicit drug operation is every bit as international and almost as well organized as the oil business. Police meet the most

interesting people. Sitting in an Egyptian prison today is Zayed Hassein Hassan, who thought he had devised a modern and foolproof technique of moving raw opium across the border. He packed it in plastic containers (so they couldn't be spotted by X-ray), and fed these to his camels—butchering them after they'd crossed the frontier. He was caught when the opium seeped out of one container and sent a camel into stuporous ecstasy.

In Singapore, the narcotics police stopped Chan Thew Yong, who was swinging a wicker basket on his arm as he walked home from work at the Seletar Dockyard. Inside it they found morphine, made from opium. They went along home with Chan, and there made an even more interesting discovery: several hundred grams of Pethidine, a synthetic which has much the effect of morphine. Shortly before, Wilhelmus Hermsen was nailed in Amsterdam with the same artificial drug, later traced back to a small town in Western Germany.

Another synthetic, Physeptone, or 6-dimethylamino-4, 4-diphenyl-3-heptanone, figured in the arrest at Leura, Australia, of a British engineer named James Froggatt-Tyldesly. And Dromoran, or 3-hydroxy-N-methylmorphinan, was among the stockpile of synthetics that helped land Peter Max, a Toronto tailor, in a Canadian jail. The stuff had come from the United States.

No one knows the current volume of the illicit narcotics trade, and even the statistics on seizures drift in to Geneva with the slow motion of an opium smoker. But by last count, for 1953, over 25 million grams of raw opium were seized in international traffic—almost two and a half times as much as in the last full year before World War II.

PRICE PROPS FOR POPPIES

The opium surplus problem is, in part, merely an exotic form of the farm problem familiar to the United States—huge harvests stimulated by high governmental price supports. All legally grown opium is purchased from peasants by government monopolies; their buying price rocketed to three and a half times previous levels during the last war, and has remained there. With this kind of encouragement, output soars. By last complete and official count, for 1953, legal production had hit nearly 1.3 billion grams, up 20 percent in a single year.

Because it requires dry harvest weather and cheap labor, the opium poppy is cultivated only in certain areas of China, India, Turkey, Iran, Russia, and to a lesser extent Yugoslavia and Bulgaria. The traditional manner of gathering opium juice is tedious. Careful incisions are made around the bulb of the plant; a milky juice oozes out; after coagulation this is scraped off and formed into bars or cakes. About 125 man-hours are required to produce a single pound of opium.

From opium cake, morphine is made. And about 90 percent of the morphine is in turn converted into a large family of other drugs, ranging from the codeine which goes into cough medicine to heroin, probably the most treacherous of the lot. Increasing use is being made of a newer process, whereby morphine is extracted direct from whole dried poppies, thus bypassing the opium stage.

In Asia, countless millions still nibble pill-sized pieces of opium to thwart pain and allay hunger, or puff the pungent stuff in long-stemmed pipes, falling victim still more rapidly to its habit-making power. But demand, at least in the legalized markets, has been cut since war's end by new prohibitions.

Opium smoking is now illegal, for example, in the Republic of Indonesia, Burma, the Federation of Malaya and Hong Kong. India aims to abolish opium eating and smoking by 1959.

TWO DOZEN SYNTHETICS

In the more advanced nations, the intrusion of the synthetics has stunted the growth of medical use of opium derivatives. Of the 52 narcotics now under the U. N. agency's control, 24 are synthetics. Four were added only last year. They have various advantages; Pethidine and Methadone, for instance, will do the job of morphine without such danger of throwing a patient into convulsions.

The great cough-syrup market is open to a synthetic which will replace codeine, and invasion attempts are underway. This spring, for example, the American subsidiary of the Swiss drug concern, Hoffman La Roche, will market a substance called Romilar in drugstores throughout the States. Its plant at Nutley, N. J., got the production go-ahead from its Swiss parent after more than a year's clinical use in America. The drug has been on the Swiss market since October and has been introduced in other continental markets as well.

One advantage claimed for Romilar; it is not habit-forming. So far it is more costly than codeine but the firm's chief, Dr. Frederich Rutishauser, is hopeful of remedying that "in the course of developing production."

MORE THAN ENOUGH

All these factors give a more ominous appearance to the mounting stocks of opium legally held by the Government monopolies and morphine manufacturers. The Permanent Central Opium Board, at latest count, reported these came to over 1.7 billion grams, enough to cover global medical requirements for 2½ years.

Cutting back on production is politically tough. "It would be like scrapping price supports on wheat in the United States," comments one expert. In Turkey, for example, where the total population comes to about 20 million, opium-growing provides a source of income for some 200,000 people.

But somewhere along the line, the opium experts figure, the governments of producing countries are going to have to order a slowdown. When they do, many farmers are likely to try bolstering their income by staking out unlicensed acres to supply the bootleg market.

In countries such as Turkey and Iran, where distances are great, communications poor and local governmental administrations lax, this would be entirely feasible. And the financial lure is always there; an addict may pay the equivalent of $300 for a couple pounds of opium, enough to keep him going for around 100 days, while the legal price to the farmer in Iran for this amount is about $13.

So far the principal role of the synthetics has been to cut into the legitimate medical market for opiates. Exactly what proportion of the illicit trade they account for is, of course, a mystery, but Louis Atzenwiler, the opium board's secretary, says "there's no doubt it is meager, compared with the natural narcotics."

ACCOMPLISHMENTS OF SENATE COMMITTEE ON THE JUDICIARY

Mr. KILGORE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement of the work accomplished by the Committee on the Judiciary during the present session.

As chairman of the committee, I am proud of the record which has been made, and I desire to express my appreciation to all the members of the committee whose cooperation has made this record possible.

I believe that the record is the more impressive because the Committee on the Judiciary has adhered strictly to the provisions of the Reorganization Act, and has reported no matter to the floor of the Senate without a majority of the members of the committee being physically present at the meeting in which the matter was considered and reported out.

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

SENATE JUDICIARY COMMITTEE WORK AND WORKLOAD AS OF JULY 26, 1955, 84TH CONGRESS

The workload of the Senate Judiciary Committee during the 84th Congress, 1st session, as of July 26, 1955, comprised 43.9 percent of all Senate bills and resolutions introduced; 65.6 percent of all House bills and resolutions presented in the Senate; 48.7 percent of all bills and resolutions irrespective of origin.

Not only has the Judiciary Committee received a far larger share of the Senate's total workload than any other standing committee of the Senate; it has also performed a larger share of all committee work than any other committee. Of 1152 written reports filed on legislation in the Senate by all committees, the Judiciary Committee has filed 679, which represents 58.9 percent.

The total of reports filed to the Senate does not give the whole picture of committee activity, because committee consideration of many bills resulted in adverse action and indefinite postponement. Furthermore, the committee has handled and disposed of more than 627 individual immigration cases, involving suspension of deportation, 681 cases involving adjustment of status under the Displaced Persons Act, and 421 cases involving adjustment of status under section 6 of the Refugee Relief Act, as amended. Each case is equivalent to a bill.

As of July 26, 1955, the Judiciary Committee had received 1,285 Senate bills and resolutions and 546 House bills and resolutions, making a total of 1,831 bills and resolutions.

As of July 26, 1955, the committee had disposed of 590 Senate bills and resolutions and 353 House bills and resolutions, or a total of 943 bills and resolutions, which includes 3 bills from which the committee was discharged.

Of the bills thus disposed of, 50 were general bills other than claims or immigration; 127 were private relief bills; 754 were private immigration bills; 5 were general claims bills; and 7 were general immigration bills.

Committee approval was granted to 370 Senate bills and resolutions and 319 House bills and resolutions, or a total of 689 bills and resolutions of both Houses.

(It will be noted that written reports were filed by the committee with respect to all but 10 of the 689 bills and resolutions approved.)

Of the bills and resolutions acted upon favorably, 38 were general bills other than claims or immigration; 66 were private relief bills; 573 were private immigration bills; 5 were general claims bills; and 7 were general immigration bills.

Bills postponed indefinitely by the committee included 217 Senate bills and resolutions; 34 House bills and resolutions; or a total of 251 bills and resolutions of both Houses.

Of the bills thus acted upon unfavorably, 10 were general bills other than claims or immigration; 60 were private relief bills; and 181 were private immigration bills.

Measures pending before the committee as of July 26, 1955, included 695 Senate bills and resolutions and 193 House bills and resolutions, or a total of 888 bills and resolutions of both Houses.

Of these bills, 217 are general bills other than immigration and claims; 273 are private relief bills; 371 are private immigration bills;

20 are general claims bills; and 7 are general immigration bills.

It will be noted the committee has disposed of 353 House bills and resolutions, out of 546 such measures referred to it, leaving only 193 House bills and resolutions pending as of July 26, 1955.

This means the committee took action on 64.7 percent of all House measures received.

In comparison, out of 1,285 Senate bills and resolutions referred to it, the committee acted upon 590, leaving 695 Senate bills and resolutions pending. This means that although the committee had to "start from scratch" by requesting departmental reports in most such cases, action was taken on 45.9 percent of all Senate measures received.

Suspensions of deportation by the Attorney General, adjustments of status under section 4 of the Displaced Persons Act, as amended, and under section 6 of the Refugee Relief Act, under authority delegated by the Congress, reported to the Congress in groups; but in the committee, each such individual case requires separate investigation, appraisal, and action. At the beginning of the 84th Congress, there were pending in the committee 537 cases of suspension of deportation, to which were added 974 additional cases submitted since the beginning of the Congress, making a total of 1,511 cases, of which 613 were approved, 5 were withdrawn by the Attorney General, and 9 cases were not approved, leaving 884 cases in process as of July 26, 1955.

At the beginning of the 84th Congress, there were pending 1,018 cases of adjustment of status under the Displaced Persons Act of 1948, as amended, to which were added 281 additional cases submitted during this Congress, making a total of 1,299 cases, of which 611 were approved, and 8 were withdrawn by the Attorney General, and 62 were not approved, leaving 618 cases in process at July 26, 1955.

At the beginning of the 84th Congress, there were pending 41 cases of adjustment of status under section 6 of the Refugee Relief Act, as amended, to which were added 2,989 additional cases submitted during this session, making a total of 3,030 cases, of which 409 were approved, and 1 was withdrawn by the Attorney General, 3 were not approved, and 8 were held for further information, leaving 2,609 cases in process as of July 26, 1955.

Through July 26, 1955, the committee received 50 Executive nominations, of which 1 was Associate Justice of the United States, 28 were Federal judges, 8 were United States district attorneys, 9 were United States marshals, 1 was a member of the Subversive Activities Control Board, and 3 were members of the Parole Board.

As of July 26, 1955, nominations pending totaled 10.

RADIO INTERVIEW WITH SENATOR O'MAHONEY

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a transcript of an interview in which I engaged with three correspondents of the Columbia Broadcasting System on July 23, 1955, on the program entitled "Capitol Cloakroom."

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

CAPITOL CLOAKROOM

Guest: The Honorable JOSEPH C. O'MAHONEY, United States Senate, Democrat, of Wyoming.

CBS correspondents: Griffing Bancroft, Bill Costello, Wells Church.

Producer: Michael J. Marlow.

Mr. BANCROFT. Senator O'MAHONEY, do you favor exchanging military secrets with Russia?

Mr. CHURCH. And why does Dixon-Yates need further investigation?

Mr. COSTELLO. Should our immigration policy be liberalized?

Mr. BANCROFT. Senator O'MAHONEY, welcome to Capitol Cloakroom. A former newspaper editor and lawyer, you started an active political career 38 years ago when you came to Washington as a senatorial secretary. Then you served 19 years in the Senate yourself, interrupted by a slight upset in 1952, but 2 years later you were elected again.

Well, the big news this week that may grow into things the Senate might have to act on is the Geneva Conference and President Eisenhower's proposal for exchanging military blueprints with the Soviets. Do you favor this exchange of military secrets with the Russians?

Senator O'MAHONEY. I think that the successful exchange of such secrets and such knowledge depends wholly upon the good faith of the Soviet Government.

Before I can answer the question, I would like to know whether or not the Soviet radio and the Soviet newspapers are distributing among the people of Russia the speech that President Eisenhower made.

Unless we definitely know that the Iron Curtain of the Soviet Government against the free press has been abandoned, and that the people of Russia are being allowed to know what is being said by the leaders of the free world, we cannot safely make a decision.

I am glad the offer was made, though.

Mr. BANCROFT. Well, Senator, we did have dispatches from Moscow that the President's proposal was broadcast in full. I don't know what comment was made on it over there, but it was given to the Russian people.

Senator O'MAHONEY. Well, I am delighted to know that it was given to the Russian people. I think that is a most significant development to which we must give a great deal of attention.

I am reminded to say to you that the agricultural exchange between Soviet Russia and the United States is notable to me in that the Russian visitors are representatives of the Government. The American visitors to Russia, on the other hand, contain a large proportion of dirt farmers.

It would be, so as to say, that the Soviet bureaucrats who are in charge of what the Russian farmer may or may not do are visiting this country, while our visitors in Russia are the horny-handed farmers who do their own work and reach their own decisions.

Mr. BANCROFT. Well, then overall you are encouraged by all these developments?

Senator O'MAHONEY. Oh, I am always encouraged when people talk instead of fight.

Mr. COSTELLO. Senator O'MAHONEY, there is a legal question which relates to the President's offer, especially this proposal that Russia and the United States give each other permission to fly aerial surveys and make photographic reconnaissance you know to test each other's good faith.

We have laws in this country that prohibit planes from flying over certain areas, particularly the atomic plants and some of our fortifications. Do you think Congress would go along in a revision of those laws now?

Senator O'MAHONEY. Well, not immediately, of course not.

Mr. COSTELLO. Well, I mean supposing the Russians gave us permission to do likewise.

Senator O'MAHONEY. It depends upon the details of the proposal. Let me call your attention, Mr. Costello, to the fact that the proposal made by the President was merely that we should make facilities available to the Russians, and that the Russians should likewise make facilities available to us.

Now, I interpret that to mean that each country would fly the inspectors over its own territory. That raises the question as to whether or not the Soviets would take the Americans to the significant and delicate places. We know that we would. So those are details that would have to be worked out, and Congress, I am sure, would have to be satisfied that the inspection was genuine on both sides, before any law was changed.

Mr. BANCROFT. Well, then your idea, Senator O'MAHONEY, would be that Russian planes would not be flying over the United States; but that American planes would fly Russian inspectors around?

Senator O'MAHONEY. That is the way I interpreted the President's proposal.

Mr. BANCROFT. Well, what do you think is going to come out of this Geneva thing? Do you think anything like that is going to be worked out?

Senator O'MAHONEY. I think it is a matter of slow process. Americans will be misled if they expect that this summit conference, which will adjourn on Saturday, will settle the issue. It will not settle the issue. We don't know yet whether the methods of Stalin have been abandoned. We know that it is not so long since Beria was liquidated.

Have the Soviets given up the dictatorial program of getting rid of those who disagree? We don't know. We must find out.

Nobody knows yet who the actual leader of the Soviet delegation is, and a great deal of confidence has been placed by our people and our representatives on the fact that President Eisenhower and General Zhukov have been friends. I think that many of our people feel that because of this friendship, President Eisenhower may be able to win the Russians over.

I am reminded of the fact that at Yalta President Roosevelt was confident that he had the persuasive powers which would win over Stalin. He later found out, much to his regret, that he did not have them.

Now, we don't know yet, and we must be cautious.

Mr. COSTELLO. You think then, Senator O'MAHONEY, that it would be dangerous to assume that the President can change Soviet state policy by any kind of personal relationship, that personal relationships really don't enter into the picture?

Senator O'MAHONEY. Absolutely, absolutely. They do not enter into the picture, where we do not know where the Government of Soviet Russia is, we do not know who the leaders are. They have carefully concealed that from us.

We do know that Khrushchev is still the head of the Communist Party, and the head of the Communist Party in all previous aspects of the Soviet Government has been the dictator.

Now, Bulganin is pushed forward as a Prime Minister in the fashion of the Western free nations. I don't believe for a moment that Bulganin is anything but a spokesman of the Communist Party and does what he is told. Now, an agreement between the United States and the Soviet Government will have to depend upon mutual confidence and respect, and I cannot help forget that last June when Secretary Dulles replied to Molotov at San Francisco, he said that Russia could end the cold war almost immediately by agreeing to abide by the Charter of the United Nations.

Mr. BANCROFT. Well, Senator O'MAHONEY, do you think except for these reservations that you make, that when Mr. Eisenhower gets back from Geneva, that he will get bipartisan support in Congress? Will you Democrats be behind him in this foreign policy?

Senator O'MAHONEY. Well, Mr. Bancroft, you are asking me whether he will have bipartisan support on something that has not transpired as yet. He has had bipartisan support on his visit to the summit. I think

that without exception Democrats and Republicans, I will say practically without exception, have supported the offer that he made.

But until we know what the response is, and we don't know that now, it is impossible to predict what Congress will do, except that I will say this: that unless Soviet Russia shows absolute good faith, Congress will not be likely to go along. And I am confident that the President will demand that Soviet Russia show good faith.

Mr. CHURCH. Senator, I know you are quite interested in this Dixon-Yates situation. That is putting it mildly. A good many people around the country have been under the impression that the matter was more or less closed when the President passed along orders to cancel the contract because Memphis, the city, said that it would build its own plant.

Now, the investigation is still going on. Why do we need further investigation of that Dixon-Yates contract?

Senator O'MAHONEY. Because of the testimony that was given by Mr. Woods, the head of the First Boston Corp., which has confirmed the feeling that many of us had, both Republicans and Democrats, that one of the main purposes of this administration on the domestic side would be to give away, as we have said, some of the most precious assets that this Government has had.

Now, the first attempt to carry out that program has been with respect to public power. The Dixon-Yates episode is clearly before the country now as a secretive method of subsidizing a so-called private utility to furnish electric energy to a municipality.

Now, never before in the history of the Government had the President of the United States or an executive bureau in the United States attempted to tell the people of a single city whether they should take power in the way they wanted it, or take the power in the way the White House wanted to make them take it.

Mr. CHURCH. Then you see a difference between the Government operating hand in hand with an organization called Dixon-Yates, and the Government not only working hand in hand with, but being an organization which we know commonly as TVA.

Senator O'MAHONEY. Oh, absolutely, because everything that is done in TVA, everything that is done under the law, is done openly.

What has been done in the Dixon-Yates program has been to accomplish an object not by passing the law in the full glare of publicity, but it has been sought to accomplish this objective by secret methods behind closed doors.

And even though in August a year ago the President said, in defending the contract, that everything was to be open, that the reporters at the White House conference could go down to the Bureau of the Budget and to the AEC and get all the papers, this hearing has shown that we have not got even the papers, and that the directions of the President have not been followed out by the Director of the Bureau of the Budget, by Admiral Strauss, the head of the Atomic Energy Commission, or by the SEC.

But the most important revelation of all was that it was acknowledged in the examination of Mr. Cook of the Atomic Energy Commission that at one of the White House conferences the Chairman of the Securities and Exchange Commission was present, and the contract between the Mississippi Valley Generating Co. and the AEC specifically contains a clause making it subject to the favorable action of all agencies having jurisdiction.

In other words, the Securities and Exchange Commission, which was set up by Congress to protect investors, was called into secret White House conference in order to secure its cooperation in approving what was to be done.

Now, that is government behind an Iron Curtain, and I think it is altogether contrary to the principles which guide all Americans.

We are trying to break down the Iron Curtain in international affairs, while the executive branch of the Government is establishing an Iron Curtain here at home.

Now, the newspapermen, the radiomen, and all of those who attend the conferences at the White House, and who seek to get information of what is going on for the past year have been finding it difficult to get the facts, which have always heretofore been open to the public.

Mr. BANCROFT. Well, Senator O'MAHONEY—

Senator O'MAHONEY. On all bases on all subjects.

Mr. BANCROFT. Your committee is having a little trouble getting some facts, at least; isn't it?

Senator O'MAHONEY. Yes.

Mr. BANCROFT. You haven't gotten Mr. Sherman Adams, the Presidential assistant, up there. Is there any way that you can compel him to come before you and testify?

Senator O'MAHONEY. I think that the Sherman Adams' refusal to come before this committee and make a clean breast of everything that goes on is scandalous, and for this reason: That the SEC, a quasi-judicial body, which under the law was set up to deal judicially with the applicants who come before it, was brought into secret conference in the White House to secure an objective which was not being known by the people.

Now, back in 1937 when President Roosevelt sent the court bill to the Senate, I resisted it, and I wrote a good part of the report which killed it, because I believed that the Executive had no authority and no right under the Constitution to seek to dominate the courts of the land.

And in the same way I say now that the President of the United States and his anonymous assistants have no right to dominate and direct the policy of the quasi-judicial bodies which have been set up to do legislative duties.

Mr. CHURCH. I suspect, then, Senator, that the answer to my question, why further investigation, is that you think there was some wrongdoing, or something illegal about the actions that led up to the contract which is now canceled; is that correct?

Senator O'MAHONEY. Mr. Church, there was wrongdoing. Sherman Adams did ask for a postponement of a hearing which was being held by a judicial examiner of the SEC, at the very moment when Congress was attempting to decide, the House of Representatives, I mean, was attempting to decide, whether to appropriate $6½ million to build a pipeline, a transmission line for the private utility, the Dixon-Yates generating company, a subsidy.

The hearing was to have been an examination of Mr. Wenzell of the First Boston Corp. Now, I say to you, when the assistant to the President of the United States is confessedly and openly in the position of having sought to obtain a delay of a judicial examination of a witness while an appropriation was pending in the House of Representatives, he owes it to his President as well as to the people and the Congress to come before the committee and explain it.

Mr. BANCROFT. Well, Senator O'MAHONEY, you mentioned as your opinion that the Dixon-Yates thing was part of a bigger policy of the administration. Do you think this investigation of yours, or an investigation, will grow into a general investigation of the administration's power policies?

Senator O'MAHONEY. I think that this policy will be laid on the table. The Department of the Interior at this very moment has been talking about establishing a partnership policy with the private utilities with respect to the power developed at public dams.

In 1944 and in 1939 the reclamation laws and the Flood Control Act provided that municipalities, REA cooperatives and other organizations of that kind should have a preference right to use the power developed by public dams. Now, nothing is more private enterprise than an REA, because it is made up of farmers who put their own money into the building of their electric distributing facilities. But the partnership agreement is apparently a plan intended to short-circuit the REA and put the old utilities back.

And in the case of Dixon-Yates, the new utility company was a subsidiary of two holding companies.

The Middle South Co. had 6 or 10 subsidiary utility companies. The Southern Co. also had subsidiaries. And the Mississippi Valley Generating Co., otherwise known as the Dixon-Yates Generating Co., was to be a subsidiary of both of them. It had a capital of only $5½ million. It was to build a $100 million plant.

And the record before the SEC shows that the SEC felt that such a disparity between equity and debt would not be allowed in any utility financing, and was allowed here only because the Government was paying such a big price for the power.

Mr. COSTELLO. Senator, this is a fascinating subject, and I wish we could take a little more time on it, but I do want to ask you one other question, because you are a distinguished member of the Judiciary Committee, and you, I know, are interested in the Immigration Act as it exists now, and in proposals to change it.

I would like to ask whether you feel that our immigration policy is in need of liberalization and change?

Senator O'MAHONEY. I do. I believe that the recommendations which the President has recommended to the emergency immigration laws should be adopted with some additions; yes. I believe that we should not change the spirit of the Statue of Liberty.

The United States should remain the haven of the oppressed throughout the world.

Mr. COSTELLO. Well, now, one of the features of the immigration law as it exists now is that it assumes that we are in grave danger of being penetrated by communism, or fascism, or other foreign isms. Do you think that too much emphasis is being put on that, that is, that we are too frightened?

Senator O'MAHONEY. I do, I do. I believe in the open expression of ideas and opinions. That is why I am here today facing you three gentlemen, allowing you to ask me any question that comes into your heads, and I sit here at this table before the microphone without a note of paper to support what I am saying. I talk freely to you because I am a Member of the United States Senate, and I feel it is my obligation to answer any questions that may be asked of me by any citizen.

Likewise, I believe that is the attitude of our Government, and ought to be the attitude of the Government, and this idea of having Government officials hiding behind alleged privilege of communication just does not seem to me to be good Americanism.

Mr. BANCROFT. Senator O'MAHONEY, one question does come to my head. Do you think President Eisenhower is going to run in 1956?

Senator O'MAHONEY. Oh, I haven't any idea. He has not asked my advice.

Mr. BANCROFT. Whom do you think the Democrats will nominate?

Senator O'MAHONEY. I think that remains to be seen. I think that remains to be seen.

Mr. Bancroft, we have two separate conditions. Let me explain them briefly. One is the foreign policy of the United States. Mr. Eisenhower and the Republican Party have adopted, practically adopted, the Democratic international policy for peace, but the domestic policy of the Republican Party is a policy of rank conservatism and reaction,

and that will be revealed before many months have passed.

Mr. BANCROFT. I am afraid that is all the time we have, and thank you very much, Senator O'MAHONEY.

MRS. LORENZA O'MALLEY (DE AMUSATEGUI ET AL.)—CONFERENCE REPORT

Mr. KILGORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1003) for the relief of Mrs. Lorenza O'Malley (de Amusategui), Jose Maria de Amusategui O'Malley, and the legal guardian of Ramon de Amusategui O'Malley. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings for today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

HARNEY ENGINEERING CO.—CONFERENCE REPORT

Mr. KILGORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2907) for the relief of Thomas F. Harney, Jr., doing business as the Harney Engineering Co. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report see House proceedings for today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

VINCENZO SANTAGATA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 197) for the relief of Vincenzo Santagata, which was to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Vincenzo Santagata shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

Mr. KILGORE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

FILLIPO MASTROIANNI

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 198) for the relief of Fillipo Mastroianni, which was, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Fillipo Mastroianni shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. KILGORE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

JOHN AXEL ARVIDSON

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 550) for the relief of John Axel Arvidson, which was, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, John Axel Arvidson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act.

Mr. KILGORE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

MECYS JAUNISKIS

The PRESIDING OFFICER laid before the Senate amendment of the House of Representatives to the bill (S. 664) for the relief of Mecys Jauniskis, which was, in line 7, strike out all after "act" down to "further" in line 10, and insert "under such conditions and controls which the Attorney General after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided.*"

Mr. KILGORE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

ALFIO FERRARA

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 714) for the relief of Alfio Ferrara, which was, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Alfio Ferrara may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

Mr. KILGORE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

HENRY DUNCAN

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1014) for the relief of Henry Duncan, which was, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Henry Duncan may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided,* That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

Mr. KILGORE. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

SADA ZARIKIAN

The PRESIDING OFFICER laid before the Senate the amendment of the House to the amendment of the Senate to the bill (H. R. 2065) for the relief of Sada Zarikian, which was, to strike out "section 354 (a) (5)" in said amendment, and insert in lieu thereof "section 354 (5)."

Mr. KILGORE. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. KNOWLAND. Mr. President, will the Senator from West Virginia state the nature of the House amendment?

Mr. KILGORE. Mr. President, on July 22, 1955, the Senate passed H. R. 2065, with an amendment to place the beneficiary within the purview of section 354 (5) of the Immigration and Nationality Act. The amendment inadvertently referred to section 354 (a) (5) of the said act. The House of Representatives has concurred in the Senate amendment with an amendment to strike the letter "(a)."

Mr. KNOWLAND. I thank the Senator.

Mr. KILGORE. I renew my motion that the Senate concur in the House amendment to the Senate amendment to H. R. 2065.

The PRESIDING OFFICER. The question is on the motion of the Senator from West Virginia.

The motion was agreed to.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 42) favoring the suspension of deportation in the case of certain aliens, which was, on

page 6, strike out all after line 13 over through line 22 on page 8.

Mr. KILGORE. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PERMISSION FOR NATIONAL BANKS TO MAKE CERTAIN LOANS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1189) to permit national banks to make 20-year real estate loans, 9-month residential construction loans, and 18-month commercial construction loans, which were, on page 3, line 12, strike out "of" and insert "entitled 'An act to promote conservation in the arid and semi-arid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes', approved"; on page 4, strike out line 1, over to and including line 7, page 5, and insert:

SEC. 2. The first sentence of the third paragraph of section 24 of the Federal Reserve Act, as amended (U. S. C., 1952 edition, title 12, sec. 371), is amended by striking "six" and inserting in lieu thereof "nine."

And to amend the title so as to read: "An act to permit national banks to make 20-year real estate loans, and 9-month residential construction loans."

Mr. FULBRIGHT. Mr. President, the House has returned to the Senate, with amendments, Senate bill 1189, relating to loans by national banks. The House amendments are not of great substance.

The Senator from Indiana [Mr. CAPEHART], the Senator from Virginia [Mr. ROBERTSON], and I agree that the Senate should accept the House amendments.

I, therefore, move that the Senate concur in the amendments of the House.

The amendments were agreed to.

LEASE OF CERTAIN LAND ON COLORADO RIVER INDIAN RESERVATION, ARIZ.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2039) to authorize the Secretary of the Interior to lease any unassigned lands on the Colorado River Indian Reservation, Ariz., and for other purposes, which were, on page 1, line 10, after "leases" insert "for grazing purposes"; on page 2, strike out line 5, and insert "to exceed twenty-five years, excepting leases for grazing purposes, which shall be for a term of not to exceed ten years. Leases for public, religious,"; on page 3, line 2, strike out all after "reserve." down through "determined" in line 7 and insert "All income received more than two years after the date of this act shall be held in a special account until the beneficial ownership of the land on the reservation has been determined"; on page 3, after line 11, insert:

SEC. 2. Nothing contained in this act shall be construed as recognizing any ownership in the Colorado River Indian Tribes or any other Indians or group of Indians, nor shall this act be taken as creating any inference of liability or as impairing or affecting any of the defenses of the United States in any litigation now pending before the Court of Claims or the Indian Claims Commission.

Mr. O'MAHONEY. Mr. President, the bill was introduced by the Senator from Arizona [Mr. GOLDWATER]. The committee reported the bill favorably, and it was passed by the Senate.

The House, as a result of a conference on another bill, amended this bill so as to be in agreement with the Senate Committee on Interior and Insular Affairs. I, therefore, move that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2126) to extend and clarify laws relating to the provision and improvement of housing, the elimination and prevention of slums, the conservation and development of urban communities, the financing of vitally needed public works, and for other purposes.

The message also announced that the House had passed the bill (S. 2576) to amend the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes", approved January 14, 1933, and for other purposes", with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCMILLAN, Mr. HARRIS, Mr. SMITH of Virginia, Mr. JONES of North Carolina, Mr. O'HARA of Minnesota, Mr. BROYHILL, and Mr. HYDE were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1041) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1077) to provide for settlement of claims for damages resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 191) to regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4048) making recommendations to the States for the enactment of legislation to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes.

The message further announced that the House had passed a bill (H. R. 944) for the relief of Nicola Teodosio, in which it requested the concurrence of the Senate.

The message notified the Senate that a committee of two Members were appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses had completed their business of the session and were ready to adjourn, unless the President has some other communication to make to them.

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 72. An act to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands;

S. 91. An act for the relief of Luzia Cox;

S. 987. An act to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to reestablish their common boundary;

S. 1621. An act to authorize adjustment by the Secretary of Agriculture of certain obligations of settlers on projects developed or subject to the act of August 11, 1939, as amended, and for other purposes;

S. 1757. An act to amend the act known as the "Agricultural Marketing Act of 1946," approved August 14, 1946;

S. 1759. An act to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico;

S. 1849. An act to provide for the granting of career-conditional and career appointments to certain qualified employees;

S. 1894. An act to provide for the participation of the United States in the International Finance Corporation;

S. 2087. An act to amend the Act of May May 19, 1947 (ch. 80, 61 Stat. 102), as amended, so as to permit per capita payments to the individual members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, to be made quarterly;

S. 2098. An act to amend Public Law 83, 83d Congress;

S. 2237. An act to amend the act of May 26, 1949, to strengthen and improve the organization of the Department of State, and for other purposes;

H. R. 100. An act to permit the mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development, and for other purposes;

H. R. 257. An act to amend section 112 (n) (8) of the Internal Revenue Code of 1939, relating to the suspension of certain periods of limitation while the taxpayer is

on extended active duty with the Armed Forces, and to amend the Internal Revenue Code of 1954 with respect to tax treatment where the taxpayer recovers amounts held by another under claim of right;

H. R. 1393. An act for the relief of the E. J. Albrecht Co.;

H. R. 2065. An act for the relief of Sada Zarikian;

H. R. 3024. An act for the relief of Margaret Mary Hammond;

H. R. 3908. An act to provide for the regulation of fares for the transportation of schoolchildren in the District of Columbia;

H. R. 4581. An act to amend the Internal Revenue Code of 1954 with respect to the tax on cutting oils;

H. R. 4763. An act for the relief of Elzie C. Brown;

H. R. 6263. An act to amend section 1233 and section 542 (a) (2) of the Internal Revenue Code of 1954;

S. J. Res. 73. Joint resolution to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt; and

H. J. Res. 330. Joint resolution to provide for the acceptance and maintenance of presidential libraries, and for other purposes.

AMENDMENT OF JOINT RESOLUTION AUTHORIZING MERGER OF STREET RAILWAY CORPORATIONS OPERATING IN THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER laid before the Senate the amendment of the House to the bill (S. 2576) to amend the joint resolution entitled "Joint resolution to authorize the merger of street railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, and for other purposes, which was to strike out all after the enacting clause and to insert:

That the Commissioners of the District of Columbia are authorized to enter into an operating contract with the Capital Transit Co. for a period of 1 year from the effective date of this act or from the date authority is obtained from the stockholders under paragraph 6, whichever is the later, to provide mass transportation in the area now served by Capital Transit Co., said contract to contain substantially the following provisions, and in addition such other provisions not inconsistent herewith as the Commissioners and the Capital Transit Co. may agree upon to effectively carry out the purpose of this act:

1. Capital Transit Co. will continue to operate its properties as required by its franchise obligations.

2. Capital Transit Co. will enter into a contract with the bargaining agent of its employees covering wages and working conditions under terms and conditions as directed by the Commissioners of the District of Columbia for a period not to exceed 1 year.

3. Salaries of officers of Capital Transit Co. in effect on July 1, 1955, will be continued in effect during the term of said contract.

4. In the event increased wages and benefits are accorded employees under paragraph 2 hereof, appropriate increases may also be granted salaried employees other than company officers subject to the approval of the Commissioners of the District of Columbia.

5. If, at the end of the period of said contract the operating revenues derived by the company from the operation of its properties in utility service for the convenience of the public have not been sufficient to meet the cost of operation during such 1-year period, including but not limited to depreciation and all taxes, but not including any return on investment, the District of Columbia shall pay Capital Transit Co. the amount of such deficiency: *Provided, however*, That such deficiency during said period shall be determined in accordance with the accounting practices now prescribed by the Public Utilities Commission or upon such other terms as may be agreed upon by the Commissioners of the District of Columbia and the Capital Transit Co.

6. Capital Transit Co. will promptly take all necessary steps to secure from its stockholders authority to amend said contract to provide for the relinquishment of all of its franchise rights upon the termination of said contract. If within 90 days after the date of the contract hereby authorized said authority is obtained the parties agree that said contract shall be amended by inserting the following paragraph:

"Capital Transit Co. shall relinquish all of its franchise rights upon the termination of said agreement and said relinquishment shall be accepted by the Commissioners and thereafter Capital Transit Co. shall be under no obligation to furnish public transportation in the District of Columbia."

Mr. McNAMARA. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. NEELY, Mr. McNAMARA, Mr. MORSE, Mr. BEALL, and Mr. CASE of New Jersey conferees on the part of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 944) for the relief of Nicola Teodosio, was read twice by its title and referred to the Committee on the Judiciary.

RAYMOND D. BECKNER

Mr. O'MAHONEY. Mr. President, I ask that the Senator from West Virginia [Mr. NEELY] be recognized on the motion to reconsider the vote whereby Senate bill 1584, for the relief of Raymond D. Beckner, was passed. On July 18 I entered the motion to reconsider. I now understand the Senator from West Virginia wishes to discuss the motion to reconsider, and I am quite agreeable to his doing so.

Mr. NEELY. Mr. President, let me beseech the Senate to lend me its sympathetic ears for a moment and thereafter its aid in redressing an injury, the infliction of which should move to pity a heart of stone.

During the year 1943, a mobile blood-bank unit, operated by the United States armed services and the Red Cross, came from Pittsburgh, Pa., to Fairmont, W. Va., to perform its official service. Through the newspapers and by radio the people of the Fairmont area were urged to come forward patriotically and generously donate their blood to the bank, in order to save the lives of wounded soldiers and dying servicemen.

Among the many others Mrs. Lulu Beckner, the wife of the janitor of the city's Federal building, responded. The husband's salary was $180 a month. Mrs. Beckner was in middle life. She was in the enjoyment of average health.

Within an hour and a half after she made her donation of blood, by means of an operation performed by a Navy doctor, Mrs. Beckner suffered a stroke, and from that day until this she has been a suffering, helpless, incurable cripple.

Five years ago efforts were begun to obtain governmental reimbursement for the cost of Mrs. Beckner's medical treatment which at that time amounted to $4,953.50.

The House long ago passed a bill for Mrs. Beckner's relief. But only 3 weeks ago the Senate for the first time acted favorably in this deplorable matter by passing the pending measure providing for the payment to Mr. and Mrs. Beckner of the $4,953.50 expended for medical treatment prior to 1951. During the past 5 years the cost of Mrs. Beckner's medicine and care has increased until it now exceeds fifteen thousand dollars.

The Beckners have been compelled to sell their home in order to pay the innumerable bills for Mrs. Beckner's medicine, nursing and doctors' services.

Although the measure which the Senate recently passed for the relief of the Beckners was shockingly limited to the previously stated sum of $4,953.50, instead of the $15,000 actually spent for the pitiful sufferer's relief, a motion was nevertheless made to reconsider the vote by which the measure had been approved by the Senate.

This motion is now before this body. It is my humanitarian hope that it will be defeated.

Mr. O'MAHONEY. Mr. President, the bill was considered and approved by the Committee on the Judiciary, and was passed on the call of the calendar. I had intended to file minority views, calling attention to the fact that there is no liability against the Government or against the Red Cross, because the donors waived all liability, in the first place.

However, every fact which the Senator from West Virginia has stated is shown by the record. The facts are clear. I felt it was important that the legislative record show that the bill, if it shall be passed, will be passed out of the charity and good will of the Senate, which recognizes the fact that the husband of the woman concerned is a janitor in a Federal building, that the family is penniless, that the operation was performed by a Navy doctor, and that the family cannot possibly meet the expenses involved.

It was essential that the policy should be cleared before the Senate. I think that in the circumstances the bill may well be passed without giving any basis for the argument in the future that the Government is liable in such cases.

Mr. NEELY. Mr. President, let me call attention to the fact that Mr. Beckner's family physician says there is no question but that her paralysis was caused by the operation by means of which she donated her blood.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. STENNIS. I may point out to the Senate that there is another bill, not a

companion bill, but a similar one, which was reported by the Committee on the Judiciary, which relates to facts which are almost identical with those related by the Senator from West Virginia.

It involves a man, a breadwinner in this case, in New Orleans, who had virtually the identical thing happen to him. He gave a blood donation in World War II. The bill for his relief has also been held up on a motion to reconsider. The Senator from Wyoming has fully examined the facts in the two cases. I wonder if the Senator would not save time by giving his opinion in that case while giving his explanation to the Senator from West Virginia.

Mr. O'MAHONEY. Mr. President, I am willing to do that. The facts in the two cases vary somewhat. In one case the victim became ill almost immediately.

Mr. STENNIS. If the Senator will permit me to interrupt, in the case of the New Orleans man, he felt a change after the blood donation and became perceptibly ill within an hour and a half.

Mr. O'MAHONEY. The Senator is quite right, but the same circumstances existed in both cases, and it was felt that the cases should be laid before the Senate, so that a legislative history would be made which would make clear the unusual circumstances involved, and so that no precedent of liability of the Government would be established for such cases.

Mr. STENNIS. I thank the Senator.

Mr. KNOWLAND. Mr. President, it is not a pleasant task at this period in the session, in connection with a bill which has so much human appeal as the one now being discussed, to raise points which I think are important for the Senate and the country to understand.

I do not know how many millions or hundreds of thousands of donors there have been who have given blood to the Army and the Navy, or to the American Red Cross during the Korean war. I do not have the specific figures, but I imagine the numbers run into the hundreds of thousands, if not into the millions.

Unfortunately, every day people who have donated no blood suffer strokes, heart attacks, or some form of paralysis. I presume that, under the law of averages, out of a large number of persons, whether they had donated blood or not, a certain number would suffer the same unfortunate results that are involved in the two bills.

Medically I do not know whether outside of the woman's own doctor—and I am not questioning his own motives in the slightest—other medical authorities have passed on the question whether the condition would have occurred regardless of whether or not a blood donation had been made. However, I believe, as the minority leader of the Senate, I have the obligation to this body at least to read a memorandum which has been prepared by our Calendar Committee in regard to this situation. I do it because the bills have been held up by motions to reconsider made by the distinguished Senator from Wyoming, who apparently had some of the same misgivings and questions in his mind, even to such a point that he seriously considered filing minority views.

I now read from the memorandum:

In its report on S. 1584, for the relief of Raymond D. Beckner (referred to elsewhere in this memorandum), the Navy Department states:

"There is no indication of any negligence on the part of the Navy or of the Red Cross in this case. The Bureau of Medicine and Surgery reports that from a professional standpoint the withdrawal of blood in reasonable amounts from people of middle age or with high blood pressure is not attendant with danger to such persons and, as a matter of fact, controlled bleeding is an accepted treatment for people who have high blood pressure.

"The Department of the Navy has no information concerning the medical or other expenses incurred by the claimant as the result of this incident and no record is found of any claim filed with this Department by Mr. Beckner. There is no reason, however, to question the extent of the financial loss suffered by the claimant as outlined in detail in the report of the American Red Cross above quoted.

"The Bureau of Medicine and Surgery confirms the statements in the above-quoted report that a Navy physician was in charge of the program.

"In the absence of negligence on the part of naval personnel, there appears to be no liability on the United States for the unfortunate incident and therefore the Department of the Navy is unable to recommend favorable action on the bill. If, however, on consideration of the circumstances involved in this particular case, the Congress should deem it appropriate to extend ex gratia relief, the Department of the Navy would interpose no objection to such action."

Query. Whether the facts justify in this bill and in S. 1584, for the relief of Raymond D. Beckner in the amount of $4,953.50, assumption of financial responsibility by the American taxpayer? It should be borne in mind that these claimants each were volunteers and that enactment might establish a dangerous precedent with respect to all manner of activities involving donations of services, and the like, in which there may be some benefit to the American Government or to the people of the United States.

Consider, also, those cases where the alleged injuries are of a relatively minor nature, such as when a blood donor faints. The number of the latter cases must be legion.

In addition to the foregoing, both of these cases involve findings by the Senate Committee on the Judiciary concerning medical facts or theories that are by no means substantiated on the records that are set forth in the respective reports accompanying the bills.

With relation to Senate bill 1352, which is somewhat comparable to the first bill mentioned, the memorandum states:

As amended, this bill would award $10,000 for personal injuries sustained following a blood donation at a Red Cross blood-donor center in New Orleans, La., on December 13, 1943, said blood donation to be used in treatment of members of the Armed Forces.

A few hours after the donation, claimant suffered a paralysis of his face, arms, and legs. The entire left side of his body has since been paralyzed, with no prospect of rehabilitation.

The report of the Committee on the Judiciary contains the unfavorable recommendation of the Army, but states:

"While concededly there is no legal responsibility on the part of the Government to compensate this individual for the loss he has suffered, nevertheless the committee does not feel the claimant should be required to bear alone the personal misfortune ensuing from his desire to serve his country in a worthwhile capacity."

The report of the Department of the Army, dated June 15, 1955, states:

"In the absence of negligence on the part of military or War Department personnel, there is no distinction between the present case and similar cases where blood is withdrawn for the use of Armed Forces by Red Cross personnel, by civilian doctors, or by other volunteers. In either event the only possible basis upon which to predicate any liability on the part of the Government is the fact that the blood to be obtained was for its benefit. In view of the absence of negligence on the part of Army or War Department personnel and the explicit assumption of risk by Mr. Crozat, this is insufficient. It is, accordingly, the view of the Department of the Army that there is no legal or equitable basis for a claim by Mr. Crozat against the United States on account of the injuries sustained by him. While this unfortunate occurrence is deeply regretted, in the absence of any legal or equitable basis for Mr. Crozat's claim, the payment of any sum to him would be in the nature of a gratuity. Accordingly, the Department of the Army recommends that this bill be not favorably considered."

I felt that I had the obligation to present those facts.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall yield in a moment. I felt I had the obligation to present those facts to the Senate, because I think any of us who have served in this body for very long realize that, statements to the contrary notwithstanding as to the precedents in the case, when certain legislation is enacted—and I understand this is of a somewhat unprecedented nature—by the next session of Congress, instead of having 2 such bills, there could be 100 or 1,000 such bills.

So I think it is important for us to realize that the matter is at least of sufficient importance to warrant having it receive some consideration by the Senate, rather than be passed on a unanimous-consent basis, without adequate exploration.

Mr. President, I now yield to the distinguished Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, my purpose in objecting was, as I stated, that I intended to submit minority views, in order that there might be a policy decision by the Senate, and in order that the matter might be clearly before the Senate.

The human aspects of this matter are important, of course. The Senator read the letter from the Judge Advocate General, who said:

However, under the circumstances involved in this particular case——

Mr. KNOWLAND. That is to say, there is no dispute about the fact that the man has been subjected to bills for medical treatment and has suffered an injury. But whether the injury

stemmed from the blood donation is, I think, at least not conclusively shown.

Mr. O'MAHONEY. Oh, yes; the Judge Advocate General said:

> In the absence of negligence on the part of naval personnel—

And, of course, negligence by the naval personnel was not proven in any legal proceeding.

Then he said:

> If, however, on consideration of the circumstances involved in this particular case, the Congress should deem it appropriate to extend ex gratia relief, the Department of the Navy would not object to such action.
>
> The Department of the Navy has been advised by the Bureau of the Budget that there is no objection to the submission of this report to the Congress.

Mr. KNOWLAND. Of course, that is correct; and it would not be the business of the Navy Department—aside from making the report—to say what the Congress should do.

Mr. O'MAHONEY. But my point is that if the bill is passed by Congress, then as a matter of legislative history it will be an act ex gratia on the part of Congress, and will not be an act by Congress as a matter of legal liability, and thus will not set a precedent of that sort.

Mr. KNOWLAND. I hope that is true.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Senator from Wyoming will state it.

Mr. O'MAHONEY. My question is this: I have been under the impression that the bills have been taken up by unanimous consent.

The PRESIDING OFFICER. The Chair is advised that the Senator from Wyoming obtained unanimous consent to have the motion to reconsider taken up at this time.

Mr. O'MAHONEY. Mr. President, in view of the discussion, let me move that motion to reconsider the vote on Senate bill 1584 be agreed to.

Mr. STENNIS. Mr. President, will the Senator from Wyoming modify his motion, so as to make it cover both bills?

Mr. O'MAHONEY. Yes, I will do so.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider with respect to both bills.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. HUMPHREY. Mr. President, in order that the Senate may have a clear understanding of what the parlimentary situation is with reference to the motion to reconsider, as I understand, the Senate has already acted to proceed to the consideration of the motion to reconsider.

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. That stage has been completed. We are now at the point where we are called upon to agree or disagree to the motion to reconsider.

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. If the Senate votes in the negative on the motion to reconsider, the bills now before us for discussion, introduced respectively by the Senator from Mississippi [Mr. EASTLAND] and the Senator from West Virginia [Mr. NEELY], will automatically go to the House. In other words, life will come back into the bills. As I understand, they are temporarily laid aside, and they would be brought back and sent to the House.

If the vote is in the affirmative, the bills will go to the calendar and be subject to a motion to proceed to their consideration.

The PRESIDING OFFICER. The Senator is correct.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Since this is the close of the 1st session of the 84th Congress, and not the close of the final session, if the motion to reconsider is carried, the bills will not die. They will merely go to the calendar, where they will be available for further consideration as to the policy aspects and the precedents which might be established.

The PRESIDING OFFICER. The Senator is correct.

Mr. KNOWLAND. They will resume their place on the calendar and will not be killed.

The PRESIDING OFFICER. The Senator is correct.

Mr. KNOWLAND. Mr. President, I ask for a favorable vote on the motion to reconsider.

Mr. NEELY. Mr. President, would it incline the Senator from California to some degree of mercy to know that the claimant may not be among the living when the Congress convenes in January?

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Am I correct in understanding that the pending motion to reconsider includes both bills?

Mr. KNOWLAND. That is correct.

Mr. HUMPHREY. That is the understanding.

The PRESIDING OFFICER. The Senator is correct.

Mr. STENNIS. Mr. President, I should like to be recognized in my own right.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I shall not detain the Senate for more than a very few minutes.

I am presenting the case in connection with Senate bill 1352, which was introduced by my colleague [Mr. EASTLAND], who could not be present in the Chamber this afternoon.

The facts in this case are undisputed. The claimant is a man who is totally paralyzed, so far as any earning capacity is concerned. The medical proof is undisputed, that there is no prospect for rehabilitation beyond his present status. The doctor says:

> There is no prospect of rehabilitation beyond his present status. He is totally and permanently disabled for gainful employment.

He has been in that condition for more than 11 years.

His condition was brought about through his efforts, during World War II, in response to an appeal by the Government, through the Red Cross, for the donation of blood, which program was administered by the Army doctors. An hour and a half after the donation he became ill. The only medical proof in connection with the bill is that "it is not without reason and, furthermore, it is believed the withdrawal of the blood was responsible for the calamity experienced by Mr. Crozat."

This case has been thoroughly considered by the Senate Judiciary Committee. At one time the same case was thoroughly considered by the House Judiciary Committee, and the bill was favorably reported.

The bill has been on the calendar. It has been examined, and has passed the Senate.

There is such overwhelming merit in connection with the bill that I appeal to the Senate to reject the motion to reconsider. The explanation has already been made. I appeal to Senators not to vote to reconsider these two bills, but to let them go to the House, where they will be subject to further examination and further scrutiny. As has been proved heretofore, there is not a chance for them to be enacted unless their merit is overwhelming.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. WATKINS. I am a member of the Committee on the Judiciary. I heard the discussion with respect to the bills.

These two cases are very sad ones. They certainly arouse a sympathetic feeling on the part of everyone who has heard of them. However, a certain question has always been in my mind. I have been wondering why the Red Cross itself, which conducted this operation, and which was in charge of it, should not help. Why does it not take care of this class of cases out of its own funds? In my State the Red Cross helps people who have lost their homes because of floods. In many cases they have been made almost completely whole after suffering the loss of homes, animals, and farm machinery in floods. I am asking for information. I do not know the answer. Why does not the Red Cross handle such cases?

Mr. STENNIS. I do not know what the facts are in that respect. Perhaps the Red Cross has helped to some extent. I do not state that as a fact. Perhaps the aid of the Red Cross would be confined, consistent with its policy, to a very limited scope. The Red Cross activity may not embrace continuing care and upkeep.

The merit of these cases is overwhelming. They have been examined and approved by committees. It is said that there is a prospect that similar cases

will arise in the future. It seems to me that they must be considered on their merits by the responsible committees.

Some kind of formula will have to be adopted. Those in charge of the blood bank programs are receiving medical advice from some source. They will have to arrive at some kind of formula for handling future cases of this kind, if they should arise.

Mr. President, these cases have been considered on their merits and have been approved. These two bills should not be swept aside in the dying minutes of this session of Congress. They will have to run the gauntlet of scrutiny in the House of Representatives. The action of the Senate in rejecting the motion to reconsider will merely send them on their way.

Mr. NEELY. If there is a yea-and-nay vote on the motion, a nay vote will be to resurrect these two bills from the parliamentary tomb in which the motion to reconsider temporarily buried them. I am authorized to say that the distinguished Senator from Wyoming [Mr. O'MAHONEY], who made the motion to reconsider, will vote "nay," or, in other words, for the nullification of the motion he previously made.

The PRESIDING OFFICER. The question is on agreeing to the motion to reconsider.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Has a yea-and-nay vote been ordered on this question?

The PRESIDING OFFICER. A yea-and-nay vote has not been ordered on the question. The question is on agreeing to the motion to reconsider. [Putting the question.]

The Chair is in doubt, and will request a division.

On a division, the motion was rejected.

Mr. NEELY. Mr. President, I move to reconsider the action of the Senate.

The PRESIDING OFFICER. The Chair is advised that that motion is not in order.

EXTENSION OF THE SUGAR ACT

Mr. LONG. Mr. President, I move to suspend paragraph 3 of rule XIV and paragraph (h) of paragraph 1 of rule XXV of the standing rules of the Senate, to the end that it may be in order to move that the Senate proceed to the consideration of the bill (H. R. 7030) to amend and extend the Sugar Act of 1948, as amended, and for other purposes, without a reference of the bill to the Senate Committee on Finance.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Is a two-thirds vote necessary for the adoption of the motion of the Senator from Louisiana?

The PRESIDING OFFICER. The Senator from Illinois is correct.

Mr. DOUGLAS. Would the Chair state whether there is any precedent for the motion of the Senator from Louisiana?

The PRESIDING OFFICER. The Chair has no knowledge of any such precedent.

Mr. DOUGLAS. In view of the fact that, according to the knowledge of the Chair, and presumably of the Parliamentarian, there is no precedent for the proposed action, it seems to be an extraordinary motion which the Senator from Louisiana has made.

The PRESIDING OFFICER. The knowledge of the Chair is, of course, the knowledge of the Parliamentarian. The Chair is advised that this particular motion is in order even though such a motion has not been previously made.

Mr. DOUGLAS. A further parliamentary inquiry. Is the motion debatable?

The PRESIDING OFFICER. The Chair is advised that the motion at this point is untimely because the bill has not been read the second time. The Chair will lay the bill before the Senate and have it read the second time.

The Presiding Officer laid before the Senate the bill (H. R. 7030) to amend and extend the Sugar Act of 1948, as amended, and for other purposes, which was read the second time.

Mr. LONG. Mr. President, I renew my motion to suspend the rules.

Mr. FULBRIGHT rose.

The PRESIDING OFFICER. Does the Senator from Arkansas wish to be recognized?

Mr. FULBRIGHT. I do. First I should like to propound a parliamentary inquiry. Is the motion debatable?

The PRESIDING OFFICER. The motion is debatable.

Mr. FULBRIGHT. Is there any limitation on the debate? Is the Senate still in the morning hour?

The PRESIDING OFFICER. Technically, the Senate is still in the morning hour.

Mr. CLEMENTS. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I shall be happy to yield, provided I do not lose the floor.

Mr. CLEMENTS. I should like to make a statement.

Mr. FULBRIGHT. I would welcome a statement from the distinguished acting majority leader.

Mr. CLEMENTS. Mr. President, it goes without saying that I have the highest regard for my friend from Louisiana, and I have, I believe, an understanding feeling for the sugar growers. As a matter of fact, I am one of the sponsors of the legislation on which the Senator from Louisiana, by motion to suspend the rules, wishes to get immediate action in the Senate.

I dislike to take the position that I take now, based upon the great warmth of my friendship for the Senator from Louisiana, as well as on the fact that I am a sponsor of the legislation. However, in my judgment, if we are to have orderly procedure, it must be on the basis of the rules of the Senate. If we take the action proposed by the Senator from Louisiana, the complete programing control on the floor of the Senate will be taken from the traditional seat or seats where it has reposed. All I ask is that when the time for decision comes the Senate may be permitted to pursue its activities in an orderly way.

I would not go so far as to ask the Senator from Louisiana not to press his motion because I thoroughly understand his position. I also feel that he understands the position of the acting majority leader. I can assure my friend from Louisiana that in the orderly conduct of the business of the Senate, if I am in a position to program the legislation, I shall bring up in proper time sugar legislation. If we were yet to be in session a longer time, there would be no disposition on my part not to bring it up.

However, if this session is to end today—and there is ample reason to believe that it may end today—the adoption of the Senator's motion would preclude the possibility of that happening.

I can assure the Senator from Louisiana that, although I shall not be at this desk in January—because in January we will have our distinguished friend from Texas back at this desk—I shall give my full cooperation to the passage of this legislation, of which I too am a sponsor.

Mr. LONG. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I shall be glad to yield, provided I do not lose the floor.

Mr. LONG. I ask unanimous consent that the Senator from Arkansas may yield to me, with the understanding that he will not lose the floor.

The PRESIDING OFFICER. Without objection, the Senator from Louisiana may proceed.

Mr. LONG. I should like to explain the reason why I made the motion. Our domestic sugar producers are in a very difficult situation at this moment. During the last year it was necessary to impose acreage limitations of 18 percent on growers in the cane sugar-producing areas and a similar limitation on growers in the beet sugar-producing areas.

In many respects weather was very favorable, and even with that severe acreage limitation, more sugar was produced than could be marketed, because the Sugar Act provides not only for an acreage limitation in times of overproduction, but also provides a very severe limitation on the amount of sugar that can be sold.

The good Lord did something for the sugar producers that we did not anticipate. He gave them good weather. Therefore they have on hand 220,000 tons of sugar. However, they have not been able even to sell it for detergents, and have not even been able to give it away, so far as domestic use is concerned, although there is some prospect that some quantity of sugar might be disposed of in the foreign-aid program somewhere.

The domestic industry must carry this enormous surplus.

Plus that fact, the situation is such that the existence of this huge surplus will require further acreage limitations next year.

That means that the cutback in acreage could be as much as 30 percent if full account should be taken of stocks on top of the cutback of 18 percent of last year. Cumulatively, that would mean a cutback in acreage of 48 percent.

It is all very well to say that the sugar producer is getting 90 percent of parity. However, when we consider the fact that, although he is getting 90 percent of parity, his volume of production has been cut by almost 50 percent, it is clear that he is receiving a reduced income of less than half of what he needs.

This situation can be worked out without any injury to anyone. It can be worked out with the support of the entire sugar industry and with a fairly reasonable understanding among our friends abroad, if we are able to obtain some adjustment in the Sugar Act so that the American sugar producers can share in the expansion of the market.

In other words, if they can share in the increased market for sugar as our domestic increase in consumption.

Looking to the past, the Congress has for a number of years allowed our friends abroad to have the benefit of all the increase in the consumption of sugar in the United States.

As our population has increased we have steadily consumed more sugar in this country. For the most part, it might be said that the benefit has gone almost exclusively to our friends in Cuba. They have shipped us more sugar and we have cut back our acreage more and more.

In the area which I represent there is a prospect of our having a reduction of sugarcane acreage by a cumulative total of 50 percent. A similar situation, although perhaps not so drastic, exists in some beet-sugar-producing areas. I know the State of Florida has a similar problem. I know this surplus will not be subject to marketing next year.

The Sugar Act of 1948 is not a bad act; it is a good act, but, like all legislation regulating an industry, from time to time it requires some adjustment. I think the last Sugar Act was passed in 1951, and some adjustment is now necessary for the benefit of our own people. We have carefully studied this matter to try to take care of our friends abroad, and I believe we do so through this legislation. I would point out that unless this bill is passed some sugar producers will not be able to market the surplus of sugar which they already have on hand, even during next year.

In Florida, for example, a large sugar company will be forced to carry over its entire 1955 production. Just imagine that. It will not be able to market 1 pound of that sugar produced this year, because it will be required to carry over sugar from last year, and it will not be in position to market even all of that.

Mr. President, the sugar industry is a good American industry. It is one which has considered the needs of our friends abroad. Offhand, I know of no other major industry in America that gives to our allies as much as 45 percent of our domestic market.

Not only do we give our friends, the Cubans, 45 percent of our market, but we let them sell sugar to us at 50 percent above the world market price. We now find our own people in a very distressed situation where action by Congress is needed to assist our people. That is the reason why I felt compelled to offer a motion to suspend the rule. I realize there is objection to this legislation, and I realize the point of view of some people in other areas.

I realize that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Illinois [Mr. DOUGLAS] object to the sugar legislation upon the books, and they object to moving very expeditiously to consider this legislation. But let us look at the situation for just a moment.

We introduced the bill with 49 sponsors. The bill was introduced several months ago, almost at the beginning of this year. It had been studied in the executive departments and by those who have been concerned with this subject for more than a year before that time. However, the House of Representatives waited for almost the entire session before they finally reported the bill to the floor.

The House leadership finally took the legislation up and passed it. It was only 2 days ago that the bill reached the Senate. The Senator from Arkansas objected to the bill being referred to a committee. That delayed it 1 day. Then I proceeded to ask——

Mr. FULBRIGHT. Mr. President, I objected to the second reading of the bill.

May I inquire how long the Senator wishes to speak?

Mr. LONG. About 2 more minutes.

The Senator from Arkansas objected to the second reading of the bill, which made it impossible to get the House bill before the Senate committee. There is a report of the Senate Committee on Finance recommending passage of a similar bill on my desk. The Senator from Illinois objected to the Senate receiving it last night.

So, Mr. President, the only way the bill could be considered by the Senate was to move to suspend the rule.

I can recognize the facts of life. If the majority leadership is going to oppose the bill coming before the Senate, if the acting majority leader has the cooperation of the minority leader, and if the Members on both sides of the aisle take that attitude as a procedural matter, the bill will not be brought before the Senate under a suspension of the rules, and then, I suppose, the hardship in the industry will have to continue to exist. But I would hope that both the majority and the minority leadership will be willing to permit the Senate to consider this legislation during this session.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield for a brief statement?

Mr. FULBRIGHT. I wish to make a brief statement myself, and then I shall yield the floor.

I do not wish to leave the impression that we are trying to prevent a vote on this bill in the regular course. It is not my fault that it has been brought up on the very last day of the session.

As the Senator from Louisiana well knows, I have previously objected to this bill. I tried to defeat a similar bill in 1951 and, I think, in 1948. The existing legislation does not expire until December 1956, and there is no real occasion for extending it an additional 6 years at this time. I object to the fact that there are no printed hearings in either the House or Senate. The Senate held hearings on the bill for about an hour and a half and permitted only the sponsors of the bill to appear. No one who was critical of the bill was permitted to appear. I am informed that the hearing was held in executive session.

Mr. LONG. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. LONG. I may say the Senator realizes that witnesses testifying against provisions in the bill, particularly representing the administration's point of view, appeared, and there were statements from Mr. Chapman, who represented some of the full-duty countries, and that matter was before the committee at that time.

Mr. FULBRIGHT. I have a letter in my hand which was handed to me today, from the American Bankers' Association, dated August 2, in which there is enclosed a copy of a statement on behalf of the industrial sugar users. It states that they were not permitted to testify before the Senate Finance Committee. The letter says:

> Unfortunately, only Government witnesses and domestic producers' representatives were heard.
>
> If you plan to make any comments on the sugar legislation today, we feel sure you will be interested in the enclosed remarks.

Mr. BENNETT. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. BENNETT. The gentleman who wrote that letter is completely in error. Only Government witnesses were heard. There were no producers' witnesses. The witnesses were the Senator from Louisiana [ELLENDER], Assistant Secretary Holland of the State Department, and Under Secretary Morse of the Department of Agriculture.

Mr. FULBRIGHT. I am sure the senior Senator from Louisiana was one of the best representatives the producers could get, and there is no one for whose opinion I have a higher regard.

Louisiana is the only State which has an economic sugar industry. The industry in other States has grown up under the "umbrella" started by the old Smoot-Hawley Tariff Act and has continued to expand its acreage because those engaged in it are being paid some $68 million a year out of the public Treasury.

If this can be done for sugar, why can it not be done for rice, cotton, or tobacco? I suppose the only reason is that the distinguished Secretary of Agriculture does not consider it is the same kind of subsidy as are other kinds of subsidies.

He made a statement last year——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. In a moment, when I complete my statement.

The Secretary of Agriculture, when he first entered upon his office, or shortly thereafter, made a statement at St. Paul, Minn., that he was against price subsidies because they tended to undermine the morale of farmers. He thought farmers ought to be more self-reliant. But I have not heard him in

opposition to the sugar bill. I suppose it is purely incidental that sugar is one of the main crops of Utah, which would receive more than $1 million a year under the subsidies provided in this bill.

This is the type of proposal which needs public hearings. Also, this is not the first year the Committee on Finance has refused to hold hearings. The last time the bill was brought before the body, there were similar objections, and no hearings were held. The matter was brought up so far in advance of the expiration date that none of the opponents were considering it and it was largely by happenstance that I heard about it. Now once again the matter has come up on the last day of the session.

Even the Parliamentarian, long as he has been in the Senate, has never heard of a case similar to this. There are very few things that happen in the Senate about which the Parliamentarian does not know. We can be pretty certain that never before in the history of the Senate has a controversial bill been brought up on the last day of the session upon a motion to suspend the rules.

The bill involves more than a billion dollars in cash from the public treasury. Under the sugar program there has been paid to the producers more than a billion dollars since 1933. The latest figure I have is $1,099,000,000. Yet it is not considered important enough to have hearings on the bill. Anyone who objects to the bill has not been permitted to appear before the committee.

I have an interest in the matter in this sense: My State produces rice. Arkansas is the third largest rice-producing State in the Union. Our natural market is Cuba and the other Caribbean countries. In the past 5 years our exports of rice to Cuba have decreased from about 6 million hundredweight to 4,500,000 hundredweight, a drop of almost 2 million hundredweight. Of course, the rice is piling up.

Furthermore, Arkansas was cut almost 25 percent in rice acreage this year, and next year it probably will be cut another 15 percent. The rice growers of Arkansas were not started in business under the protection of a bill such as this, with an import duty, an excise tax, and strong quotas which can force up the price, because the Secretary can limit the supply for that purpose, and he has done so.

Of course, we pay much more for sugar than the world market price because we are forced to under the bill.

It is true that taxes on processors are used to pay the subsidies to the producers, and the claim is therefore made that the program does not cost anything. But that is about as logical as saying that the veterans' program does not cost the country anything because veterans pay income taxes. It is the same kind of argument. Of course the consumer pays this tax, as he pays all sales taxes. The bill provides a sales tax for the benefit of the sugar producers.

I think representatives of rice growers have a legitimate complaint. Rice is one of the most important crops in several States of the Union. It is not protected in any special way, as sugar is. I see no excuse, in this case, to build up an artificial, uneconomic body, the sugar industry, and thereby to destroy the rice industry. I cite the rice industry only as an example, although it is the main reason why I am here.

There were no hearings printed in the House. I am told hearings were held, but they were not printed so the Congress and the public might read them. I do not know why.

In the opening remarks in the House on H. R. 7030, Chairman COOLEY, of the House Committee on Agriculture, said:

> Our committee is about to present to this House one of the most complicated pieces of legislation that the House has ever been called upon to consider.

He stated that the committee hearings had not been printed, and that he did not believe the House would be interested in the details of the proposed legislation. He said:

> I will admit this House will really be confused if they try to know all that is in this bill. It is something you are almost forced to accept upon faith.

That is the extent of the consideration which the bill had in the House. The chairman made the statement that it was too complicated for the Members to understand, so they would have to accept it on faith.

The bill has come to the Senate, where no hearings were held at all. The hearing which was held yesterday in the Finance Committee for an hour and a half cannot be considered a hearing; it was merely for the purpose of letting supporters of the bill state why they favored it.

Mr. LONG. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. LONG. The Senator knows that hearings could not be held on the bill because we did not actually have it before the committee. How can hearings be held on a bill which has not been brought before the committee?

Mr. FULBRIGHT. It could have been brought up at least a month ago. The Senator stated that it was introduced several months ago. Why was it necessary to wait until the last day to bring it up?

Mr. LONG. Because the bill did not come from the House until yesterday.

Mr. FULBRIGHT. Why did the House not act on it until 2 days ago?

Mr. LONG. I cannot speak for the chairman of the House Committee on Agriculture. I suppose he had as much to do with it as did anyone else. He does not come from an area which produces sugar. That sometimes has something to do with the urgency with which a committee chairman will proceed with the consideration of proposed legislation. The House held hearings consisting of 1,300 pages.

Mr. FULBRIGHT. Why did they not print them?

Mr. LONG. I assume there has been a delay because the bill was considered during the last part of the session. The legislative jam delayed the printing, I suppose, but, as I understand, the order was given to have the hearings printed. Of course, I can take no responsibility for the fact that the hearings in the House were not printed.

But it is the duty of the Senate to legislate with regard to the needs of the American people.

Mr. FULBRIGHT. I do not think the Senate should legislate, completely in the dark, on a bill which involves a minimum of $68 million in subsidies, without hearings, and with nothing at all to guide the Senate except, as Mr. COOLEY says, faith.

Mr. LONG. I should like the Senator from Arkansas to know that I am not anxious to go home. I would be willing to stay here for 2 or 3 months, if necessary. But the prevailing view at the moment happens to be that Congress should go home, so it seems to me that we should consider the sugar question for a few minutes. There is no objection to the bill on the part of the domestic producers or of any important segment of the sugar industry.

Mr. FULBRIGHT. Why should there be? There is nobody who is getting the protection which the sugar industry is getting. They ought to love it.

What is being done in the bill is to lower, relatively, the share of the market which Cuba and other countries have, which countries are the natural markets for rice and other American products. Rice is not the only product which would be affected by this legislation. Cuba is the sixth largest consumer customer of the United States for many things, such as lard, industrial machinery, and so on. I have a list of exports to Cuba which I shall place in the RECORD.

Mr. LONG. It certainly helps Cuba to be a good customer when we pay her 50 percent above the world market price for the sugar we buy from Cuba. But with regard to rice, certainly the Senator knows that Cuba has increased her rice production perhaps four- or fivefold. With Cuba producing all that rice, she is not going to buy as much rice from the State which the Senator from Arkansas represents.

Mr. FULBRIGHT. That is because the Senator would exclude Cuba's sugar. It is very clear why Cuba produces rice. She is forced to.

Let me finish reading the statement by Representative COOLEY. After the 1-hour debate on the bill, debate on amendments was limited to a total period of 20 minutes, giving each speaker approximately 45 seconds to express his opinion.

During the debate on the amendments, Representative MCCARTHY, of Minnesota, stated:

> The chairman of the committee argues that we should accept this bill on faith as there is not sufficient time for explanation. We have a right to have an explanation of the bill.

Chairman COOLEY replied:

> I had 30 minutes and I explained that it was impossible within 30 minutes for me to explain this bill and that the membership, of necessity, would have to take it on faith.

Can the Senator from Louisiana cite any example of Congress having been asked to authorize such an amount of money without any hearings having been held, and on the basis which the chairman of the House committee has stated, namely, that it was a complicated question, which he could not explain?

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. DOUGLAS. As I understood the Senator from Louisiana's argument, the Committee on Finance could not have been expected to hold hearings on H. R. 7030 until the bill had been passed by the House; and that, therefore, so long as the House had not passed the bill until Saturday, yesterday, or Monday, was the first day the Senate Committee on Finance could have considered it.

That may be true so far as H. R. 7030 is concerned, but I hold in my hand S. 1635, which was introduced on April 1 by the distinguished senior Senator from Louisiana [Mr. ELLENDER] and a large number of other Senators. A good deal of time has elapsed since April 1. It would seem there has been ample time for the Senate to have conducted hearings on that bill simultaneously with or parallel with the hearings held on H. R. 7030. Yet, so far as I know, S. 1635, while it has been read twice and has been referred to the Senate Committee on Finance, has not been reported by the committee. When I scanned the calendar this morning, I could not find the bill on the calendar.

So I agree with the Senator from Arkansas that what we are being asked to do by the Senator from Louisiana is consider this vitally important bill, upon which no adequate hearings have been held, and therefore to legislate in the dark.

Mr. FULBRIGHT. I thank the Senator for his contribution.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MUNDT. I wonder if the Senator from Arkansas will advise the Senate whether or not the chairman of the House Committee on Agriculture was numbered among the supporters or opponents of this bill in the House.

Mr. FULBRIGHT. Frankly, I do not know. I did not look up the RECORD to see how he voted. I was looking to see what he stated about it.

Mr. MUNDT. I did not look it up to see how he voted, either, but it would appear to me to be a curious presentation if he did not vote for the bill. In 30 minutes he could have given considerable support with respect to the bill.

Mr. FULBRIGHT. The supporters are asking the Senate on the last day to suspend the rules, something which has never been done in history, and pass the bill. I assume that is the purpose of seeking to have the rules suspended. If it is passed in that little time, there will be very little opportunity to consider it. I know the bill has never received adequate consideration in this body. During the last debate on the bill in August 1951, I made a speech against it. I do not think anyone else made more than a gesture in opposition, and the bill passed with 4 votes against it.

Mr. ELLENDER. I was about to mention that.

Mr. FULBRIGHT. There is no secret about that.

I wish to give a few illustrations of why there were so few votes against the bill. Here are some of the reasons. Some reference was made by the junior Senator from Louisiana [Mr. LONG] to Florida. The United States Sugar Corp. of Florida received, in 1954, $702,000 in direct subsidies. Okeelanta Sugar Refining, Inc., received $119,000 in direct subsidies.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. Is it not true that both companies paid sizably more than the amounts of those subsidies in processing taxes?

Mr. FULBRIGHT. No, it is not true. The people who bought the sugar paid. The company did not pay anything. All it did was collect the excise tax from the consumer. That is precisely how it works.

How picayunish are the claims of our domestic producers. The real big boys are Hawaii Commercial and Sugar Co., Ltd. In 1954 that company received $1,051,585. I think the sugar beet industry in this country should be ashamed of the little demand of $150,000 subsidy in a year. That amounts to an average of slightly more than $40 an acre. Of course, the acreage is growing.

When the program was started, it was not intended to challenge the industry, particularly the beet industry. As I said to the Senator from Louisiana, what I say about the beet industry does not apply to the cane industry. Sugar is a natural tropical product. It grows best in places like Louisiana, Cuba, and Jamaica, and it is a fine crop and a natural crop. I think the crop in Louisiana can stand on its own feet, but it is certain that the sugar beet industry in the West could not survive without this kind of subsidy. I have no objection to the industry surviving, but I do have objection to the use of subsidies to build up an industry which will destroy another industry such as the rice industry, which I think has as much right to survive as has the beet industry.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. DWORSHAK. I do not believe the record would show that all the industry of the West has been subsidized. We produce only 28 percent of the sugar consumed in this country. Certainly there is little, if any, justification for contending that we ought to be entirely dependent on foreign sources of sugar.

So far as subsidies are concerned, the processors pay a tax, and the facts are that the Federal Government has actually had a profit through the operation of this tax. The purpose of the tax, I am sure the Senator from Arkansas understands, was to compensate the producers of sugar, particularly beet sugar, because of the imposition of high labor costs in the industry.

Actually, the record shows that the Federal Government has not collected taxes from the consumers of sugar except indirectly.

When we consider the huge subsidies paid, from taxes collected by the Federal Government, to the merchant marine, for instance, for operating differentials, in order to raise the standard of pay for American seamen, certainly there is little justification for contending at this time that the sugar beet industry of this country makes a showing that it requires a subsidy in order to operate profitably. I am sure the Senator will agree with that statement generally.

Mr. FULBRIGHT. I wish to say that I am certainly not now speaking to justify the subsidies paid to the merchant marine. We shall have to call on the Senator from Washington to do that.

I should like to make a comparison of the attitude of the administration toward cotton. We asked the Secretary of Agriculture to increase the relief by 5 percent. He would not think of doing it. As everybody in the Senate knows, he turned us down. He would not grant us relief as to cotton. Consequently, cotton cultivation has been decreased to 17 million acres.

I have in my hand a list showing the payments made to the various States under the sugar program. In Idaho the farmers received, in 1937, $1,180,543. In 1952 they received $2,596,000. That is an average of $806 per farm. I think that is more than the average net income of the farmers of my State from all crops. I am giving only the cash subsidies paid to the farmers in Idaho.

I do not blame the Senator for thinking this is wonderful legislation. I would probably think so if I were in his place. But when I think legislation is to be used to the detriment of legitimate farmers, such as rice farmers, I think it is inexcusable, and I believe proponents are going too far in seeking to increase their quotas at the expense of the markets of the farmers in my State. That is what would be done if the provisions of the act were to be extended 6 years. Congress would not have an opportunity to look at the question again for 6 years. The quotas would be revised, and the quotas for the people who buy our rice would be reduced relatively.

Mr. DWORSHAK. The Senator has made some allusions to Secretary Benson and his apparent sponsorship of the legislation. Surely the Senator from Arkansas knows that the original Sugar Act was enacted in 1935, and was extended in 1937, in 1941, in 1943, and in 1946. So far as Secretary Benson's responsibility is concerned, we cannot hold him liable for what took place many years prior to his becoming Secretary of Agriculture. I am sure the Senator is aware of that fact.

Mr. FULBRIGHT. Certainly I am. What I said was that he shows a very great inconsistency in his attitude between subsidies, if we may call them subsidies, in the way of support prices, as between cotton, certain other commodities, and sugar. He has been very critical of all other programs. I am sure the Senator remembers the speech the Secretary made in which he said he thought subsidies paid to farmers corrupted them.

I should think he would be very much ashamed of the corruption he is spreading in the sugar industry. They must be in terrible shape if the subsidy is affecting adversely their moral fiber.

Mr. DWORSHAK. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. FULBRIGHT. I yield.

Mr. DWORSHAK. The Senator from Idaho has no desire to disparage either the cotton industry or the rice industry. Cotton and rice are exportable commodities, whereas in the case of sugar, we produce only from 28 to 30 percent of the sugar we consume. I am sure the Senator from Arkansas will not contend that we should forego the normal expansion of the production of beet sugar and cane sugar in the United States to meet increased consumption. In case of a war—as occurred during World War I—we would be at the complete mercy of the foreign producers of sugar, with the result that the price would rise to a very high point—as during World War I, when it rose to approximately 30 cents a pound.

Mr. FULBRIGHT. Did the Senator from Idaho refer to "normal expansion"?

Mr. DWORSHAK. That is right.

Mr. FULBRIGHT. Sometimes it amazes me, Mr. President, after some programs are considered paternalistic, to observe how enthusiastic some Members are about this program, in which the Government is used to pay a subsidy for the production of sugar.

Mr. DWORSHAK. I am not authorized to speak for the policy of the industry leaders regarding this matter; but I point out that the only reason why the processing tax was levied in connection with sugar was to compensate the sugar-beet growers for restrictive quotas and for the increased labor costs which were imposed on the industry by preceding administrations. That was not done because of anything the sugar-beet industry requested; it was for the purpose of being an offset to take care of compulsory labor policies which were forced upon the industry. That is what the record will show.

Mr. FULBRIGHT. I should like to see that record, for I have never heard of it. Does the Senator from Idaho mean to say that the Government forced the beet-sugar growers to pay high wages for the production?

Mr. DWORSHAK. That is entirely correct, for the labor standards were placed above the then existing wage levels; and in order to take care of that situation, the Congress in the late thirties levied the processing tax, to offset increased production cost. It was recognized that we must have a domestic cane-sugar industry and a domestic beet-sugar industry, so that we shall not be entirely dependent upon foreign producers.

Mr. FULBRIGHT. I do not think the Senator from Idaho would be correct in saying that we imposed minimum wages on farm workers in 1934.

Mr. DWORSHAK. It was for the handling of the beet-sugar crop. The date may not be that far back, but it was at least in 1937.

Mr. FULBRIGHT. Furthermore, I understand that it is the producer, not the processor or shipper, who receives that payment, is it not?

Mr. DWORSHAK. Yes, the producer receives compensation for the higher labor standards and wages placed on the industry.

Mr. FULBRIGHT. Of course, I am not an authority on labor legislation, I am frank to say; but it is news to me that by means of legislation there was a direct requirement for the payment of wages higher than the normal wages. If the Senator from Idaho means there was a general rise in wages, because of changing economic conditions, of course, that is true. But that was an indirect process.

Mr. BENNETT. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. BENNETT. Perhaps I can shed a little light on this matter. Prior to the Democratic administrations in the 1930's, the raising of sugar beets in the West was a family business; and the laborious task of thinning and topping the beets was performed by the teen-age youngsters. In fact, the high schools regularly had "beet-sugar vacations," as they were called, in the spring and in the fall.

Congress then required the use of labor at the normal standards, and on a basis which would have put the sugar-beet industry out of business, if it had not been for the kind of relief provided by this measure.

Although the processing tax or subsidy, as the Senator from Arkansas calls it, goes to the producer——

Mr. FULBRIGHT. What does the Senator from Utah call it? Is it not a subsidy?

Mr. BENNETT. It is given to him in order that he may pay higher contracts to the producers. The producer—not the refiner—is the one who gets the benefit from this program.

Mr. FULBRIGHT. Yes; I agree it is the producer who receives the benefit. I hope I did not say anything to the contrary.

Mr. ELLENDER. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield to the Senator from Louisiana.

Mr. ELLENDER. Let me state that prior to 1934, we had high tariffs to protect the sugarcane growers and also the beet-sugar producers.

When the Jones-Costigan Act was passed, instead of relying on the high tariff, the Congress decided on the quota system; and in order to offset the failure to collect the tariff, a sales tax of one-half cent a pound was imposed on sugar. As a result, in the case of a country such as Cuba, which then provided most of our offshore sugar, what happened was that the tariff, insofar as Cuba was concerned, was cut in half. By that method the producers of both sugarcane and sugar beets were protected, through the collection of the sales tax of one-half cent a pound. But in doing so, the law provided for a decrease in the tariff, so as to afford our neighbor, Cuba, more profit on the production of sugarcane. That, together with what the distinguished Senator from Idaho and the distinguished Senator from Utah have stated, was the reason why this excess tax was imposed, in lieu of the high tariff.

Mr. FULBRIGHT. Mr. President——

Mr. DWORSHAK. Mr. President, will the Senator from Arkansas yield, to permit me to make the record clear in regard to the processing tax?

Mr. FULBRIGHT. I shall be glad to yield in just a moment.

First, I desire to ask unanimous consent to have printed at this point in the RECORD a telegram from Gen. Carlos P. Romulo. In submitting the telegram for printing in the RECORD, I wish to read a brief paragraph of the telegram, as follows:

> If at this late hour in the session of Congress a full and fair presentation of the case for Philippine sugar might not be feasible, we believe we could get a fairer hearing if action on the sugar bill is postponed until the next session, since the principal provisions of the bill are not to take effect in the current year in any event.

Mr. President, I submit the telegram, for the information of the Senate.

The PRESIDING OFFICER. Is there objection?

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

WASHINGTON, D. C., *August 1, 1955.*

Hon. J. W. FULBRIGHT,
Senate Office Building,
Washington, D. C.:

As special envoy to the United States of President Magsaysay, of the Philippines, I appeal for your assistance in preventing an injustice to the Philippines which alone among foreign suppliers of sugar is being singled out for exclusion from participation in increased quotas. Due to increases in consumption of sugar in the proposed sugar bill, pending consideration by the Senate, we feel we need it the most because of trade deficits, inflation, and unemployment resulting from the destruction of our national economy in the last war. On June 14 I transmitted to the United States Government an expression of our anxiety at reports that proposed sugar legislation gave no participation to the Philippines in future increases of United States sugar consumption which provision is envisaged in the so-called Langley-Laurel agreement. Our people respect priority of American domestic producers but do feel a moral right to share in substantial quota increases allotted to offshore and foreign producers. During the period of war and the following period of reconstruction the Philippines was unable to market in this country 8 million tons of sugar of the quota to which she was entitled, and other foreign suppliers covered this deficit upon which the United States Government collected some $100 million in import duties. The sugar industry is among the first principal Philippines industries to recover from the ravages of the last war and is in a position to assist greatly in the solution of our problems of unemployment, trade deficits, and inflation. The stabilizing of our national economy would greatly aid us in our desire, after having successfully contained communism in our own country, to play a full part in containing it in our part of the world, where half of humanity lives, and where communism and neutralism are making gains.

If at this late hour in the session of Congress a full and fair presentation of the case for Philippine sugar might not be feasible, we believe we could get a fairer hearing if action on the sugar bill is postponed until the next session, since the principal pro-

visions of the bill are not to take effect in the current year in any event.

Gen. CARLOS P. ROMULO.

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a memorandum from John A. O'Donnell, counsel of the Philippine Sugar Association; and also a telegram from Joseph M. Creed, counsel of the American Bakers Association; and a telegram from W. E. Murray, president of the Philippine-American Chamber of Commerce.

There being no objection, the memorandum and telegrams were ordered to be printed in the RECORD, as follows:

MEMORANDUM TO SENATOR FULBRIGHT RE H. R. 7030, TO AMEND THE SUGAR ACT OF 1948

Mr. President, you are all aware of the fact that this body passed during the last 2 weeks amendments to the Philippine Trade Act, which amendments are now with the President of the United States. These amendments become effective in January 1956 and article III thereof authorizes the Philippines to ask for a portion of the increase in United States sugar consumption which occurs every year by reason of our population (135,000 tons per annum).

PHILIPPINE ECONOMY: IT IS STILL FAR FROM COMPLETE RECOVERY

The Philippine Islands, which always had a favorable balance of trade with us and with the world before the war, have piled up a tremendous deficit during the years of reconstruction and rehabilitation. It is significant to note in this connection that, in the 8-year period before the war, 1934–41, the Philippines had a total favorable balance of trade with the United States of $257 million (imports, $621 million; exports, $878 million); in the 8-year period after the war, 1946–53, the Philippines had a total negative trade balance with the United States of $1,268 million (imports, $2,861 million; exports, $1,593 million).

The country is still plagued by inflation and unemployment and has had to adopt strict currency and import controls. These conditions prevail, even though there have been pronounced strides toward full recovery.

There is no question in the mind of anyone familiar with that part of the world that the Philippines is determined to do everything possible to improve the stability of its economy, and to raise the standard of living of the people. Continued growth and expansion of Philippine industries could further the attainment of those goals much more effectively than any outside aid.

THE PHILIPPINE SUGAR INDUSTRY

The Philippine sugar industry emerged from World War II completely paralyzed with most of the factories destroyed and the farms laid waste and abandoned. Recovery and rehabilitation of the industry was handicapped by the universal shortages of machinery and equipment. Sugar plantations had to be reconditioned for resumption of sugar production but, due to the lack of cane seeds, shortage of work animals, agricultural implements and supplies, the area under cultivation could only be increased gradually. Consequently despite the efforts and sacrifices of both planters and mill owners and the generous assistance of the United States and Philippine Governments, it took the industry 8 years to completely recover its prewar status. In the 13-year period 1941–53, the Philippines could only ship to the United States 4,433,501 short tons out of its total quota of 12,376,000 short tons, thus giving up as deficits a total of 7,952,499 short tons.

These deficits totaling nearly 8 million short tons, valued at approximately a billion dollars, were filled by foreign suppliers, principally Cuba, which thereby benefited by the failure of the Philippines as a result of the war. The United States Government collected approximately $100 million in customs duties on these Philippine deficits supplied by Cuba and other foreign countries. It would therefore be but fair that now that it has recovered its prewar status the Philippines should be allowed to participate with these areas in any increase in the United States consumption. Any such increase accorded the Philippines will neither prejudice the present quota of any of these foreign areas, nor affect the quotas of the domestic areas, since the Philippines will only receive its proportionate share of any improvement in the United States sugar consumption.

CLOSE ECONOMIC TIES WITH THE PHILIPPINES

Further, please bear in mind that the Philippines has always had close economic ties with our country. It is the ninth best market for American exports. Seventy to eighty percent of its imports come from us. In 1953 we sold her $351 million of our products. Since so much is made of the effects of quotas on trade with this country, it is interesting to note that another foreign supplier with 200 percent more quota than the Philippines is buying only 20 percent more of American products. The dollars which our people spend in purchasing Philippine sugar and other products come right back to us in the form of purchases of American products which the Philippines so badly need for reconstruction and rehabilitation.

The Philippines is the first or second best foreign market for a large number of American products, among them cotton manufactures, cigarettes, dairy products, wheat flour, galvanized steel sheets, rubber and manufactures, fertilizer materials, toilet preparations, soaps, educational textbooks, and dozens of other products. They also are a big buyer of iron and steel products, mineral oil, automobiles and parts, electrical machinery, paper, chemicals and drugs, leather and manufactures thereof, silk and rayon manufactures, fruits, and other products.

The strengthening of our trade ties with the Philippines would be advantageous to both countries. In particular, it would aid the Philippines in bolstering her economy, thus ensuring a still higher standard of living for the people. This accomplishment, of course, would have far-reaching effects on the entire situation in the Pacific and the Far East. I repeat that the Philippines presents the showcase of democracy in that area, and that other countries of that region are closely watching the Philippines and everything that happens there.

Let me mention just a few more items in the structure of our connecting bridge with the Philippines:

Under our mutual-defense pact with the Philippines, we have established important military, naval, and aerial bases in their country.

Under our trade agreement with them our investments are guaranteed the same protection and privileges as those of their own nationals.

Under the dynamic leadership of President Magsaysay, the Philippines is undergoing a program of development and strengthening of her economy, so that she may better cope with the threat of communism.

The Philippine sugar industry is the first major industry of the country to fully recover from the effects of the war, and is in a position to contribute toward increased employment and improvement in her trade balances.

Despite the many difficult problems that beset the sugar industry, the industry is contributing its full share toward the support of the national economic structure. Resulting advantages in the Philippines are shared by the United States.

CONCLUSION

The Republic of the Philippines, friend, ally, and major purchaser of United States products, respectfully and earnestly asks that under any new sugar legislation, she be allowed to share in increases in quotas due to increase of United States consumption above present levels. The Philippines is not asking an increase in her basic quota. She only requests the reestablishment of the principle of proportionate sharing established in the original sugar-quota system, so that she may be given the same right enjoyed by all domestic and foreign areas to participate proportionately in increases in quota due to increase in United States consumption.

Such action would be in harmony with the unique economic relationship with the Philippines which our country established and a recognition of the loss to this courageous country due to the war of some 8 million tons which might have otherwise been exported to the United States. Finally, it is another manifestation of the interest of the United States in the development of the Philippines which is a major bulwark against the expansion of Asiatic communism.

PRESIDENT'S MESSAGE

In this connection, I should like to recall that on April 11 the President of the United States in a message to Congress stressed the need for intensifying our cooperation with the free nations of Southeast Asia in their efforts to achieve economic development and a rising standard of living. I quote from his message:

"The motivation behind this cooperation is twofold: Our fixed belief in the worth and dignity of the human individual whatever his race or flag may be, and our dedication to the principle that the fruits of national growth must be widely shared in every society.

"As a people we insist that the dignity of the individual and his manifold rights require for their preservation a constantly expanding economic base. We are convinced that our continued economic, cultural, and spiritual progress are furthered by similar progress everywhere. * * *

"We seek to evolve a consistent and stable economic policy which will assist free nations in their efforts to achieve a sound growth for their economies."

JOHN A. O'DONNELL,
Counsel, Philippine Sugar Association.

WASHINGTON, D. C., *July 31, 1955.*

Senator J. W. FULBRIGHT,
United States Senate:

Following wire sent today to Senator HARRY BYRD: "Understand your committee will hold hearing Monday morning on H. R. 7030 which would amend and extend Sugar Act of 1948. Industrial sugar users as consumers of over 65 percent of all sugar are vitally interested in this legislation. Users' and consumers' interests seriously damaged by bill as passed by House. Would greatly appreciate your scheduling us to testify." Appreciate any assistance you can give.

JOSEPH M. CREED,
Counsel, American Bakers Association.

NEW YORK, N. Y., *August 1, 1955.*

Senator J. W. FULBRIGHT,
Senate Office Building,
Washington, D. C.:

This chamber representing 130 major American firms doing business in and with the Philippines feels that the bill to extend the Sugar Act of 1948 now before the Senate discriminates against the Philippines, a country with which we have had special relations for many years, in that the Philippines is the only country omitted from consideration for a proportionate share of any sugar-quota increases to foreign suppliers resulting from increased United States consumption. We hope that the Senate will find time at this late hour to remedy this apparent

omission so as to give the Philippines an opportunity to strengthen its economy in the critical days ahead. The Philippines, our best and proven friend in the Far East, urgently needs whatever assistance is possible in helping to build their economy with the result a stronger democracy to back up the Philippines, the site of our most important air and naval bases in the Far East.

W. E. MURRAY,
President, the Philippine-American Chamber of Commerce.

Mr. FULBRIGHT. Mr. President, since there were no hearings, and since these persons did not have an opportunity to express their views on this question, I think the least we can do is print their communications in the RECORD.

Mr. DWORSHAK. Mr. President, I invite the attention of the Senator from Arkansas to Agricultural Information Bulletin, No. 111, of the United States Department of Agriculture, for July 1953, on page 15. The language is as follows:

Conditional payments are financed out of the general funds of the Treasury. However, a tax on sugar provides funds for the Treasury which more than offset the total of all conditional payments plus the costs incurred by the Department of Agriculture in administering the Sugar Act. This tax is in the amount of one-half cent a pound, raw value, on all sugar processed and imported for direct consumption. It is imposed on domestic processors, principally beet processors and refiners, and importers of direct-consumption sugar by the Sugar Act, through an amendment to the Internal Revenue Code.

As indicated in the section on proportionate shares, conditional payments act as an incentive to growers to adjust their production to the quota and carryover needs. But this payment system also has 3 other objectives. These other objectives are: (1) To help provide adequate incomes to growers; (2) to assure growers and field workers a fair sharing of returns to the industry; and (3) to prevent the employment of child labor in field work.

The first objective is accomplished by augmenting grower income through conditional payments. The second and third objectives are achieved by requiring growers to observe certain conditions in order to receive conditional payments.

Mr. FULBRIGHT. I do not think there is any dispute about it, but all subsidies are paid by taxes of one sort or another. Those taxes are paid by the consumers of America.

The PRESIDING OFFICER. The Chair advises the Senator from Arkansas that at 5 o'clock and 32 minutes the morning hour will have expired, and the unfinished business will be laid before the Senate. The motion now pending will lapse. There is not very much time left.

Mr. FULBRIGHT. The motion now pending will lapse at 5:32?

The PRESIDING OFFICER. It will. It can be renewed, if the Senator making it obtains recognition for that purpose.

Mr. FULBRIGHT. I can speak until 5:32, and it will lapse.

Mr. President, I wish to call the attention of the Senate to a study made by a member of the House Special Study Mission to Cuba, in the 83d Congress, 2d session which was printed for the use of the Committee on Foreign Affairs. It was made by Representative ALBERT P. MORANO, of Connecticut. It is an excellent description of Cuba's relation to this country, and points out the importance of Cuban trade with this country. Cuba is the sixth most important market. Among other things, in addition to rice, she bought $23 million of cotton, $18 million of lard, $30 million of chemicals, $28 million of automobiles, and so forth, totaling $426 million. So she is a very important customer of this country. The Sugar Act is the principal present limit upon any increase in that trade.

I also wish to complete the statement which I indicated a moment ago would bear out what I believe to be the truth with regard to rice.

In 1949–50 we exported to Cuba 6,111,628 hundredweight of milled rice. In 1950–51, the export figure for milled rice went up to 6,959,708. That figure dropped in 1953–54 to 4,655,390 hundredweight. During the same period, from 1950 to 1955, imports of sugar from Cuba to the United States declined from 3,265,088 short tons raw value, to 2,667,840, or a drop of not quite 1 million tons. However, relatively, and percentagewise, it is approximately the same amount. In other words, as we cut off the sales of sugar by Cuba to this country, sales of rice and other things to Cuba have been cut off. Rice is the principal product.

I do not think it is purely coincidence that the reduction in imports of Cuban sugar was accompanied by a reduction in our exports of rice.

The sugar bill is important, not because it is an item of defense—because I do not think it has any relationship to defense—but because of the extent of the subsidy which is collected from the consumers of this country.

A moment ago reference was made to Florida, which is one of the two cane-producing States.

As I said, I believe the cane producers are the legitimate producers of sugar. Insofar as they can supply the market in a natural way, I would have no objection if they were to participate in the same kind of support price subsidy—if we wish to call it that—or program that producers of other commodities, like rice, for example, participate in.

In 1953, as an example of the extent of it, Florida cane producers received $1,330,495. The average payment per farm was $53,220. Naturally, that is quite a sum of money. There is nothing comparable to that at all.

As I said a while ago, however, the Hawaiians are the greatest beneficiaries of the program, especially the larger growers. One of them, as I mentioned a moment ago, received $1,051,000. Then there are approximately 25 others who have received more than $100,000. There are several who have received over $300,000, and 2 or 3 over $500,000.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list, prepared by the Department of Agriculture, Sugar Division, dated August 1955, of the producers who have received more than $100,000.

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

Names of persons receiving Sugar Act payments of $100,000 (rounded to nearest dollar) or more

Name of producer	Amount of payment					
	1949	1950	1951	1952	1953	1954
HAWAII						
Hakalau Plantation Co	$163,902	$150,784	$133,839	$151,694	$166,920	$180,726
Hamakua Mill Co	215,398	234,544	235,271	247,724	291,793	282,935
Hawaiian Agricultural Co	318,698	308,085	320,733	306,657	313,439	311,534
Hilo Sugar Plantation Co	187,735	166,655	138,507	148,456	172,715	192,840
Honokaa Sugar Co	267,392	245,150	248,577	231,439	309,421	243,824
Hutchinson Sugar Plantation Co	169,150	160,866	156,710	176,577	192,448	163,104
Kaiwiki Sugar Co., Ltd	111,233	152,491	164,544	173,685	189,985	180,656
Kohala Sugar Co	329,718	356,786	374,432	352,851	404,692	360,527
Laupahoehoe Sugar Co	154,176	156,795	179,352	195,295	225,550	219,179
Olaa Sugar Co., Ltd	270,542	271,995	238,720	295,032	261,954	265,141
Onomea Sugar Co	180,275	147,556	113,804	163,743	201,628	230,196
Paauhau Sugar Plantation Co	140,893	149,417	159,764	172,298	176,535	176,446
Pepeekeo Sugar Co	167,277	171,124	154,454	175,589	194,619	203,524
Gay & Robinson	131,589	149,086	155,361	172,693	170,610	171,911
Grove Farm Co., Ltd	297,254	290,393	253,490	302,340	329,637	325,264
Kekaha Sugar Co., Ltd	394,386	375,705	364,661	392,831	388,238	397,586
Kilauea Sugar Plantation Co	122,825	119,781	123,777	133,563	157,771	145,205
McBryde Sugar Co., Ltd	262,012	266,985	270,892	292,851	294,385	285,441
Olokele Sugar Co., Ltd	260,061	270,457	289,384	288,729	308,685	288,002
The Lihue Plantation Co., Ltd	473,508	461,941	473,698	506,439	508,508	498,880
Hawaiian Commercial & Sugar Co., Ltd	954,849	974,940	1,028,502	1,011,005	1,085,695	1,051,585
Pioneer Mill Co., Ltd	355,598	397,691	437,180	391,671	433,037	457,358
Wailuku Sugar Co	219,844	242,421	234,159	208,979	244,946	271,718
Ewa Plantation Co	461,725	475,195	479,118	472,586	489,921	489,051
Kahuku Plantation Co	178,495	178,884	181,047	187,968	201,804	195,828
Oahu Sugar Co., Ltd	600,740	588,492	600,963	608,470	613,463	572,497
Waialua Agriculture Co., Ltd	483,601	510,227	522,311	524,113	450,332	517,710
FLORIDA						
U. S. Sugar Corp	592,452	615,026	658,835	789,158	750,633	702,564
Okeelanta Sugar Refinery, Inc	(1)	(1)	(1)	125,343	158,148	119,015
LOUISIANA						
Godchaux Sugars, Inc	(1)	127,675	(1)	135,124	138,488	(2)
South Coast Corp	177,418	232,478	165,863	226,256	234,416	(2)
Southdown Sugars, Inc	143,447	166,330	127,713	234,696	227,073	(2)

See footnotes at end of table.

Names of persons receiving Sugar Act payments of $100,000 (rounded to nearest dollar) or more—Continued

Name of producer	Amount of payment				
	1949-50	1950-51	1951-52	1952-53	1953-54
PUERTO RICO					
Luce & Co	$608,281	$617,988	$610,841	$555,599	(2)
Heirs of Miguel Esteves Blanes, deceased	142,600	166,707	154,701	140,143	(2)
Eastern Sugar Associates	429,992	344,622	388,236	336,668	(2)
Antonio Roig, successors	392,770	356,064	368,743	337,295	(2)
Sucesion J. Serralles	376,861	396,125	363,867	318,746	(2)
Mario Mercado e Hijos	112,484	119,704	116,589	110,194	(2)
Ramon Gonzalez Hernandez	107,618	(1)	131,877	109,748	(2)
Antonio Cabassa Vda	103,584	101,885	(1)	(1)	(2)
Heirs of Alfredo Ramirez Rossell	112,682	101,430	(1)	(1)	(2)

[1] Under $100,000.
[2] Not available at this time.

NOTE.—The above figures of payments were tabulated according to the records in the Washington office of the Sugar Division. Inasmuch as reports for processor-producers only have been received during the past few years, there may be some producers, other than processors, who have received payments of $100,000 or more. However, this is doubtful.

Mr. FULBRIGHT. It seems to me it is a very unusual program that can tax the American consumers to the extent that a million dollars is paid to one producer of sugar in Hawaii in 1954.

Where that has been beneficial to this country or to the consumers of this country, I am unable to say. It has grown until it has gotten completely out of proportion with respect to other agricultural programs. I am strongly against the continuation of the existing program.

In closing, I would not say that I would oppose any program for sugar. Of course I would not. As I said, particularly in Louisiana there may be some beet areas that may need some help, and I understand from the producers that the cost of labor and other things are such that they must have a subsidy to survive. However, I cannot understand the argument that we must follow this kind of program for an uneconomic agricultural commodity.

Mr. LEHMAN. Mr. President, I have prepared a statement with regard to the pending sugar legislation. I ask unanimous consent that the statement be printed, together with the attached exhibits, at the conclusion of the remarks of the Senator from Arkansas.

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

STATEMENT BY SENATOR LEHMAN

Grave questions are raised in this revised bill. Provisions have been included which, on the merits, would justify my vote against this bill, even though I was a cosponsor of it in its original form.

There is, in section 6, an unsupportable discrimination against Puerto Rico and the Virgin Islands which, in the allocation of extra quota, are placed in a subordinate position to the mainland areas.

I cannot agree to such discrimination. I am unalterably opposed to it.

There is still another defect in this bill—the treatment of the Philippines. I think the Philippines should be given a preferred position.

The treatment accorded the Philippines is not as favorable as it should be. I hope this can be remedied. I hope it will be remedied.

Returning to the question of Puerto Rico, let me recite my association with this legislation.

I have been interested in the complex problems connected with the pending amendments to the Sugar Act. While I have had some reservations as to the precise terms of S. 1635 introduced by the distinguished chairman of the Senate Committee on Agriculture, the senior Senator from Louisiana. I was pleased to join with him, and 48 of my colleagues in sponsoring these amendments.

While my concern with this legislation goes to many facets of this problem, including its implications for our foreign relations, its effect on labor standards, the necessity of providing safeguards for the sugar producers and refining industries in the United States, and the interests of our consumers, I wish to direct my remarks to the problem surrounding the quotas allocated to Puerto Rico.

At the time I joined as a cosponsor of the proposed Sugar Act amendments, I wrote the distinguished chairman of the Senate Agriculture Committee concerning my reservations dealing with direct consumption sugar import discriminations against Puerto Rico.

I attach hereto this exchange of correspondence to be printed in the RECORD. (See exhibit I).

When the sugar legislation was before the Senate in August 1951, I expressed the hope that the refined-sugar restrictions in the act would be surveyed. I attach hereto an extract from my remarks at that time. (See exhibit II.)

Since that time impartial commissions of outstanding public men, appointed by President Truman and President Eisenhower, have emphasized the need of alleviating these restrictions placed on our insular producers. I attach hereto the appropriate extracts from both the Bell committee report and the Randall commission report on this point. (See exhibit III.)

Unfortunately, many of these unwise restrictions remain in the bill now before us, and we still follow the unwise practice of treating domestic offshore areas such as Puerto Rico on a different and less favorable basis than that given to our mainland producers and refiners.

I would like to bring to the attention of the Senate the fact that 18 years ago, President Franklin D. Roosevelt, on the occasion of signing the sugar bill enacted by the Congress in September of 1937, inveighed against the restrictions contained in that bill on the shipment of refined sugar from Hawaii, Puerto Rico, and the Virgin Islands. President Roosevelt stated as a condition of his approval of the bill that he had been given assurances of the termination of these restrictions in future sugar legislation. Unfortunately, some 18 years later, these restrictions are still with us, and are contained in the present bill before the Senate.

I attach hereto extracts from President Roosevelt's message at that time. (See exhibit IV.)

Turning to the specific problem of Puerto Rico as we find it in the present proposed legislation, I would point out that when the first sugar program was enacted in 1934, Puerto Rico was given the right to ship to the mainland 15.5 percent of its total quota in the form of refined direct-consumption sugar. In the ensuing years the percentage of refined or direct-consumption sugar portion of the Puerto Rican quota has been gradually reduced to the 11.7 percent we now find in the present bill. This has been a result of the failure to increase the refined quota for Puerto Rico as the total quota has been increased. Under the pending measure it is proposed to make this smaller percentage permanent.

I realize the difficulty of amending the pending measure on the floor at this late point in its consideration. I have given consideration to proposing an amendment which would restore the original percentage of 15.5 of refined Puerto Rican sugar which could be brought to the mainland. I feel that such an amendment is more than justified—since it would only give recognition of the proportion which was originally provided for in the original 1934 legislation.

I will not offer such an amendment today. I do hope that the Senator from Louisiana can agree with me that this is a matter which needs further study, and perhaps congressional action during the next session of Congress. A very small increase in the refined quota for Puerto Rico would have far-reaching implications for the economy of this island which is confronted with a multitude of economic difficulties. On the other hand, such an increase would result in an infinitesimal reduction of the mainland refined quota.

In conclusion, Mr. President, I wish to say to the Senator from Louisiana, and to the others who have struggled with this complex problem, that I realize some benefits will accrue from this legislation for the people of Puerto Rico. I had hoped that they would be greater than they are, but I appreciate the pressures and difficulties which go with the drafting and passage of such a complicated bill.

EXHIBIT I

APRIL 1, 1955.

Senator ALLEN J. ELLENDER,
United States Senate,
Washington, D. C.

DEAR ALLEN: I was very pleased to join with you in the introduction of a sugar bill to replace the Sugar Act of 1948. From all I can ascertain from a study of the bill, it is sound legislation—which has my support—with one reservation which I should like to bring to your attention.

First, let me say that my main interest in this bill—aside from the interest of New Yorkers as consumers—derives from our close association with Puerto Rico. We feel a special kinship with Puerto Rico and a special obligation to advocate and defend her interests in Congress and elsewhere.

The provisions of your bill dealing with direct consumption of refined sugar have, in my judgment, a severely discriminatory effect upon Puerto Rico. I cannot see why Puerto Rico should not be permitted to grind and mill all the additional tonnage of sugar which she is permitted to grow under the terms of your proposal. This would not take away from the mainland refineries any of the work they now have, as far as Puerto Rico is concerned, and would, at the same time, recognize, to some degree, the principle that Puerto Rico is an integral part of the United States and should not be discriminated against.

If an amendment to achieve the above purpose is offered on the floor of the Senate, I shall surely support it.

In other respects, without regard to constructive suggestions for the improvement of the bill of which I am not now aware, I am in favor of the bill as introduced.

With kind personal regards, I am
Sincerely,

———.

MAY 2, 1955.

Hon. ALLEN J. ELLENDER,
United States Senate,
Washington, D. C.

DEAR ALLEN: Thank you very much for your letter of April 26, and for your good recognition of my support of your sugar bill.

I have heard more from my cosponsorship of this bill than from almost any other bill I have cosponsored this year. Not all that I have heard has been complimentary to me. I hadn't really realized how controversial a sugar bill could be.

About the refined sugar quota, and your comment on my reservation regarding it, I have heard very recently from my Puerto Rican friends, including Governor Muñoz-Marín. He feels very strongly that the principle involved is a most important one and he urged me strongly to press the point I had made.

I do not, of course, know what I shall do when the bill comes to the floor—whether or not I myself will propose an amendment. I greatly hope that something can be worked out that is satisfactory to the Puerto Ricans, before the bill is reported. In any event, I will bear in mind your viewpoint on the matter.

Yours very sincerely,

———.

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE
AND FORESTRY,
April 26, 1955.

Hon. HERBERT H. LEHMAN,
United States Senate,
Washington, D. C.

DEAR HERBERT: I was very glad to get your letter of April 1. Believe me, I was pleasantly surprised when I looked in the CONGRESSIONAL RECORD the morning after I introduced the sugar bill to find that you had added your name as the 49th cosponsor. Your support will mean much to us in our efforts to get sugar legislation enacted this year.

I am very sympathetic to the problem that you mention in your letter, but I do hope that the question can be postponed for sometime in the future. What we are trying to do this year is to get the law changed so that the domestic producing areas, including Puerto Rico, can get a reasonable share of the increase in consumption that occurs each year as a result of our population growth. As you know, under the present act we are precluded altogether from sharing in this increase, and 96 percent of it goes to Cuba. The important thing this year is to get an adjustment in the method of allocating this annual increase in consumption, and I sincerely believe that the best interests of the Puerto Ricans will be served if they support the bill which you and I have sponsored in the Senate.

With kindest personal regards and best wishes, I am

Sincerely,

ALLEN J. ELLENDER,
United States Senator.

EXHIBIT II

JULY 29, 1955.

[From the CONGRESSIONAL RECORD, vol. 97, pt. 8, p. 10506]

Mr. LEHMAN. * * * I am advised that the House committee report contains the suggestion that it would be desirable at some future time, not now, to resurvey the allocations of refined sugars. I simply want to express the hope that that will be done in due course.

Mr. ELLENDER. Yes. Of course, there is nothing to that effect in the bill itself. It is only a suggestion which appears in the House committee report.

Mr. LEHMAN. I understand that, but it seems to me a very equitable and fair suggestion, and I wish to associate myself with it.

EXHIBIT III

JULY 29, 1955.

[From the Bell committee report]

A REPORT TO PRESIDENT TRUMAN BY THE PUBLIC ADVISORY BOARD FOR MUTUAL SECURITY, FEBRUARY 1953, ON A TRADE AND TARIFF POLICY IN THE NATIONAL INTEREST

The entire increase in sugar supplied by foreign and insular producers should be permitted to be imported in the form of either refined or raw sugar. It is unjust to limit severely the proportion of their quotas which these producers can ship as refined sugar. If some expansion of the refining industry were to take place in Cuba or other off-shore areas as a consequence of a more liberal policy on refined sugar, this would represent a logical industrial development for those areas. It would be consistent with United States policy of encouraging economic development and stimulating private investment in underdeveloped countries.

* * * * *

In the staff report to the Randall Committee Report of January 1954 to President Eisenhower (Report of the Commission on Foreign Economic Policy), the following criticism is given of the sugar program.

(2) Through special quotas limiting shipments of refined or "direct-consumption sugar" to the continental United States, mainland sugar refiners are given absolute protection at the expense of those in Puerto Rico, Cuba, and the Philippines—representing a denial to these supplying areas of a kind of industrial processing that is highly appropriate to their resources.

EXHIBIT IV

JULY 29, 1955.

[From President Roosevelt's statement of September 1, 1937, upon his signing of the sugar bill]

Since the passage of the bill I have been given the following assurances by Senators representing the great majority of continental sugar producers:

1. That their primary interest in sugar legislation is to afford protection to the growers of sugar beets and sugarcane in all domestic sugar producing areas of the United States, and when the Sugar Act of 1937 comes up for renewal they will endeavor to deal with the question of refined sugar quotas in a separate measure.

2. That they recognize the fact that Hawaii and Puerto Rico and the Virgin Islands are integral parts of the United States and should not be discriminated against.

3. That when the refined sugar quotas for Hawaii, Puerto Rico and the Virgin Islands are terminated, they will endeavor to enact legislation providing that minimum labor standards in sugar refineries in these offshore areas shall not be lower than the minimum standards in refineries on the mainland.

4. That in future legislation they will see to it that the American housewife is protected adequately.

I have received similar assurances from responsible leaders of the House of Representatives. In view of these assurances, therefore, I am approving the bill with what amounts to a gentlemen's agreement that the unholy alliance between the cane and beet growers, on the one hand, and the seaboard refining monopoly, on the other, has been terminated by the growers.

NOTE.—With respect to No. 3 above, the Federal Minimum Wage of 75 cents per hour has been applied to the Puerto Rican Refined Sugar Industry, since the above statement.

Mr. ELLENDER. Mr. President, I should like to ask the indulgence of the Senate for a few minutes, in order that I may correct a few misstatements made by my friend from Arkansas [Mr. FULBRIGHT] with regard to sugar production.

As I said during the colloquy, the original method of protecting the domestic sugar industry against cutthroat foreign competition was by tariff. As I remember, such sugar tariff legislation—the first of which was passed in 1789—provided for tariffs which ranged from 1 to 3 cents a pound. A sugar bounty was in effect for a time. In 1894 a new tariff was levied and a protective sugar tariff remained in force until the present sugar program became law. In 1934, when the Jones-Costigan Act was placed on the statute books, a new method of protecting our domestic sugar producers was devised. In order to protect the domestic sugar industry of the United States, a series of quotas was set up. High domestic production costs made it necessary for us to subsidize the domestic producers in order to keep consumer prices low and to assure our own industry's continued existence. To pay this subsidy, a tax of half a cent a pound on all sugar processed in this country was placed on the statute books, and the proceeds from that tax have been used to pay production subsidies, and also used to offset the effect of preferential tariff treatment awarded to Cuba. Cuba presently pays a tariff of one-half cent a pound on sugar sold in the United States, compared with 0.625 cent a pound by so-called full duty countries.

Experience has proven the wisdom of the decision of Congress to abandon the cumbersome protective tariffs—which subjected our consumers to wildly fluctuating prices, and brought panic to world markets on occasion—in favor of a system of production payments and quotas.

In the legislative provisions of the Sugar Act, and in its administration, the United States has been very good to Cuba. Cuba has been given for many years a preferential tariff rate on sugar sold in this country. The tariff on sugar has been cut 75 percent since the initiation of the quota system.

The Senator from Arkansas stated that if Cuba fails to continue to expand its sugar market in the United States, it will not be able to continue to buy rice. That is not so. The reason Cuba is not buying as much rice today as she bought from us 4 or 5 years ago is that Cuba has increased its rice production from an average of 431,000 bags in 1935–39 to about 3 million bags at this time.

Cuba, Mr. President, gives good protection to its rice industry. How? Why, the Cubans protect the ricegrowers of Cuba by a tariff—a relatively heavy tariff of $1.85 on every 100 kilograms of rice that is imported into Cuba from United States sources. That is how Cuba protects her rice industry. That is why Cuba is able to increase her rice production, and that is why Cuba is buying less rice from the United States.

We have a treaty with Cuba under which Cuba is to take a minimum of 3,250,000 quintals—a quintal is a little more than a hundred pounds—of rice from the United States at a preferential tariff rate of one-half the regular Cuban rice tariff. In addition the United States is supposed to be permitted to market in Cuba the difference between Cuban rice

production and Cuban rice consumption. Last year Cuba was supposed to have announced this supplemental quota by July 1.

Up to this time Cuba has never done so. In addition, although this year the announcement date of that supplemental quota has been set at later in the marketing year by means of negotiations between Cuba and the United States, I understand the Cuban Government has imposed unreasonable restrictions on American rice imports and is thus still in violation of certain technical provisions of the United States-Cuban Rice Treaty.

With respect to the so-called decrease in the amount of sugar that Cuba has been selling to the United States, which the Senator from Arkansas referred to, that decrease is more apparent than real. It is easily explained.

When the Sugar Act of 1948 was enacted, Cuba was awarded the right to fill the entire deficit in quotas assigned to the Philippines. It will be remembered, I am sure, that as a result of World War II, the Philippine sugar industry was badly crippled. The Philippines could not produce sufficient sugar to fill their quota. Cuba, under the 1948 act, supplied the difference.

As the sugar industry of the Philippines recovered from the ravages of World War II, the deficits in quotas assigned to that nation grew smaller. As they dwindled, so did the amount of adjusted-quota sugar supplied by Cuba.

For instance, in 1948, the Philippines were entitled to ship to us 974,000 tons of sugar. She did not produce that much. Her adjusted quota was only 252,000 tons. The difference between what she could have shipped to the United States under her quota and what she actually did ship us—722,000 tons—was made available to Cuba. And Cuba was also given a proportionate share of all deficits from the domestic producing areas, including Hawaii.

In addition to the amount of sugar that Cuba was permitted to market by means of filling deficits in other areas, the 1948 act also provided that 96 percent of the increased consumption of sugar in the United States—consumption due primarily to increased population—was awarded to Cuba. The remaining 4 percent went to other foreign countries—full duty countries.

Under the 1948 act, domestic producers—and domestic producers include mainland cane and beet growers, as well as Puerto Rico, Hawaii, and the Virgin Islands—were anchored to a fixed quota. The quota for mainland beet producers was set at 1,800,000 tons, and the quota for the mainland cane area was 500,000 tons. These quotas have remained unchanged since that time.

When the 1948 act was passed, none of us expected that our population would increase to the extent it has.

As a matter of fact, the record shows now that our population has increased at the rate of some 2,700,000 persons per year. Of course, that increase in population has brought with it a greater consumption of sugar and sugar products. Because of that increase in population, consumption of sugar in the United States has increased by a little over a million tons per annum since 1948.

Ninety-six percent of that one-million-ton increase has gone to Cuba. Not an ounce has been used to increase the painfully inadequate quotas imposed upon domestic producers 7 years ago.

For 7 years domestic sugar producers have been chained to fixed quotas. For 7 years our American sugar farmers have seen 100 percent of all increases in America's consumption of sugar flow to Cuba and other foreign nations. In that same period our cane and beet farmers have constantly sought to increase their efficiency. By using new, high-yielding varieties, developed by the Department of Agriculture, they have been able to make each acre of land produce more sugar. In true American tradition, by utilizing recent advances in mechanical planting, weeding, and harvesting, the domestic sugar producers have paved the way toward supplying a larger portion of the American demand for this "white gold."

The only roadblock in the way of our own farmers producing more of the sugar which Americans consume is a patently outmoded Sugar Act.

Earlier this year 47 Senators joined the distinguished Senator from Utah [Mr. BENNETT] and myself in proposing much-needed and absolutely fair amendments to the Sugar Act. Under these amendments domestic cane and beet producers would have received modest quota increases; they would also have had restored to them the right to supply 55 percent of future growths in American sugar consumption. This right was waived temporarily in 1948 in order to permit our Cuban neighbors to adjust their peak wartime production to more realistic peacetime levels.

Our bill, Mr. President, was a minimum-relief bill. We asked nothing which our farmers did not deserve. We proposed nothing which could not be fully justified—on the basis of economic necessity as well as fairness and justice to all concerned.

Under our Constitution, all legislation affecting revenue must originate in the House of Representatives. The Sugar Act involves a processing tax; certain features of the Sugar Act provide a source of revenue, from which are paid funds designed to compensate our farmers for their high production costs—compared to low-paid tropical labor—and, at the same time, keep consumer prices at reasonable levels.

Thus, until the House of Representatives acted upon the sugar bill, the Senate could not move a step forward. A number of House bills proposing amendments to the Sugar Act—all of which were practically the same—were introduced in March. The House Committee on Agriculture and Forestry held a number of hearings on these bills. Public hearings began on June 22 and terminated on June 29. An executive hearing was held on July 19. Finally, a sugar bill was reported, but not until July 22. Included in this bill were a number of controversial features—complicated provisos, including the brand new idea of applying the controversial 90 percent of parity price support concept to overquota sugar—a concept that to my knowledge not a single member of the sugar industry asked for or wants.

The House Rules Committee first considered the bill this past Wednesday, July 27, but because of the complicated and highly controversial provisions added by the House Agriculture Committee decided against permitting the bill to go to the House floor for debate. I understand that the consensus of the Rules Committee was that the bill as reported involved a number of new considerations and, therefore, should be given careful study by all Members of the House. Since at that time the target date for adjournment was only 4 days away, the Rules Committee decided to withhold action on approving a rule permitting debate on the bill.

It is my understanding that on the next day, Thursday, July 28, the House Committee on Agriculture and Forestry advised the Rules Committee that certain controversial sections of the bill would be deleted from the bill, including the 90 percent of parity support proviso. The Agriculture Committee at the last minute thus cleared the way for Rules Committee approval of a sugar bill for House debate. This, the Rules Committee did. Subsequently, the House debated and passed the bill, but not until 6 p. m. Saturday, July 30, and the bill as passed was still a far cry from the bills which had been introduced originally.

On Monday, Mr. President, the House bill came to the Senate. It was read once as a prerequisite to being referred to the Finance Committee. The junior Senator from Arkansas [Mr. FULBRIGHT] objected to the second reading. As a result the bill could not be referred to Committee before today.

Realizing that it was impossible to amend a bill over which it had no jurisdiction and seeking to expedite action on this urgently-needed legislation, the Senate Finance Committee agreed to report out S. 1635, the bill I introduced, in a modified form. This, the junior Senator from Louisiana [Mr. LONG] sought to do, but there was objection. The report could not, under the circumstances, have been filed before today. Under the rules, unless unanimous consent were granted, the bill could not be taken up until one day more had elapsed.

It was at this point that, yesterday, my colleague gave notice in writing that he would today seek to suspend the Senate rules and take up the House bill from the floor, without it being referred to the Finance Committee. It was to this parliamentary maneuver—a maneuver prompted solely by the dilatory tactics of two Senators who opposed this legislation—that prompted the junior Senator from Arkansas [Mr. FULBRIGHT] to raise his voice in opposition to the tactics being used. He has said, among other things, that the bill is a complicated one.

Mr. President, the original House bill was complicated. Even the modified bill—the bill passed by the House—had technical complications. But the amendments to the House bill, which had been approved by the Finance Committee, and which we sought to attach

to the House bill, would have rendered the bill very clear and understandable.

The Senator from Arkansas [Mr. FULBRIGHT] also complained because no lengthy hearings were held by the Finance Committee. Actually, no prolonged hearings were necessary. The reason for that is that the entire industry—all the producers of beet and cane sugar, as well as the refiners—had no objection to the bill. The bill was in the same category as the bill in 1948.

In 1948 the sugar bill was prepared by the industry. All those interested took part in its preparation. After it was prepared, the bill was introduced in the Senate and in the House. It was presented to the respective committees of the two Houses and, after brief hearings, the bill was reported to the Senate and to the House.

The bill was then presented to this body and discussed. As I remember, the only opposition to the bill came from the distinguished Senator from Arkansas who made his usual speech, as he did today, trying to ridicule, in a way the philosophy behind our bill, behind the Sugar Act, including the subsidies which are paid to those who produce sugar in this country.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. HOLLAND. Is it not true that at the time the distinguished Senator from Arkansas opposed the sugar bill so strenuously in 1948, and again in 1951, instead of selling at a distress price such as it is at present, the rice crop of his State and other rice-producing States was selling away above parity?

Mr. ELLENDER. I think it was selling at 129 or 132 percent of parity.

Mr. HOLLAND. The distinguished Senator from Arkansas, in pleading with reference to the distressed situation of the rice producers and for the situation in Cuba, has made a completely different argument from that which he asserted with equal vigor and equal enthusiasm in 1948 and 1951. Is that correct?

Mr. ELLENDER. That is correct. As I pointed out a while ago, Cuba is anxious for us to purchase all the sugar she can produce, but when it comes to the purchase of rice from us, Cuba says, "No; we want to produce our own rice." As I indicated a while ago, Cuba's rice production has increased from a 430,000-bag average for the years 1935–39 to around 2,500,000 bags last year. That is why Cuba today is not buying as much rice from the United States as it bought in former years, and to try to pin the blame on our domestic sugar program is simply not being accurate.

I should like to point out also, Mr. President, that Cuba is protecting her domestic rice-producing industry by imposing on the rice we sell to her a duty of $1.85 per 100 kilograms. It is inevitable that fewer pounds of Cuban sugar would be sold in the United States if we imposed a 2- or 3-cents-a-pound excise tax upon Cuban sugar imports. I dare say that if we treated Cuban sugar in the same manner that Cuba treats American rice, there would be very much less Cuban sugar sold in this country.

Mr. BENNETT. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. BENNETT. If the Senator from Arkansas had his way and the bill were defeated and Cuba had to sell its sugar on the American market on the world market price, how much money does the Senator think there would be with which to buy rice?

Mr. ELLENDER. The answer is "none."

The point is that we have a State Department which tries to force us to toe the mark in our dealing with Cuba and other foreign countries, but when it comes to protecting our agricultural producers in their dealings with foreign countries, we get no help. As I pointed out a while ago, under a treaty which now exists, the Cubans gave us a preferential right to supply their rice deficit, but in the past 3 or 4 years the Cuban rice deficit has decreased substantially, and today Cuba is producing half of the rice she consumes.

Mr. President, I quoted some statements made by Representative COOLEY, chairman of the House Committee on Agriculture—the committee which considered the sugar bill. Now, the bill may be complicated to Representative COOLEY; I doubt if he would recognize a stalk of sugarcane if he saw it, because neither sugarcane nor sugar beets are grown in his State. I do not mean to be unkind to the distinguished chairman of the House Agriculture Committee, but I do not believe he was able to grasp the situation in which the sugarcane industry as well as the beet-sugar industry, finds iteslf today as a result of the fixed quotas that were placed on domestic producers of sugar under the 1948 act.

Mr. President, I should like to point out that the only purpose of the bill which was introduced by me last April—a bill which was cosponsored by 48 Senators—was to grant relief to the domestic producers of sugar from expected increases in sugar consumption, and it was not designed to take away from Cuba any of her fixed quota. If the bill which was introduced by us in the Senate last April had been enacted, Cuba would have obtained this year, in 1955, practically the same amount of sugar quota that she had in 1954.

The Senate bill provided a benchmark of 8,200,000 tons from which to start. This figure represents the approximate amount of sugar consumed in the United States last year. The Secretary of Agriculture's final consumption estimate might have been 50,000 tons more than that, but actual consumption was just a few thousand tons of sugar above 8,200,000. So, for the purposes of our bill, the benchmark was fixed at 8,200,000 tons, thereby assuring Cuba of obtaining this year approximately the same quota that she obtained last year.

What was intended by the bill was to provide an additional quota to the domestic producers of sugar—mainland cane, mainland beet, Puerto Rico and the Virgin Islands—of 188,000 tons, not to be taken from the quota of Cuba, the Philippines, or any other country or area, but solely out of the anticipated annual increases in the amount of sugar to be consumed in the United States resulting from increases in our population. That annual increase, Mr. President, is estimated to be an additional 135,000 tons of sugar.

Under our original Senate bill, from the first increases in consumption above 8,200,000 tons—increases due, I repeat, to the increasing United States population—the beet area would have received 85,000 tons, the cane area 80,000 tons, Puerto Rico 20,000 tons, and the Virgin Islands 3,000 tons, or a total of 188,000 tons to come out of the increases in consumption over and above the base, or benchmark quota of 8,200,000 tons. Then, Mr. President, after the 188,000 tons had been satisfied, the increased consumption due to increased population was to have been divided, under our original bill, 55 percent to the domestic producers, and 45 percent to the foreign producers, including Cuba. Cuba, as a preferred customer of ours, would have received 96 percent of the 45 percent set aside for foreign countries out of the increased consumption due to increased population; and the full-duty countries, which would include Peru, Mexico, the Dominican Republic, and a few others, would have received the remaining 4 percent of the 45 percent.

The State Department objected to our original bill on the ground that the bench mark—that is, the 8,200,000 tons—was a little too low. Representatives of the State Department appeared before the House Agriculture Committee and suggested that the benchmark be increased to 8,350,000 tons, instead of the 8,200,000 tons, as provided by the original Senate bill. The House Agriculture Committee acceded to the State Department's recommendation.

Instead of accepting the 55–45 proviso which was in the original Senate bill—and which I understand was acceptable to the State Department—the House adopted a formula of its own, whereby instead of dividing the increased consumption due to increased population on a basis of 55 percent for domestic producers and 45 percent for the foreign producers, the distribution of increased consumption was made on a 50–50 basis.

In the division of the 50 percent which was to be allotted to foreign countries, Cuba was allotted from 0 up to 17,000 tons, instead of 96 percent of 45 percent, as was provided in our bill. Of course, the State Department objected to the House committee's formula, and so did the Cubans, quite vociferously.

It will be recalled, Mr. President, that when the Senate bill was introduced, the Cuban lobbyists, Americans who were paid high salaries in this country, began to lambast, with all their might, the Senate bill. They stated that Cuba would be deprived of a large amount of her traditional sugar quota in the United States, and that, if deprived of any of her sugar quota, Cuba would not be able to continue to buy on the United States markets.

Instead of painting the picture as it really existed, the Cuban lobbyists so exaggerated and distorted the situation that neither the House committee nor anyone else believed them. Today, I understand, the Cubans are satisfied with

the bill which was reported yesterday by the Senate Committee on Finance.

Mr. President, the House did not pass the sugar bill until late Saturday evening. It did not clear the lower chamber in time to be received in the Senate and referred to the Senate Finance Committee on that day. I did not anticipate, nor do I suppose any other Member anticipated, that the Senator from Arkansas [Mr. FULBRIGHT], or any other Senator, would object to the bill's being referred to the Committee on Finance on the same day of its receipt in the Senate. That procedure is followed in this body every day. Under the rules, if a House-passed bill is received today, it must be read twice before being referred to a committee. If any one Senator objects to its being read the second time on the same day it is received, the second reading must be postponed to the following day. On this occasion the Senator from Arkansas—and he was within his rights in doing so—objected to the second reading of the House bill on Monday and insisted instead on having the bill read once on yesterday and the second time today. That was the reason why the Committee on Finance, when it met Monday at 10:30 a. m., did not have the House bill before it. While the bill was before the Senate, it was not referred to the committee because the Senator from Arkansas insisted on the very letter of the rules being followed with respect to this bill. The Committee on Finance had before it only the original Senate bill, which I and 48 other Senators introduced last April.

In any event, Mr. President, both the Senate and House bills were considered by the Senate Finance Committee. The amendments which were made to the language of the House bill, in my humble judgment, satisfied not only the Cubans, but also the State Department, in that the base quota or bench mark was fixed at 8,300,000 tons. Although the State Department has asked that it be set at 8,350,000 tons, I believe they will agree to the 8,300,000 tons placed in the bill by the Senate Finance Committee.

Mr. President, with respect to the division of the increase in the consumption due to increased population, which the bill allocates to foreign producers, we reverted to the formula which was included in the original Senate bill, with one exception, namely, that instead of Cuba getting 96 percent of 45 percent, the Finance Committee bill provides that Cuba shall receive 60 percent of the 45 percent specified for foreign producers, while 40 percent of the 45 percent would be allocated to the full duty countries. That division, as I understand, is now acceptable to the Cubans.

The amendments to the House bill which we sought to present to the Senate today would have made the House bill simple, practical, and effective. If the amended bill could have been called up, it would have met not only with the blessing of the entire sugar industry—domestic, as well as offshore foreign producers—but also the American refiners.

I was very much disappointed that my good friend from Arkansas objected to our taking up the bill before adjournment. It is really an emergency measure, Mr. President.

Without the passage of this bill, or without something being done between now and next January, as my colleague, the junior Senator from Louisiana stated a while ago, the sugar producers in Louisiana face a further cut in 1956 which may be as high as 30 percent in the base acreage.

If there had been an increase in sugar cane acreage in Louisiana and Florida since 1948, there might be good reason to criticize our domestic growers and charge expansion, but I wish to say to the Members of the Senate that the mainland sugarcane acreage has remained practically stationary between 1948 and 1953. And in 1954 there was a cutback totaling 10 percent of the base acreage, and again in 1955 a cut-back of 18 percent. As a result of good weather—that is, rain at the proper time and no early freezes to destroy the sugarcane—our growers have exceeded their quotas for each of the last few years, so that there are now some 230,000 tons of overquota sugar which our producers cannot sell.

The purpose of this year's sugar bill is simply to remedy that situation, in the hope that the 30 percent cut which is in the offing for 1956 can be averted.

I repeat, the bill is not complicated. It is very simple. It does not touch the present law in any respect. It deals primarily and solely with increased consumption due to increased population.

The only problem the bill deals with is an equitable distribution of our constantly increasing consumption of sugar. Instead of letting the entire increase go to foreign countries—with 96 percent going to Cuba, as it has in the past—we simply have asked for something that is quite legitimate, and that is, for our share of the increased American consumption of sugar to be determined by the same standard in effect prior to 1948. What we asked for today, and what we have sought since early this year, is only that which was provided by law prior to 1948. Because the 1948 act did not envision our greatly increased consumption, because the 1948 act did not contemplate the great hardship fixed quotas have imposed on our farmers as a result of higher yields stemming from better methods of cultivation, better varieties of sugarcane and sugar beets and better sugar extraction, we have only sought to rectify unforeseen injustices and inequities. It was never expected our present domestic quotas would become as burdensome as they now are.

The bill reported by the Finance Committee merely provides that the increased consumption is to be divided between the domestic producers on a fair and equitable basis. That is all the bill does.

I hope that early next year action is taken. As a matter of fact, I have the promise of my good friend from Virginia [Mr. BYRD] to that effect. I talked with him just a few hours ago, and he promised that early in January he will hold open hearings, as the Senator from Arkansas [Mr. FULBRIGHT] has requested. I hope the Senator from Arkansas sees fit to attend those hearings and to present the facts which he has presented in the Senate today, so that he can be answered by witnesses who are intimately familiar with all phases of the subject.

I am most hopeful that early in January Congress will pass this worthy bill.

It is my belief that by doing so we may still be able to prevent the plowing up of 30 percent of our present sugarcane acreage.

I should like to say that sugarcane is not cultivated from seeds. When an acre of beets is plowed up—hard though that may be on a farmer—all that is lost is the seed, perhaps fertilizer, and the time used in planting and early cultivation. Sugarcane need be planted only every 3 or 4 years. When an acre of sugarcane plants is plowed up, a 3- or 4-year investment is destroyed. Cane plantings worth anywhere from $75 to $100 an acre are lost. When first year or second year stubble is plowed up, something of high value is destroyed.

Mr. THYE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. THYE. I just wished to thank the distinguished senior Senator from Louisiana for making such a positive case why the sugar bill should have been passed in this session of the 84th Congress. As relates to the production of sugarcane, it is not a question of a new crop, but a question of several years' development. Therefore, the producer must have knowledge of what his acreage is going to be. Otherwise, he is going to be confronted with the problem of having to plow under a very valuable crop.

I wished to be positive that I would be on record as stating that I am determined to see that producers in the United States shall have their just, proportionate share of the increased consumption of sugar in the United States.

There has been a great increase in the population, and an increase in per capita consumption of sugar. To think we should barter that increased consumption off for the goodwill of some foreign or off-shore country is just out of the question.

There will be a just, proportionate share for our producers, or I will join the Senator from Louisiana in engaging in a good, lengthy debate on the question right here on the floor of the Senate.

I am not in sympathy with the parliamentary tactics used by the Senator from Arkansas to block the bill from being properly considered and debated on the floor of the Senate, just because he was more concerned about rice acreage in Arkansas.

Mr. ELLENDER. I wish to thank the Senator from Minnesota. I am most hopeful that between now and next January it may be possible to educate our good friend from Arkansas, and to present to him the real facts, the real reason, why Cuba has not been purchasing as much rice from us as she has in the past. It is my hope that all those facts can be clarified in a hearing early next January.

Mr. President, there was only one other difference between the House bill and the Senate bill, and it is related to the length of time that the law was to be effective. The House bill provided for a 4-year extension, and the Senate bill, as well as the amended bill, reported by the Finance Committee, provided for a 6-year extension.

I have stated just about all the major differences between the two bills.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. DWORSHAK. I wish to express the appreciation of the sugar-beet industry of the West for the fine cooperation it has received from the chairman of the Committee on Agriculture and Forestry and for the explanation of the proposed legislation which is currently pending before the Senate.

Likewise, I wish to ask whether it is true that the parliamentary situation in the closing days of the session is such that when charges are made that a hearing was not held by the appropriate Senate committee, and that for some reason or other the Senate was remiss in not passing the House bill, the actual fact is that the long delay by the House in acting on the bill—knowing that in the closing days of the session there probably would be little likelihood for the taking of action on the bill by this body—is primarily responsible, and not any lack of any interest in the Senate, for the failure to enact sugar legislation at this session?

Mr. ELLENDER. The Senator from Idaho is correct when he says there is not a lack of interest in the Senate. In my judgment, failure to pass a bill here stems from House delay on the bill.

Of course it was stated that full and lengthy hearings should have been held by the Finance Committee. The Finance Committee would no doubt have held more hearings had the House acted earlier. Because a tax is involved in sugar legislation, and because tax legislation must originate in the House, the Senate has never taken action on such a bill until the House has acted. If the House had acted a week ago, as we thought the House would—for they said they would bring it to a vote—we would not have had this trouble today. We would have had time for the Finance Committee to hold full hearings, but it was only last Saturday at 6 p. m. that the House voted on the bill. It came to the Senate only yesterday morning. Then, my good friend, the Senator from Arkansas [Mr. FULBRIGHT], objected to the second reading, although it is usual and customary to have the second reading immediately and to refer the bill to committee on the same day it is received from the House. Of course, because of the objection raised by the Senator from Arkansas [Mr. FULBRIGHT], the bill was not sent to the Finance Committee, as would ordinarily have occurred.

But as I said, it is my hope that early next January we can rectify some of the damage which has been done. It is entirely possible that if we pass the bill during early January, let us say, we may be able to prevent the destruction of an additional 30 percent of our sugarcane plantings, to which I referred earlier.

Mr. HOLLAND. Mr. President, I shall not detain the Senate any great length of time.

First, let me express to my good friend, the distinguished senior Senator from Louisiana [Mr. ELLENDER], my thanks and that of the sugar growers of Florida and Louisiana, and that of the sugar-beet producing States, not only for the very fine explanation he has given of this subject, here on the floor, but also for the very fine leadership which he, as the leader of the cane-sugar producing elements on the mainland, has given, not just this year, but also in past years. We are very much indebted to him.

I note also, Mr. President, that the junior Senator from Utah [Mr. BENNETT] is present. These things cannot be handled by any one Member who is interested in a crop of this kind. The junior Senator from Utah served along with the Senator from Louisiana—the Senator from Utah representing the beet-sugar producers and the beet-sugar-producing States. Certainly I would be remiss if I did not express to him my grateful thanks and those of the cane-sugar producers of my State for the very fine leadership and for the exceedingly hard work he has done in connection with this matter.

Mr. WATKINS. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Florida yield to the Senator from Utah?

Mr. HOLLAND. I yield.

Mr. WATKINS. As a member of the congressional delegation from a State which produces sugar beets, and really was one of the pioneer producers in the United States of this particular product, I wish to be associated with the Senator from Florida in the remarks he has made about the Senator from Louisiana [Mr. ELLENDER], and my colleague from the State of Utah [Mr. BENNETT]. I think these two Members have done a splendid job under very adverse circumstances, and they deserve the gratitude of the American people and, particularly, the people of the States they represent, in connection with this matter. They have worked long and hard to get the bill to the floor, under circumstances which would have discouraged most persons. I want the people and the Senate to know that I greatly appreciate the efforts of the Senator from Louisiana [Mr. ELLENDER] and of my colleague from Utah [Mr. BENNETT].

Mr. HOLLAND. Mr. President, I appreciate the comment of the senior Senator from Utah.

I wish to say that the junior Senator from Utah [Mr. BENNETT] and the senior Senator from Louisiana [Mr. ELLENDER] have had the loyal backing of every Senator from the sugar-producing States; and all of us are deeply indebted to them.

Mr. President, after a labor of love, beginning way back at the beginning of this session—as is evidenced by the introduction of a bill in April, I believe, with more than half the Members of the Senate sponsoring it—and with continued and almost daily effort by those two Senators and by other Senators whom they chose to ask to be of assistance from time to time, it is too bad when those efforts are not crowned with success, particularly when that situation is because of parliamentary maneuvering to prevent the coming to the floor of a measure which it was not within the power of the leaders in the Senate to bring to the floor of the Senate until the measure had passed the House, inasmuch as constitutionally such a measure, like other revenue-raising measures, must originate in the House.

So, instead of being blamed for not bringing up the measure, and instead of making it possible for any blame to be placed on the junior Senator from Louisiana [Mr. LONG], who, as a member of the Finance Committee, made the motion to bring up this measure, I feel that we are indebted to all of them, and that we can only commiserate with them and with ourselves and with the sugar producers of the Nation that the attitude—which is very difficult for me to understand—of the junior Senator from Arkansas [Mr. FULBRIGHT] has developed here in such a way as to prevent consideration by the Senate of a measure which was approved months ago by a majority of the Senate; and it should be pointed out that those Members have been waiting all this time to be able to act on the bill.

Incidentally, quite a number of Senators who were not cosponsors of the bill are present—ready, willing, and anxious to support the bill.

Of course, the Senator from Arkansas [Mr. FULBRIGHT] was within his technical rights. However, I was interested and intrigued and even a little amused, if I may say so, to note the complete change of front and change of ground taken by my friend, the Senator from Arkansas, in opposing this measure today. I was present on two previous occasions—in 1948 and 1951, when the Senate passed sugar bills; and on both those occasions the junior Senator from Arkansas [Mr. FULBRIGHT] opposed—as he had a right to do—those measures. He opposed them vigorously—just as vigorously and just as vehemently as he opposed the bill today. But I have been intrigued to note the complete change of base that has been adopted by the Senator from Arkansas, because at the time when he was making that gallant fight, in 1948 and in 1951, for what I thought then was a deeply-rooted principle, his ricegrowers, who today have afforded the reason assigned by him to the Senate for his opposition to this particular bill, happened to be then in the most favorable situation of any agricultural industry in the Nation, and at that time they were receiving well above 100 percent of parity for their product. As a matter of fact, the prices they received then were so attractive that the rice industry multiplied more than twice during the years when the Indochinese production, the Chinese production, and the Korean production were almost shut off, and when the Burmese production and the

Indonesian production were badly affected.

So the Senator from Arkansas [Mr. FULBRIGHT] has now stated as the major reason for his enthusiastic opposition to the sugar bill—and of course it is his right and privilege to oppose it, if he chooses—the fact that the ricegrowers of his State have found a reducing market in Cuba.

Mr. FULBRIGHT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. No, Mr. President; the Senator from Arkansas declined to yield to me when he had the floor. So until I complete my statement, I shall decline to yield to him, although I shall be glad to yield to him when I complete my statement.

Incidentally, I cannot help expressing regret that the distinguished Senator saw fit to yield neither to the Senator from Louisiana [Mr. ELLENDER] nor to the Senator from Florida, but made the very clear point of denying us privileges which he accorded to other Senators throughout the course of his debate.

Mr. FULBRIGHT. Mr. President, the Senator is incorrect. I yielded to the Senator from Louisiana. I did not realize that the Senator from Florida thought that I would not yield to him. I was interrupted by many Senators.

Mr. HOLLAND. I asked several times to be yielded to, and the Senator from Arkansas—I thought rather pointedly—declined so to do. But that is neither here nor there. Perhaps the Senator from Arkansas realized how greatly he had changed base since his argument in 1948 and his argument of 1951. Perhaps he realized that the causes which were responsible for the bleeding heart of 1948 and 1951 were to be replaced by a completely different argument, a different objective, and a different cause.

I am glad the Senator from Arkansas, particularly at this time, has discovered the present distress of his ricegrowers. That is not a new subject to the Senator from Florida, who served as a member of the Eastland subcommittee of the Senate Agriculture and Forestry Committee, under the direction of the able Senator from Louisiana, who kept in touch with us throughout our investigation. That subcommittee found that the ricegrowers of Arkansas were having difficulties, and we went to bat for them, in order to see that they were given an opportunity to move some of their product to Japan, which wanted their product. For some inconceivable reason, and for some considerable period of time the State Department refused to permit the shipment of Arkansas rice to Japan.

We know that the ricegrowers of Arkansas need help, and we have been trying to give them help. It is indeed discouraging to find that the junior Senator from Arkansas does not realize that others, too, are in distress, and that they are in distress after having greatly cut their acreage, simply because they have improved their methods of production and are getting a much greater yield per acre from their crops than was the case some years ago.

Sugar growers do not have warehouses where they can go with their product and store it by the payment of a small fee. Sugar growers of my State and of the State of Louisiana—I have not been privileged to examine the situation in the beet-sugar-producing States—have had to build large warehouses at great expense for the temporary purpose of housing great amounts of sugar produced from reduced acreage, which sugar they are not permitted to market under the existing quota system.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall be glad to yield when I am through with my remarks. I hope the Senator will be patient and remain in the Chamber. I shall not be very long.

Mr. FULBRIGHT. The Senator does not intend to yield to me?

Mr. HOLLAND. I shall yield to the Senator from Arkansas, but I shall yield in my own time.

Mr. FULBRIGHT. The Senator does not have to yield at all.

Mr. HOLLAND. My understanding of courtesy is that I should yield, and I will yield, but that is an understanding which the Senator from Arkansas did not seem to have when he had the floor a little while ago. I shall gladly yield, but I wish to lay out the picture as I see it prior to doing so. The obdurate and obstinate attitude of the Senator from Arkansas will probably require sugar producers to put many thousands of additional dollars into the construction of warehouses for which they will have no earthly use as soon as this temporary problem is out of the way, and to plow up sugarcane planted to yield a crop for 3 or 4 or 5 years, depending upon the area where the crop is being produced. A tremendous loss is involved in such an operation.

I noted that the distinguished Senator from Arkansas was inclined to complain because no such treatment as this is given to producers of other commodities, such as cotton and other commodities which he mentioned, all of which are in heavy surplus production.

The production of sugar is comparable to the production of wool. They are the only two great commodities which we produce, about which the Senator from Florida knows, which are produced in a deficit to such a degree that the whole country is interested in seeing that those industries are preserved as domestic industries, so that in the event of war or other military trouble, we shall have necessary quantities of sugar—even if in diminished amounts—available here.

I remember when we were considering the price-support measure last year. Those who favored rigid high price supports and those of us who favored flexible price supports joined together to give some needed recognition to the wool industry. We recognized it as an important industry which should be retained in this country, so that we would have it in the event of a dire emergency.

I remember that the Senate passed, by a very considerable vote, a provision which would have allowed wool to be supported up to 115 percent of parity, and that in conference the bill came back in the form in which the provision is now stated in the present law, providing that wool could be supported up to 110 percent of parity, in recognition of the fact that the Nation was interested in preserving the wool industry and making it possible for such an industry to continue to exist here as a fine and necessary national asset.

The same situation exists in the case of sugar. For a period of years under Democratic administrations and under Republican administrations, under Democratic majorities in both Houses, and under Republican majorities in both Houses, it has been regarded as a matter of high national importance that the domestic sugar industry be maintained on a sound basis so that it shall not cease to exist.

After years of experience, when the whole Nation, with very few exceptions, seems to have realized that the sugar industry, along with the wool industry, comprises an asset to the Nation which should be preserved, and which Congress should recognize by legislation passed in its behalf—although confessedly it is different from the legislation which was passed in the case of industries which were normally in surplus production—it is disappointing to find that the objection to this measure and to its extension has now become so fixed in certain minds that there is unwillingness to permit the question even to be debated and the bill voted upon on the floor of the Senate. The Senate has had waiting a Senate bill, introduced by a majority of the Senate and supported by vastly more than a majority of the Senate, since last April.

Mr. President, I have almost completed the remarks I intended to make, except with reference to Cuba. It was amusing to hear the Senator from Arkansas talk about the importance of Cuba from the standpoint of its economy and its dealings with his State. In my State the importance of Cuba is very much greater than its importance with respect to other States in the Union, although it is important to other States in the Union. Certainly it is important to Arkansas, but it is far more important to Florida.

Florida is across a few miles of water from Cuba. Florida is Cuba's traditional friend. We have two or three hundred thousand citizens of Cuban ancestry. They are very fine people, and we are proud to have them. Many tourists from Cuba spend great sums of money in our State. They come to enjoy the entertainment which we provide in Florida. Many Cubans have moved over to Florida and brought their fortunes with them, because they have found a stable government there which, at times in the recent past, has not existed in their own home country. We are intensely interested in Cuba, and I believe more so than is the case with any other State. We would not do anything to hurt Cuba or the Cuban economy.

Neither do we propose to continue to take a completely foolish attitude, in view of the developments which have transpired since the passage of the 1948 act, as extended in 1951.

Under the provisions of that act, as was so ably stated by the Senator from Louisiana, the whole of the increase in

consumption of sugar in the United States was allocated offshore, with none of it being allocated to the domestic industry.

Mr. President, we produce the children, and we produce the grandchildren. I notice that we have been adding to our population at the rate of 2¾ million a year. Since the last act was passed in 1951, the natural increase in population in the United States is greater than the entire population of Cuba. Since the passage of the 1948 act the increase in the population in the United States is almost twice as great as that of the entire population of Cuba.

Mr. President, is there not some semblance of reason in our feeling that we are entitled to produce a little bit of the sugar which our own increase in population, represented very largely by our children and own grandchildren, is responsible for? Is there not some semblance of reason and equity and justice and sound commonsense in that idea?

When the hearings were held in 1948 and in 1951, witnesses made it very clear that they reserved the right to come back and ask for some of that natural increase. That is what we have done under the terms of the pending legislation.

There was a time when I was informed by some of my friends in Cuba—and I am fortunate to have a great many there—and by some friends in the United States who have interests in Cuba—and we all know that a large part of the sugar production in Cuba finds its financing in the United States—that they did not want to share the increased market, of which they had 96 percent in the United States.

However, no later than Saturday, I had a visit from those who are keeping up with the feelings of the Cubans and who are representing them professionally, and they stated that they felt we were within our rights to ask for something like the same proportion of the increase they were receiving of the normal consumption of sugar in this country.

I am happy to say that in committee, as I understand, my distinguished junior colleague [Mr. SMATHERS] offered an amendment to the House bill which made a part of the bill the suggestion of the State Department, which I understand is approved by the Cuban sugar people, and which was mentioned so clearly and so ably by the Senator from Louisiana.

I have not found the Cubans to be unreasonable people. I have found them to be good friends in time of stress. Certainly they stood by us in war, when they supplied us with more and cheaper sugar than we could have gotten otherwise at that time. I found them to be a reasonable people. As reasonable people they have come to the conclusion which all reasonable people must come to, that the United States producers of sugar are entitled to a fair share of the increased annual consumption, or the increased consumption over the years which represents our growth of population and our growth in the consumption of this very badly needed and very generally used product.

Mr. President, I wish time permitted a fuller statement on the subject. However, it does not. I shall now gladly yield to the distinguished Senator from Arkansas. First, I desired to give him at least the benefit of the trend of my own feelings in the matter, so that he could better address his questions to me. I now very gladly yield to him for such questions as he may desire to ask me.

Mr. FULBRIGHT. Mr. President, the Senator has a reputation for great fairness, integrity, and honesty. I wonder how he explains the fact that for the second time this bill was brought to the Senate and we were asked to act upon a bill which has never received any hearings at all. It is a bill which involves very large sums of money. How can the Senator from Florida justify bringing such a bill before the Senate without any hearings having been held on it?

Mr. HOLLAND. The principal justification is that the advocates of the bill have been trying to get it up since April. They have been prevented from getting it up by the House. Anyone who was reading and listening knew what was going on in the hearings in the House. Certainly the Senator from Arkansas, who is a distinguished member of the Committee on Foreign Relations, knew what were the suggestions and urgings of the State Department and others in connection with this legislation, who were certainly seeing to it that Cuba's interests were taken care of. The Senator from Arkansas knew that the Committee on Agriculture and Forestry, of which the Senator from Louisiana is chairman and I am a member, was doing its best to help the ricegrowers, and that the committee has done so in no small way.

It seems to me that the Senator from Arkansas, realizing that the changes in the law were very few and very simple and very reasonable, and recognizing that the great sugar farmers had spent many hundreds of thousands of dollars in building unneeded warehouses, and many millions of dollars to plow under crops which would have supplied them with sugarcane for 2 or 3 years in the future, are entitled to action, particularly when they have been waiting for a bill which has been introduced by a majority of the Senate and is supported by, I believe, more than two-thirds of the Senate.

Mr. FULBRIGHT. I believe the junior Senator from Florida is a member of the Committee on Finance.

Mr. HOLLAND. That is correct.

Mr. FULBRIGHT. Is it not rather strange that suddenly the Committee on Finance should call a meeting and report out a bill in an hour and a half, when in 6 months it could not report out a bill after hearings? I should like to have the Senator explain why, since the Senate has been in session since January, the committee did not report out a bill, after hearings, containing some reasonable explanation for the kind of subsidy that is proposed. Why was it necessary to wait until the last day of the session?

Mr. HOLLAND. The Senator from Arkansas——

Mr. LONG. Mr. President, will the Senator yield?

Mr. HOLLAND. The Senator from Arkansas knows perfectly well that it is a tax measure and that, as a tax measure, it had to originate in the House. Tax measures customarily are not considered in the Senate before we know what the form of the legislation will be as passed by the House.

The proponents also knew that there was a difficult situation involved, because of the attitude of certain Members of the House, which attitude is well known.

It would have been the height of folly, under such a situation, for the Senate to have assumed that it could bring out legislation which would then be adopted by the House under those conditions. Therefore, the legislation had to originate in the House, as the Senator well knows.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HOLLAND. Therefore, there was no more reason for holding hearings on this legislation until we knew what the form of it would be in the House, than there was any reason for the Senate to have brought out a bill when the omnibus corrective tax structure was being set up last year. We knew we had to wait until we had something specific to work on. That is what happened. I think that is reasonable. The Senator from Arkansas knows that is the customary course for such legislation to take. Ever since I have been in the Senate—although I have not been in the Senate as long as the Senator from Arkansas—I have never known the Senate Committee on Finance to report out a finance bill ahead of consideration and report and enactment of a similar measure by the House. I believe it would be very idle for us to do so.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall be happy to yield to the Senator from Louisiana.

Mr. FULBRIGHT. I thought the Senator was yielding to me. If he does not wish to pursue the matter, I shall speak on my own time.

Mr. HOLLAND. I shall be glad to yield to the Senator.

Mr. FULBRIGHT. The Senator does not wish to leave the impression, does he, that the Committee on Finance never holds hearings on a bill until it has been reported by the House? The Senator from Florida does not wish to mislead the Press Gallery, does he, about a matter as simple as that? The Senator knows very well that we often hold hearings on many bills before we know the final result in the House, especially with respect to a bill that has been reported time and time again, and about which there is no mystery.

Mr. HOLLAND. The Senator from Florida does not wish to mislead anyone about his objective in connection with the position he is taking at this time.

I am taking the same ground I have always taken, whereas the Senator from Arkansas has changed face entirely and has moved away from the position he held in 1948 and 1951 and has taken a new position.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Louisiana.

Mr. LONG. The Finance Committee is one of the most hard working committees of the Senate. It has to consider tax legislation, foreign trade legislation, and many other things. I am sure the Senator from Florida remembers that we had more than a month of hearings on reciprocal trade this year, and passed the most controversial bill passed by the Senate, involving not simply sugar, but the entire foreign trade program. The whole customs program was tied up in the committee. We had a social security bill and untold numbers of bills affecting the rights of veterans in this Nation. With all those subject matters before the committee it was difficult to get all these things scheduled for consideration. We also had under consideration the matter of increasing the debt limit of the United States, which, incidentally, was disposed of in 1 day behind closed doors, when Government witnesses explained the situation.

Mr. HOLLAND. I seem to recall that there was quite a long hearing on the tax bill. That matter was in committee a long time, and then it occupied the floor of the Senate for some time.

Mr. LONG. There was that backlog of legislation, and the chairman of the committee could, in good conscience, tell the other members of the committee who were very much interested in this matter that this measure should wait until it came over from the House.

Mr. HOLLAND. The Senator from Louisiana is correct. And, of course, the Senator from Arkansas knows perfectly well what has transpired. Everyone knows perfectly well that yesterday, for the first time, we were in a position to bring before the Senate a bill which was introduced away back in April. Since the Senator was not on the floor when I made my comment, I wish to say that we are all greatly indebted to him for the great attention he has given the matter.

Mr. President, I yield to the Senator from Utah.

Mr. BENNETT. Mr. President, I appreciate all the kind things the Senator from Florida said when he began his speech. I am grateful, too, to the senior Senator from Arkansas who has graciously stepped aside in order for me to get into the RECORD the figures which I am presenting. The Senator from Arkansas stated that the cane sugar producers are very efficient.

Based upon figures supplied by the Library of Congress, it is interesting to note that 1 ton of sugar was produced in the beet sugar industry in 1953 in only 4.22 man-days of labor in the field. Florida used 4.32 man-days to produce a ton of sugar, raw value.

The Louisiana figures were a little higher. The inference has been given out that the Cuban production is much larger than is the beet production. There was a time when that was true, but in the years between, the beet production per acre has been rising while the Cuban production has been falling.

In 1953 the production of sugar, raw pounds per acre average in the beet producing areas, was 4,183, and in the same year, in Cuba, the figure was 3,833. Obviously, the difference is not in the efficiency of the system. The difference is in the cost of labor in the two countries.

In the United States the average field worker, beet and cane, in 1953 received $7.71 for a day's work. In Cuba the worker received $2.50.

The lowest-paid factory worker in American refineries in 1953 was paid $11.70 for an 8-hour day. The rate in Cuba was $4 for an 8-hour day.

I am perfectly willing to agree with the junior Senator from Arkansas that if we are willing to see the American wage standard go down the drain, there is not very much in this world that we cannot import at prices lower than we can produce——

Mr. LONG. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. LONG. The situation makes it possible for Cuba to receive a price far in excess of the world market price. We have recognized the fact that we cannot afford to see that happen, and we do not want it to happen. So we make provision to help our neighbors in Cuba sell their sugar at a price in excess of what we would have to buy it for——

Mr. BENNETT. Mr. President, I am under an obligation to the Senator from Arkansas, and I do not want to prolong my part in the discussion.

Mr. FULBRIGHT. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. FULBRIGHT. Is the Senator saying that American workmen are so inefficient that they cannot compete with other nations of the world and they must have this artificial protection?

Mr. BENNETT. I am saying that to the extent the junior Senator from Arkansas regards our sugar industry as inefficient, he must go to the difference in wage scales to support it.

Mr. FULBRIGHT. Is the Senator saying that our people who are paid more are no more productive, or that they are less efficient? I have always assumed that our country is more productive, that it works more efficiently. I had never assumed that we are so far behind other countries that we have to be protected by artificial barriers.

Mr. BENNETT. I am sorry I cannot yield further, because I have agreed with my colleague not to prolong the discussion.

The junior Senator from Arkansas said that under the Sugar Act the American producer, over the life of the act, had reached a figure of $1,099,000,000.

It is interesting to note that because we give Cuba a preferential duty, under the same act we have donated to Cuba out of the Treasury, in terms of this preferential tariff, a little over $2 billion——

Mr. FULBRIGHT. Will the Senator repeat that last statement?

Mr. BENNETT. Over the life of the act, because we give Cuba 50 cents a ton preferential treatment over any other offshore produced sugar, it has amounted to $2 billion.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. WATKINS. I understood the distinguished Senator to say something about the Smoot-Hawley Act and the fact that pioneers in the early days started the production of sugar——

Mr. BENNETT. They started the production of cane sugar before they attempted to produce beet sugar, but that was one of the first beet-sugar-producing areas in the country, having imported their machinery from France before it was made in the United States.

Mr. WATKINS. Is it not also true that, as an overall national policy, a strong sugar industry should be developed in this country, so as to prevent the very thing which has happened with respect to rubber? The international rubber cartels levy tributes on the United States when they sell their rubber to us.

We should have a sugar industry in the United States which is vigorous, strong, and productive, so as to protect us against any combination of international groups which might try to hold us up on the question of price, which is so essential in the case of sugar.

Mr. BENNETT. I think that is true. There is no time tonight to have a lengthy discussion of the International Sugar Agreement and other related matters.

I am grateful to the Senator from Arkansas, and I appreciate his courtesy in yielding me time in which to speak.

ADJUSTMENT IN LANDS FOR RESERVOIR PROJECTS IN TEXAS

The PRESIDING OFFICER (Mr. BARKLEY in the chair). The morning hour has expired, and the Chair lays before the Senate the unfinished business, which the clerk will state by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7195) to provide for adjustments in the lands or interests therein for reservoir projects in Texas by the reconveyance of certain lands or interests therein to the former owners thereof.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1955—CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2391) to amend the Defense Production Act of 1950, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). The report will be read for the information of the Senate.

(For conference report, see House proceedings for today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, I should like to make a very brief statement in connection with the conference report.

The conferees met and carried out the instructions of the Senate, and agreed unanimously upon the following language, which I believe the Senate would like to have read at this time.

On page 10 of the bill, subsection (c) now reads as follows:

The heads of the departments or agencies making appointments under subsection (b) shall file with the division of the Public Register a statement including the name of the appointee, the employing department or agency, the title of his position, and the name of his private employer.

We have included after the words "Public Register" the following words: "for publication in the Federal Register."

Then we have added the following provision:

, and the appointee shall file with such Division for publication in the Federal Register a statement listing the names of any corporations of which he is an officer or director or within 60 days preceding his appointment has been an officer or director, or in which he owns, or within 60 days preceding his appointment has owned, any stocks, bonds, or other financial interests, and the names of any partnerships in which he is, or was within 60 days preceding his appointment, a partner, and the names of any other businesses in which he owns, or within such 60-day period has owned, any similar interest. At the end of each succeeding 6-month period, the appointee shall file with such Division for publication in the Federal Register a statement showing any changes in such interests during such period.

We added one further provision, a provision to the effect that the extension would be effective as of the close of July 1, 1955. This will keep in effect all orders, regulations and other issuances of the agencies and all the provisions of the act, as though the extension had been enacted without a gap. It is understood, of course, that the retroactive effect of the provision does not apply with respect to actions which would have been violations of regulations or statutes, if there had been no lapse. Such retroactive effect would conflict with the prohibition on ex post facto laws in article I, section 9, of the Constitution.

This provision simply ensures continuity for the program provided for under the law.

Mr. CAPEHART. Mr. President, the conferees agreed—and I think it was a happy solution—to the deletion which we discussed last night.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ADJOURNMENT SINE DIE

Mr. CLEMENTS. Mr. President, I send to the desk a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 57) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Tuesday, August 2, 1955, and that when they adjourn on said day they stand adjourned sine die.

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

COMMITTEE TO NOTIFY THE PRESIDENT

On motion of Mr. CLEMENTS, and by unanimous consent, it was

Ordered, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed the business of the session and are ready to adjourn unless he has some further communication to make to them.

The Vice President appointed Mr. CLEMENTS and Mr. KNOWLAND members of the committee on the part of the Senate.

AUTHORITY TO MAKE CERTAIN APPOINTMENTS BY PRESIDENT OF THE SENATE

On motion of Mr. CLEMENTS, and by unanimous consent, it was

Ordered, That, notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

AUTHORITY FOR THE SECRETARY TO RECEIVE MESSAGES FROM THE HOUSE AFTER ADJOURNMENT

On motion of Mr. CLEMENTS, and by unanimous consent, it was

Ordered, That, notwithstanding the sine die adjournment of the present session of the Congress, the Secretary be, and he is hereby, authorized to receive messages from the House of Representatives after the sine die adjournment.

AUTHORIZATION FOR THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. CLEMENTS. Mr. President, I send a concurrent resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 58) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That, notwithstanding the sine die adjournment of the two Houses, the President of the Senate and the Speaker of the House of Representatives are hereby authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

REVIEW OF LEGISLATIVE RECORD OF 84TH CONGRESS, 1ST SESSION

Mr. CLEMENTS. Mr. President, I ask unanimous consent to have printed in the RECORD, after final adjournment of Congress, a statement by the majority leader reviewing the legislative record of the 84th Congress, 1st session, and a separate appendix of major legislation passed by the Senate, and that the review and the legislative digest be printed as a Senate document in either 1 or 2 parts.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

REVIEW OF LEGISLATIVE RECORD OF 84TH CONGRESS, 1ST SESSION (S. DOC. NO. 86)

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may be permitted to have printed in the RECORD a statement by the minority leader concerning the activities of this session of Congress, together with a summary of the legislation enacted; and that I also be permitted to have printed in the RECORD a statement on Republican achievements covering the first 2½ years of the Eisenhower administration. I also ask unanimous consent that these statements which I have mentioned be printed together as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

AUTHORIZATION TO PRINT MATTERS IN THE RECORD AFTER ADJOURNMENT

Mr. CLEMENTS. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the RECORD following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

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

Mr. CLEMENTS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

SPECIAL COMMITTEE TO SELECT FROM AMONG OTHER THAN THOSE LIVING, FIVE SENATORS, AND TO PLACE THEIR PORTRAITS IN THE RECEPTION ROOM

Mr. CLEMENTS. Mr. President, I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution offered by the Senator from Kentucky will be stated.

Mr. CLEMENTS. Mr. President, the resolution is offered for and on behalf of the senior Senator from Texas [Mr. JOHNSON], and the minority leader and the acting majority leader join him in submitting the resolution.

Mr. KNOWLAND. Mr. President, I would suggest, in view of the fact that the resolution has not been printed, that it may be read for the information of the Senate, and we will make a rather full explanation of what the resolution is intended to accomplish.

The PRESIDING OFFICER. The resolution will be stated for the information of the Senate.

The legislative clerk read the resolution (S. Res. 145), as follows:

Whereas the reception room in the Capitol outside the Senate Chamber was originally designed to contain medallion likenesses of outstanding Americans; and

Whereas there are at present five unfilled spaces in the Senate reception room for such medallions; and

Whereas it is in the public interest to accomplish the original objective of the design of the Senate reception room without further delay: Therefore be it

Resolved, That there is hereby established a Special Committee on the Senate Reception Room, consisting of five Members of the Senate to be appointed by the President of the Senate, one of whom shall, at the time of appointment, be designated as chairman of the committee. Any vacancy occurring in the membership of the committee shall be filled in the same manner as the original appointment.

SEC. 2. It shall be the duty of the committee to select five outstanding persons from all persons, but not a living person, who have served as Members of the Senate since the formation of the Government of the United States, whose paintings shall be placed in the five unfilled spaces in the Senate reception room. The committee is authorized to seek advice and recommendations from such historians and other sources, including the general public, as it deems advisable.

SEC. 3. The committee shall report its selections of persons whose paintings shall be placed in the Senate reception room to the Senate, at the rate of one selection per Congress, the first selection not later than the close of the second session of the 84th Congress.

SEC. 4. For the purposes of this resolution, the committee is authorized to employ such assistants and to make such expenditures as it deems advisable. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CLEMENTS. Mr. President, this resolution would authorize the creation of a temporary committee of the Senate, charged with selecting from among other than living persons, the five all-time, all-American Members of the United States Senate.

This committee, to be named by the Vice President, would be advised to seek assistance in making such selections from historians and, if the committee members so desire, from the general public.

Under the terms of the resolution, medallion likenesses of the five Senators chosen would be placed in the unfilled spaces for such medallions in the Senate reception room.

The committee is directed by the resolution to report its selection to the Senate, the first report to be made during the 2d session of the 84th Congress.

Mr. President, the activity proposed for this special committee would focus national attention on the United States Senate and its traditions and would, I believe, intensify the interest of the American people in the legislative process as carried on in this Chamber.

I respectfully urge the immediate adoption of the resolution.

Mr. KNOWLAND. Mr. President, I should like to give a little background as to the form of the resolution. The original rough draft was presented to me several days ago, and I discussed it with a number of Senators on this side of the aisle. Certain questions were raised at the time.

Last Sunday I went with my good friend and colleague, the senior Senator from Kentucky [Mr. CLEMENTS], to visit the senior Senator from Texas [Mr. JOHNSON], our majority leader, who is recovering at the hospital.

I was glad to see him coming well along the road to recovery. He was in fine spirits and interested in the activities of the Senate. He has a very deep interest in the Senate as an institution, and he thought that something of this sort would direct the attention of the country to the Senate of the United States as an institution; that not only the history departments of universities throughout the country, but schools, would be interested, perhaps holding essay contests as to why one figure of American history who had served in this body might be considered over and above another.

The points which I had originally raised and which some others of us had raised in questioning the resolution were met in a later draft. One of them was that no living Senator might be selected, for obvious reasons. We are too close to the picture, and we believed that would be undesirable.

Second, it seemed to us it would be rather unfortunate if all five selections were made by a single Congress, and for that reason we suggested that not more than one selection would be made by any one Congress—not at any one session, but by any one Congress. This would spread the matter out over a period of at least 10 years to give it some historical perspective, and, at the same time, keep up the interest among the public, the schools, the history departments of universities, and other institutions.

The suggested amendments were accepted, and the proposed resolution was redrafted.

I believe there is a great deal of merit in the resolution as it has been redrafted and is now before the Senate. I realize that this is a somewhat unusual procedure, coming, as it does, at a late period in the session. Any Senator, of course, would be entirely within his rights as an individual Member in urging or suggesting that the resolution go over. But I believe that with the safeguards which have been included in the resolution, namely, that no living Senator shall be selected, and that the selections be spread over a period of five Congresses, ample safeguards have been provided.

I personally think the idea of our distinguished majority leader is a meritorious one, and on that ground I am prepared to support the resolution, if that be the will of the Senate.

The PRESIDING OFFICER. Without objection, the resolution is unanimously agreed to.

ORDER OF BUSINESS

Mr. ELLENDER. Mr. President, may I inquire of the acting majority leader what his plans are? I do not wish to interfere with the program, but I should like to address the Senate for a while on the sugar issue.

Mr. CLEMENTS. It is the intention of the acting majority leader to have the Senate proceed to the call of the calendar. Following the call of the calendar, it is intended to consider such conference reports as are yet to be acted upon, and as much of the legislative business which is pending before the Senate as time and opportunity will permit.

Mr. ELLENDER. Opportunity will be afforded, then, to say a few words on the sugar bill; is that correct?

Mr. CLEMENTS. That is correct. Every time a measure is considered by the Senate, any Member will have ample time to speak.

Mr. ELLENDER. I could speak on the subject now, but I do not wish to interfere with the program of the acting majority leader. I wish to cooperate with him.

Mr. CLEMENTS. I sincerely appreciate the kindness and consideration shown by my friend from Louisiana in joining in the hope and the wish that we may proceed in an orderly way.

DISMISSAL OF CITATION OF CORLISS LAMONT FOR CONTEMPT

Mr. LANGER. Mr. President, on last Saturday I had inserted in the RECORD an editorial which was published in the Washington Post and Times Herald relating to the matter of citations for contempt of the Senate. Among those who were mentioned was Corliss Lamont.

On Friday I stated that the court had held that Mr. Lamont was not guilty of contempt of the so-called McCarthy committee.

Mr. Lamont acted courageously in taking the matter to court. I have received a copy of the decision which was rendered by the judge in the case, and I ask unanimous consent that it be printed at this point in my remarks.

Mr. MUNDT. Mr. President, I simply wish to point out that there is a difference among Dakotans in our reaction to the Corliss Lamont matter. I am today writing the Attorney General to suggest that there be a redrafting of the indictment, so as to seek to carry out the intent of the Senate in having Corliss Lamont adjudged in contempt of the Senate.

Mr. LANGER. So far as the senior Senator from North Dakota is concerned, that is entirely up to the Attorney General. My opinion is that such an indictment will have the same ending as this one.

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

UNITED STATES DISTRICT COURT—SOUTHERN DISTRICT OF NEW YORK

United States of America v. *Corliss Lamont, Defendant* (C 145–216).

United States of America v. *Abraham Unger, Defendant* (C 145–217).

United States of America v. *Albert Shadowitz, Defendant* (C 145–218).

OPINION

(Appearances: Philip Wittenberg, 70 West 40th Street, New York, N. Y.; attorney for Defendant Lamont, Irving Like, of counsel; David M. Freedman, 11 Park Place, New York, N. Y., attorney for Defendant Unger; Shapiro, Rabinowitz & Boudin, 25 Broad Street, New York, N. Y., attorneys for Defendant Shadowitz; Victor Rabinowitz, of counsel; J. Edward Lumbard, United States attorney, Foley Square, N. Y., attorney for United States of America; Lloyd F. MacMahon, chief assistant; Boudinot P. Atterbury, Judson A. Parsons, Jr., George H. Bailey, of counsel.)

Edward Weinfeld, D. J.:

These are motions to dismiss indictments returned separately against each defendant charging him with violations of Second United States Code, section 192, in refusing to answer specific questions before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations. Each defendant attacks the validity of the indictment upon constitutional and other grounds. Since the motions present issues of a law common to each indictment they may be considered together. The indictments are identical, except for the dates of the hearings and the refusals to answer, each of which is the subject of a separate count.

The indictment against the defendant Abraham Unger is typical. It charges:

"INTRODUCTION

"1. On or about the 17th day of September, 1953, in the southern district of New York, the Permanent Subcommittee on Investigations of the Committee on Government Operations was holding hearings pursuant to Public Law 601, 79th Congress, 2d session, chapter 753, as amended; Senate Resolution No. 180, 81st Congress, 2d session, dated February 1, 1950; Senate Resolution 280, 82d Congress, 2d session, dated March 3, 1952; Senate Resolution 40, 83d Congress, 1st session, dated January 30, 1953.

"2. The defendant, Abraham Unger, having been summoned as a witness by the authority of the United States Senate to give testimony, appeared as a witness before the permanent subcommittee aforesaid at the place and on the date above stated, and was asked questions which were pertinent to the question then under inquiry. At the place and times stated, the defendant refused to answer those pertinent questions. The allegations of this introduction are adopted and incorporated into the counts of this indictment, which follow, the same as if set forth therein in extenso, each of which counts will, in addition merely describe the questions which were asked of the defendant, Abraham Unger, and which he refused to answer. (Title 2, U. S. C., sec. 192.)

"Count 1. Were you active in the professional Communist group in New York?

"Count 2. Were you head of the professional group of the Communist Party in New York?

"Count 3. Are you a member of the Communist Party as of this moment?

"Count 4. Do you know whether you are a member of the Communist Party?

(Title 2, sec. 192, U. S. C.)"

The first ground of the defendants' attack is that the indictment fails to set forth the essential elements necessary to charge a crime under section 192, which provides:

"Every person who having been summoned as a witness by the authority of either House of Congress to give testimony or to produce papers upon any matter under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee of either House of Congress, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the question under inquiry, shall be deemed guilty of a misdemeanor."

The requirement that every ingredient of the offense charged must be clearly and accurately alleged in the indictment is compelled by the sixth amendment to the Constitution and is specifically directed by Rule 7 (c) of the Federal Rules of Criminal Procedure. This is a matter of substance and not of form.[1] The underlying reason is of course to assure that the accused shall be informed of the nature of the charge so that he may defend himself and not be taken by surprise upon the trial and further to protect him against another prosecution based on the same facts.[2] Another reason, and one sometimes overlooked, is to enable the court to decide whether the facts alleged are sufficient in law to withstand a motion to dismiss the indictment or to support a conviction in the event that one should be had.[3]

The requirement, that the indictment clearly define the essential elements of the crime charged, the importance of which was fully expounded by Mr. Justice Marshall in the early case of *The Schooner Hoppet & Cargo* v. *United States*,[4] has consistently been adhered to by the Supreme Court in a long series of decisions.[5] Thus in *United States* v. *Hess*, the Court held:

"The general, and, with few exceptions, of which the present is not one, the universal rule, on this subject, is, that all the material facts and circumstances embraced in the definition of the offense must be stated, or the indictment will be defective. No essential element of the crime can be omitted without destroying the whole pleading. The omission cannot be supplied by intendment, or implication, and the charge must be made directly and not inferentially, or by way of recital."[6]

The rule was reiterated and underscored in *Ledbetter* v. *United States:*

"We have no disposition to qualify what has already been frequently decided by this court, that where the crime is a statutory one it must be charged with precision and certainty, and every ingredient of which it is composed must be clearly and accurately set forth, and that even in the cases of misdemeanors the indictment must be free from all ambiguity, and leave no doubt in the minds of the accused and the court of the exact offense intended to be charged."[7]

On the argument of these motions the defendants contended the indictment was defective since it failed to plead that the refusals to answer were "willful."

The Government took the contrary view, relying upon *United States* v. *Josephson*,[8] which held "refusal to answer any question pertinent to any matter under inquiry is a violation of the second branch of the statute as much when the refusal is 'willful' as when it is not." Since the argument of the motion, the Supreme Court has resolved this issue, and it is now beyond peradventure that "Section 192, like the ordinary Federal criminal statute, requires a criminal intent—in this instance, a deliberate, intentional refusal to answer. This element of the offense, like any other, must be proved beyond a reasonable doubt."[9]

Thus, the Supreme Court held that where a witness raises an objection to a question or challenges the authority of the committee, he must be clearly apprised that the committee demands his answer notwithstanding his objection—and failing such a direction to the witness the requisite criminal intent necessary to support a conviction under section 192 is absent.

Since willfulness, or a deliberate, intentional refusal to answer,[10] is an essential element of the offense which the Government must prove, it must also be pleaded in the indictment. Nor does the fact that the second clause of section 192 makes no reference to the willfulness of the refusal to answer eliminate the necessity to plead it, for, as the Supreme Court has long held:

"In an indictment upon a statute, it is not sufficient to set forth the offense in the words of the statute, unless those words of themselves fully, directly, and expressly, without any uncertainty or ambiguity, set forth all the elements necessary to constitute the offense intended to be punished; and the fact that the statute in question, read in the light of the common law, and of other statutes on the like matter, enables the court to infer the intent of the legislature, does not dispense with the necessity of alleging in the indictment all the facts necessary to bring the case within that intent."[11]

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[1] *United States* v. *Hess* (124 U. S. 483, 488, 489); *United States* v. *Carll* (105 U. S. 611, 613); *The Schooner Hopper & Cargo* v. *United States* (7 Cranch 389, 394).

[2] *United States* v. *DeBrow* (346 U. S. 374, 376); *Hagner* v. *United States* (285 U. S. 427, 431); *Wong Tai* v. *United States* (273 U. S. 77, 80–81).

[3] *United States* v. *Cruikshank* (92 U. S. 542, 558–9); *United States* v. *Hess* (124 U. S. 483–487); *Evans* v. *United States* (153 U. S. 584, 587).

[4] 7 Cranch 389.

[5] *United States* v. *Cook* (17 Wall. 168, 174); *United States* v. *Cruikshank* (92 U. S. 542); *United States v. Simmons* (96 U. S. 360); *United States* v. *Carll* (105 U. S. 611); *United States* v. *Hess* (124 U. S. 483); *Evans* v. *United States* (153 U. S. 584); *Cochran and Sayre* v. *United States* (157 U. S. 286); *Ledbetter* v. *United States* (170 U. S. 606); *Morisette* v. *United States* (342 U. S. 246). See also *Sutton* v. *United States* (5 Cir., 157 F. 2d 661).

[6] 124 U. S. 483, 486.

[7] 170 U. S. 606, 609–610.

[8] 2 Cir., 165 F. 2d 82, 86.

[9] *Quinn* v. *United States* (349 U. S. 155, 165, n. 33); "*Sinclair* v. *United States* (279 U. S. 263, 299). See also In re Chapman (166 U. S. 661, 672), in which the court, while upholding the constitutionality of the statute, recognized deliberateness as an element of the offense."; *Emspak* v. *United States* (349 U. S. 190, 202); *Bart* v. *United States* (349 U. S. 219, 221–222). Cf. *United States* v. *Murdock* (284 U. S. 141, 148).

[10] Cf. *United States* v. *Murdock* (290 U. S. 389, 394).

[11] *United States* v. *Carll* (105 U. S. 611, 612–613; *United States* v. *Cruikshank* (92 U. S. 542); *United States* v. *Simmons* (96 U. S. 360); *Morisette* v. *United States* (342 U. S. 246, 270, n. 30); *Sutton* v. *United States* (5 Cir., 157 F. 2d 661, 663); *Lowenburg* v. *United States* (10 Cir., 156 F. 2d 22, 23); *United States* v. *Goldberg* (D. Minn. 123 F. Supp. 385, 388); *United States* v. *Callanan* (E. D. Mo., 113 F. Supp. 766).

Since the indictments fail to plead a willful or a deliberate and intentional refusal to answer they are defective on this ground alone. However, I am of the view that they are further defective in failing to allege other essential elements of the offense laid under section 192.

It is not every willful refusal to answer that offends the statute. Other elements go to make up the crime. One, of course, is that the question which the witness declined to answer was pertinent to the question under inquiry. And pertinency must be "pleaded".[12] This the present indictment does, but even the addition of this element does not establish this crime. More is required. The essence of the interdicted offense is the contumacious refusal of a witness to answer a question pertinent to an inquiry before a lawfully constituted committee, acting within the scope of its authority.

No committee of either the House or Senate, and no Senator and no Representative, is free on its or his own to conduct investigations unless authorized. Thus it must appear that Congress empowered the committee to act, and further that at the time the witness allegedly defied its authority the committee was acting within the power granted to it.

While the Congress is possessed of broad powers to conduct investigations necessary for the performance of its constitutional functions and may, and usually does, delegate these powers to committees, there are outer limits to the power, whether exercised directly by the Congress or any of its committees. From *Kilbourn* v. *Thompson*[13] down to *Quinn* v. *United States*, the Supreme Court has steadfastly held that the congressional power to investigate is not boundless. The restrictions upon this power have been sharply delineated by Mr. Chief Justice Warren: "But the power to investigate, broad as it may be, is also subject to recognized limitations. It cannot be used to inquire into private affairs unrelated to a valid legislative purpose. Nor does it extend to an area in which Congress is forbidden to legislate."[14]

Thus the power exercised by a committee of the Congress must be within both the authority delegated to it and also within the competence of the Congress to confer upon the committee.[15] And obviously a committee cannot confer upon any of its subcommittees greater powers than it possesses. Accordingly, "a witness rightfully may refuse to answer where the bounds of power are exceeded."[16]

And of course what this adds up to is that to succeed, any charge under section 192 must establish that the investigation was within the power of the committee. This view finds more than ample support in the Rumely case.[17] Where Mr. Justice Frankfurter said: "Since the Court of Appeals thus took a view of the committee's authority contrary to that adopted by the House in citing Rumely for contempt, we granted certiorari (344 U. S. 912). This issue—whether the committee was authorized to exact the information which the witness withheld—must first be settled before we may consider whether Congress had the power to confer upon the committee the authority which it claimed."

If the Government contends, as eventually it must to sustain a conviction, that the Permanent Subcommittee on Investigations was a duly authorized committee and engaged in conducting an investigation within the scope of delegated authority,[18] then this, together with the source of its claimed authority, whether it be a resolution of the Senate or the parent committee,[19] should be alleged in the indictment. There is an added reason why this element should be pleaded. With pertinency also an essential element, it is important for the defendant in preparing his defense to know the claimed source of authority since "The initial step in determining the pertinency of the question is to ascertain the subject matter of the inquiry then being conducted by the subcommittee."[20] Or, as stated by Mr. Justice Frankfurter in the Rumely case, the resolution under which the committee purports to act is the "controlling charter of its powers" and governs "its right to exact testimony."[21] Since pertinency must be and has been pleaded, there is no logical reason why the authority of the committee should not likewise be pleaded.

The defendants contend that the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations was not an authorized committee, and further that even if it were, its inquiry exceeded the scope of its authority and finally that its parent committee, the Committee on Government Operations, likewise lacked authority to conduct the investigation.

The indictment fails to allege that the Permanent Subcommittee on Investigations before which the refusal to answer occurred was a duly authorized committee of the Senate. It simply states that it was "holding hearings pursuant to Public Law 601, 79th Congress, 2d session, chapter 753, as amended; Senate Resolution 180, 81st Congress, 2d session, dated February 1, 1950; Senate Resolution 280, 82d Congress, 2d session, dated March 3, 1952; Senate Resolution 40, 83d Congress, 1st session, dated January 30, 1953."

Thus the basic issue is, assuming arguendo that the Committee on Government Operations had power to conduct the inquiry in question, whether that power was ever delegated to the Permanent Subcommittee on Investigations under the foregoing references. One vainly examines the public law and Senate resolutions set forth in the indictment to find any reference to the permanent subcommittee, let alone any delegation of power to it.

Public Law 601 is the Reorganization Act of 1946 which streamlined Senate committees and established various standing committees, among which was the Committee on Expenditures in the Executive Departments (later renamed the Committee on Government Operations). The basic power granted to this committee was to inquire into "* * * operation of Government activities at all levels with a view to determining its economy and efficiency" and "intergovernmental relationships * * * between the United States and international organizations of which the United States is a member."[22] However, it does not mention the Permanent Subcommittee on Investigations. The same statute gives each standing committee and their subcommittees the power to conduct investigations, but this grant is limited to matters within their respective jurisdiction.[23]

Senate Resolution 180 provides that committees and their subcommittees may fix not less than one-third of their membership as a quorum for the transaction of business and a number less than one-third as a quorum to take testimony, but it in no way grants substantive powers to any committee.

Senate Resolution 280 merely changes the name of the Committee on Expenditures in the Executive Departments to the Committee on Government Operations.

Senate Resolution 40 simply appropriated moneys to the Committee on Government Operations or to any duly authorized subcommittee thereof. Again there is no mention of the Permanent Subcommittee on Investigations.[24]

Thus the indictment is barren of any allegation or fact from which the authority of the permanent subcommittee to conduct the inquiry can be ascertained. The cornerstone of the Government's case in any prosecution under section 192 must be a lawfully constituted committee engaged in an inquiry within the scope of its authority when the refusal to answer occurred. This is the hard core of its case against the defendant and he is entitled to have it pleaded in the indictment. The obscurity of the committee's origin points up the need for such an allegation. It is not sufficient, as the Government now suggests, that this proof will be offered upon the trial. If the grand jury did not have before it prima facie evidence that the committee was empowered to conduct the inquiry whether by resolution or

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[12] *Sinclair* v. *United States* (279 U. S. 263, 296).

[13] 103 U. S. 168. While the authority of *Kilbourn* v. *Thompson* has been questioned from time to time (Cf. *United States* v. *Rumely* (345 U. S. 41, 46)), it appears to have been revitalized by the reliance placed upon it by the Supreme Court in the *Quinn* case (349 U. S. 155, 161). See also *McGrain* v. *Daugherty* (273 U. S. 135, 175–176).

[14] *Quinn* v. *United States* (349 U. S. 155, 161). And of course the congressional power to investigate does not permit intrusion upon a witness' constitutional rights. However, in the instant case none of the defendants asserted his constitutional privilege against self-incrimination under the fifth amendment, but did claim (in addition to challenging the authority of the committee) that the purported inquiry violated his rights under the first amendment.

[15] *United States* v. *Orman* (3 Cir., 207 F. 2d 148, 153).

[16] *United States* v. *Sinclair* (279 U. S. 263, 291); *McGrain* v. *Daugherty* (273 U. S. 135, 176).

[17] 345 U. S. 41, 42.

[18] Apparently the Government's position is that the thrust of the powers of the Committee on Government Operations extended to investigations into subversive activities insofar as these undermined the efficiency of operation of Government agencies and also to appropriations to various agencies which it is claimed might have been infiltrated. However, this argument fails to meet the basic question, "Was any power ever delegated to the permanent subcommittee to conduct the inquiry?"

[19] Cf. *United States* v. *DiCarlo*, N. D. Ohio (102 F. Supp. 597).

[20] *Bowers* v. *United States*, D. C. Cir. (202 F. 2d 477, 448).

[21] *United States* v. *Rumely* (345 U. S. 41, 44).

[22] 60 Stat. 812, sec. 102, par. (g) (2) (B), (D).

[23] 60 Stat. 812, 831, sec. 134 (a).

[24] In passing it is interesting to note that the power to inquire into subversive activities which the Government urges is an incident of the committee's powers appears to be negated by Senate Report No. 19 which accompanied Senate Resolution 40: "Under this resolution the Permanent Subcommittee on Investigations will inquire into the administration of Government agencies to see wherein economies may be affected. It is also intended that certain aspects of improper influence in Government shall be investigated, but any inquiries undertaken will in no way interfere or transgress those investigations which other Senate and House of Representatives committees may be engaged in making in comparable areas of Government operations, such as subversive activities." And attached to this report was a letter by the chairman of the Committee on Government Operations (who was also the chairman of the Permanent Subcommittee on Investigations) that its purpose was to determine what "savings can be effected in specific cases of inefficiency and waste."

otherwise, there was no basis for the return of the indictment. "[A] wrongful indictment inflicts a substantial harm on the indicted person."[25] And if in fact there was no grant of authority to the committee, or if it exercised powers in excess of the authority granted, or which could be granted, there is no reason why the defendants should be forced to trial. If the committee was duly empowered to act and conduct the inquiry, it is a comparatively simple matter to establish this fact and to enable a grand jury to make the appropriate allegation in the indictment. It may well be that some resolution or authorization exists but thus far it has not been revealed.

The indictment is silent as to the nature and scope of the inquiries. One must search the record of the hearings of the permanent subcommittee at which the alleged contempts occurred to determine this. As announced by the chairman at these hearings, the stated purpose was to consider various aspects of alleged subversive activities and Communist infiltration.[26] However the statement by the chairman does not establish the committee's authority. It is not necessary in this posture of the case to determine whether, if in fact the permanent subcommittee was duly authorized, it, or indeed the parent committee, was empowered to conduct an inquiry with respect to subversive matters. That issue is reached only when some grant of authority to the permanent subcommittee has been alleged.

We are here dealing simply with a matter of pleading, but this is no technical or formal matter. It is a matter of importance not only to the defendant charged with a serious crime but also to the orderly conduct of congressional inquiries. The times in which we live have brought before the courts a flood of cases involving the congressional investigative power, its limitations, and the rights of witnesses called before such investigative bodies. The recurrence of many aspects of the problem has moved the Supreme Court to comment "* * * [W]e would have to be that 'blind' court, against which Mr. Chief Justice Taft admonished in a famous passage, * * * that does not see what '[a]ll others can see and understand' not to know that there is wide concern, both in and out of Congress, over some aspects of the exercise of the congressional power of investigation."[27]

Here the authority of the committee to act is seriously challenged. The challenge finds support in the failure of the very statutes and resolutions referred to in the indictment to disclose that any power to conduct the particular inquiry was ever delegated to it.[28] Whether the committee was ever vested with power should not be a matter of guesswork on the part of the defendant charged with a crime. And if a defendant is to have a fair opportunity to defend himself he is entitled to be informed of the charge and to have the indictment specify that the committee whose authority he allegedly flouted was duly authorized to conduct the inquiry—just as the indictment must plead every other essential element. An element of crime is an essential factor without which there is no crime.[29] And if no authority was ever delegated to the permanent subcommittee by the parent committee or the Senate, there is no basis for prosecution under section 192 no matter how contumacious a witness might have been.

The fact that the Senate subsequently cited the defendants for contempt of the committee does not cure the indictment's deficiency in failing to allege due authority in the permanent subcommittee. First, because without the allegation no offense is charged, and second, as Mr. Justice Frankfurter pointed out: The contempt citation "after the controversy had arisen * * * had the usual infirmity of post litem mortam, self-serving declarations. In any event, Rumely's duty to answer must be judged as of the time of his refusal. The scope of the resolution defining that duty is therefore to be ascertained as of that time and cannot be enlarged by subsequent action of Congress."[30] Nor is it an answer to suggest that a presumption of regularity supports the committee's purported authority to act since that presupposes a prior grant of authority.[31] Moreover, substantially the same contention, but made with respect to the element of pertinency, was rejected by the Supreme Court on the ground that "the stronger presumption of innocence attended the accused at the trial. It was therefore incumbent upon the United States to plead and show that the question pertained to some matter under investigation."[32]

In sum, I hold that to validly charge a defendant with a violation of section 192 of of title 2, the indictment must plead the following essential elements: (1) That the committee before which the alleged refusal to answer occurred was duly empowered by either House of Congress to conduct the particular inquiry, setting forth the source of this authority; (2) that the inquiry was within the scope of the authority granted to the committee;[33] (3) that the questions which the witness declined to answer were pertinent to the subject matter of the inquiry then being conducted by the committee; and (4) that the witness' refusal to answer was willful, or deliberate and intentional.

Since these indictments fail to allege the first, second, and fourth elements they must fall.

This disposition makes it unnecessary to determine the constitutional and other questions so vigorously pressed for disposition by the defendants.

The motion to dismiss the indictment is granted in each case.

Settle order on notice.

EDWARD WAUGH,
United States District Judge.

JULY 27, 1955.

[25] In re Fried, 2 Cir., 161 F. 2d 453, 465.

[26] Hearings of permanent Subcommittee on Investigations, vol. 138, p. 14638; hearing of Sept. 15, 1953, pp. 43, 70; hearing of Dec. 16, 1953, p. 240.

[27] *United States* v. *Rumely*, 345 U. S. 41, 44.

[28] The situation here is far different from that in cases where the indictment referred to a resolution which, in turn, set forth the committee's power. In those cases the court had before it a specific pleading of the committee's authority to conduct the inquiry at which the defendant had been called. *Sinclair* v. *United States* (279 U. S. 263, 285–289); *In re Chapman* (166 U. S. 661, 663); *Bowers* v. *United States* (D. C. Cir., 202 F. 2d 273, 280); *Josephine Eisler* v. *United States* (S. D. N. Y., 74 F. Supp. 958, 959, 165 F. 2d 82, 84–85); *United States* v. *Fields* (D. D. C., 6 FRD 203, 204). It is significant, although not necessarily controlling, that in every case except those involving this committee examined by the court, or called to the court's attention, in which reference is made to the indictment, it unmistakably appears that the authority of the committee to conduct the investigation was either pleaded in haec verba or incorporated by reference.

[29] *United States* v. *Winnicki* (7 Cir., 151 F. 2d 56, 58).

[30] *United States* v. *Rumely* (345 U. S. 41, 48).

[31] This makes inapplicable the cases relied upon by the Government, such as *McGrain* v. *Daugherty* (273 U. S. 135); *United States* v. *Josephson* (S. D. N. Y., 74 F. Supp. 958); *United States* v. *Emspak* (D. C. Cir., 95 F. Supp. 1012, 1014); *United States* v. *Bryan* (D. C. Cir., 72 F. Supp. 58), since the resolution under which the committee or the Congress purported to act was specified in those indictments and was before the court.

[32] *Sinclair* v. *United States* (279 U. S. 263, 296–297 (emphasis supplied)).

[33] Cf. Form of indictment not set forth in *Risler* v. *United States* (D. C. Cir., 170 F. 2d 273, 280, n. 8).

THE WORK OF WOMEN IN THE WAR OF IDEAS THROUGHOUT THE WORLD

Mr. WILEY. Mr. President, too often in our discussion of international affairs, and yes, national affairs, men tend to forget the immensely important role being played by the women of the world.

A little news item, however, brought back to mind the other day the invaluable role which women can play, do play and will play in serving the cause of international peace, prosperity and security.

That great woman, Helen Keller, denied the faculties of sight, hearing and speech since the age of 19 months, has been touring the world. And, to cite but one example of her monumental work, has became a great and welcome stimulus to the subcontinent of India, in proving new hope for the 2 million blind of that great country and the equal number of deaf and speechless.

If one woman can overcome personal heartbreak and can do that much, how much more other women can do and are doing individually and collectively.

I ask unanimous consent that a statement which I have prepared on the subject of women's role be printed at this point in the body of the CONGRESSIONAL RECORD:

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

STATEMENT BY SENATOR WILEY

The "hand that rocks the cradle" is still the hand that rules the world, whether some men will acknowledge that fact or not.

On this planet of 2½ billion souls, the women who bear the infants of the world, raise them, train them, teach them, encourage them, guide them are still the most powerful influences on the human race.

WOMEN INFLUENTIAL IN MORE THAN TRADITIONAL ROLE

But today, the "hand that rocks the cradle"—also rocks the ballot box constructively and shapes the affairs of nations for the better.

Women are rightly being increasingly heard in the councils of governments and in the United Nations.

COLD WAR OF IDEAS OVER COMMUNISM STILL RAGES

Meanwhile, throughout the world, a war of ideas is raging—a war for the allegiance of men and women.

The so-called Soviet new look—the new Soviet smile—still does not alter the basic character of this struggle.

We are all of course hoping for at least partial success in East-West talks, and for an easing of tensions and war fears. But the record of the past regarding Soviet betrayals and violations—speaks too strongly for us to forget.

REDS CONCENTRATE ON UNDERDEVELOPED AREAS

So, the forces of the free world continue to contest with the forces of Communist slavery.

The Reds are, of course, using every conceivable tool to try to bait a trap for womankind, particularly women in that vast area

of the world which is underdeveloped—that vast area of Asia-Africa which has only just gained its sovereignty, and/or which is still striving for independence. The Reds are trying for converts, too, in the vast domain of South America which has long known independence but is only now beginning to make massive strides toward raising depressed standards of living.

LIES PEDDLED BY RED-FRONT GROUP

As I have personally traveled throughout the world, I have seen the propaganda line peddled by the Women's International Democratic Federation. This is the Communist-front organization which has acted so insidiously in poisoning the minds of some women against us.

Fortunately, this Red front is being combatted. Throughout the world, truly democratic women's organizations, representing the genuine voice of individual peoples themselves, rather than being the puppets of Moscow, are, with increasing effectiveness refuting the lies of the WIDF.

LEADING RED WOMEN ACTIVE FOR MOSCOW

But much remains to be done. The Soviets have an even larger place for women propagandists, women spies, women saboteurs in their plans.

They have an ever larger role for the Ethel Rosenbergs (the convicted atom spy), the Hilda Benjamins (the Red executioner of East Berlin), the Anna Paukers (the now deposed Red ruler of Rumania).

As the Soviets marshal their slave women so we must avail ourselves to the fullest of the talents of our free women who voluntarily eagerly work in the cause of a world of peace and justice and plenty.

To achieve this objective, Red lies, which are spread among the often unsuspecting masses, must be answered.

CUNNING RED PROPAGANDA LINES

Consider how cunning are the Red propaganda strokes. For every human need, the Reds offer some cure-all of Marxism.

The women of the world want peace, so the Communists pose as partisans of peace and as critics of alleged American warmongering.

The women of the world, naturally, want particularly to improve standards of living, to combat widespread illiteracy, disease, malnutrition. So, the Communists pose as champions of these goals and urge that little or no money be used by underdeveloped nations, especially for defense, but that countries concentrate exclusively on nonmilitary appropriations, remaining neutral in the East-West struggle.

The women of the world want freedom; so, the Communists, with their deceptive language, condemn what they call "capitalist imperialist oppression."

The women of the world want equality, and the Communists pose as the alleged supporters of equality of all races, creeds and nationalities.

COMMUNISM—THE ABSOLUTE DENIAL OF WOMAN'S IDEALS

Of course, the fact of the matter is that in actuality, communism stands for everything which any thinking woman would oppose.

Communism stands for perpetual force and violence, which women oppose even more strongly than men, because after all, it is woman's lot to bear and bring life into the world—a process of pain and suffering. And women, more so than men, abhor the loss of a single precious life.

Communism, too, stands for the most savage imperialist domination in the history of the world. Communism stands for the debasing of men and women and the denial of their spiritual dignity, as children of God. Communism stands for the particular degrading of women by forcing them to toil, like beasts of burden, in the most menial tasks conceivable.

WE HAVE THE STRONGEST ARGUMENTS

With all of these obvious debits on communism's ledger—with all of these discrediting features—we, of the free world, have the strongest possible arguments in seeking constructive contacts and friendly relations with women throughout the globe.

And so I urge an intensification of our efforts. I urge that we not consider this cold war as man's fight against other men, but rather as an effort on the part of free men and women to reach the minds and hearts of men and women throughout the world, including the men and women behind the Iron Curtain.

UNITED STATES—LEADING CHAMPION OF WOMEN

No nation has more right to speak of the dignity of women, of the great role which they play, than the United States of America. For, in no country of the world have women more effectively liberated themselves from the age-old bonds of inequality, of superstition and prejudice, in order successfully to attain their full birthright.

In the less than four decades since women gained the suffrage in this country, women have proven to the world how vital can be their contribution, outside the home, (without in any way underestimating the importance of their traditonal role as the mothers of the race.)

WOMEN'S ROLE IN ALL BRANCHES OF GOVERNMENT

How proud the great women pioneers of America would be—how proud Susan B. Anthony, Lucretia Mott, Elizabeth Cady Stanton, Carrie Chapman Catt, and other immortal suffragette leaders would be, if they could note how today, 304 women serve in the State legislatures of our country. Seventeen women serve in Congress, including one of our ablest of all 96 United States Senators. Two very competent women serve as chiefs of mission in American embassies abroad; 2 women have served with distinction in the Cabinets of the United States.

But this is only a partial indication of more important achievements to come on the part of women leaders in the America of tomorrow.

WOMEN'S WORK AT THE GRASSROOTS

Equally important to what famous women leaders are doing is what women at the grass roots are doing.

Yes, women, known and unknown, in thousands of communities across our country are playing an important role in community life. I am thinking of the 5 million women affiliated with the General Federation of Women's Clubs. I am thinking of chapters of the League of Women Voters, the American Association of University Women, the National Federation of Business and Professional Women. I refer to the women's auxiliaries of the American Legion, the Veterans of Foreign Wars and other veterans' organizations; the women's auxiliaries of labor groups, business organizations, professional groups such as those of women attorneys and women's political groups.

Speaking of politics, both Republican and Democratic National Committees have able women leaders. And while I must confess a partiality for the RNC's very talented Bertha Adkins and her splendid associates, I do not doubt the effective work of their Democratic counterparts.

I welcome women's work in both our major political parties. We could use a lot more of it.

15¾ MILLION WORKING WOMEN

Meanwhile, throughout our country today, the United States Census Bureau tells us there are 15¾ million women holding jobs.

This is an increase of 40 percent over the figure of a decade ago. American women constitute 75 percent of our school teachers; 94 percent of our stenographers and typists and secretaries; 78 percent of our bookkeepers and cashiers; 98 percent of our nurses; 95 percent of our telephone operators.

But in addition to these occupations, 1 out of every 5 of our professional workers is a woman. One out of every 10 of our managers and proprietors is a woman. More than 3 out of every 10 of our salespeople, more than 2 out of every 5 of all of our clerical workers are women. In addition 77 percent of our religious workers; 78 percent of our librarians are women; 40 percent of our medical and dental technicians; 32 percent of our editors and reporters; 39 percent of our authors.

WOMEN'S OTHER ECONOMIC ROLES

Women have an immense economic role. They are the buyers, the shoppers of this Nation. Much of our national wealth—title to our real estate, to stocks and bonds, is in the hands or the names of women.

Women are increasingly represented on boards of directors of our corporations. They are rising up the ranks to executive posts. They are using their college degrees and their degrees in the "school of life" to fulfill virtually every type of challenge in our society.

And there are additional great numbers of women who may not be working full time but who, through profitable hobbies, through income-earning avocations, help to increase the income of the family unit, in addition to serving society constructively.

WOMEN, AS NEEDED REFORMERS

Now, too, look about in our country today and consider some of the great forward-looking welfare activities, whether it is in the treatment of underprivileged, the aged, or the ill. Look at our wise laws for compulsory education for the young; look at our Public Health Service activities, or at a great many other medical, social, and educational reforms and you will recognize women's accomplishments. Indeed, Dorothy Thompson, the famous writer, has written "there is hardly a reform in the whole of American society that was not promoted by women long before anyone else was doing much about it. * * * The history of these reforms is the history of the humanizing of society."

Right now, this humanizing work goes on everywhere, whether it is performed by Mrs. Oswald Lord, our United States Representative on the U. N. Human Rights Commission or by Mrs. Hiram Houghton in the International Cooperation Administration or by Dr. Alice Leopold of the United States Women's Bureau, or Dr. Martha Eliot of the Children's Bureau or Ambassador Claire Booth Luce or Ambassador Frances Willis or Senator Margaret Chase Smith or any other woman who has won her laurels, not as a woman, but as an American in fair competition with other Americans of both sexes.

WOMEN OF FOREIGN EMBASSIES

The other day, a young lady here in Washington pointed out to me the significant fact that here in our Nation's Capital, we are in a particularly good vantage point to view this work. We here can see it clearly, not only from the standpoint of the fine activities performed by women in the United States Government, but through noting the vital activities of the women of foreign countries, represented in foreign embassies here or visiting us for brief trips.

A broad gamut of outstanding women of the world pass through our Nation's Capital, whether it be the famous Madame Pandit, sister of Prime Minister Nehru of India (one of the outstanding leaders of that great land) or the heroic nurse of Dien Bien Phu, Mlle. Genevieve Gallard-Terraube, or the wives of visiting Prime Ministers and other officials of foreign governments.

Yes, the visitors include some women who many not occupy the limelight themselves, but who have proven the truest of helpmates to their husbands. I am thinking, for example, of the great woman who has been the helpmate of former Prime Minister Winston Churchill, as well as the mates of other great men of so many countries throughout the world.

AMERICAN WOMEN INTERESTED IN FOREIGN NEWS

More than ever before, this young Washington lady went on to point out, the women of America are interested in what women throughout the world are doing. They are interested in the parental problems of other women; they are interested in the customs and traditions of womenfolk in foreign lands. Mostly, they are interested in contributing, if only in small part, to ever increased understanding and friendship with foreign women.

You can see that in the penclubs through which United States women communicate with other women throughout the world.

You can see it in the CARE packages which our women, and for that matter, our men gladly send—the food packages, the clothing, the tools, yes, the maternity kits, and every other type of constructive, useful material.

You can see that in the work of America's great churches whose women's auxiliaries have never failed their humanitarian responsibilities to help relieve distress abroad.

Indeed, as great as is the activity of the United States Government, infinitely greater is the voluntary activity of grassroots Americans who, on their own initiative, truly prove that they are their brother's and their sister's keeper.

WHAT WISCONSIN WOMEN HAVE ACCOMPLISHED

I recall, for example, how the women of Wisconsin contributed milk for the hungry children of Korea.

I recall how the farm wives of Wisconsin have sent relief packages to foreign lands, and how the city women have been in the forefront of similar fine work. These folks at the grassroots symbolize the finest type of activity in the tradition of the good samaritan.

But just as there is work at the grassroots, so there is work here in the Congress.

LEGISLATION ON WOMEN'S ISSUES

I would not want this session of the Congress to close without expressing these few thoughts with regard to the role of Federal legislation affecting women.

I may say that, frankly, in my judgment this session—for all its many accomplishments—has not taken sufficient action on certain issues which are of especial interest to women, although by no means exclusively of interest to them.

SOME IMPORTANT BILLS NOT ACTED UPON

While we have, for example, appropriated necessary funds for the continuation of the work of that great organization, the United Nations International Children's Emergency Fund, and while we have taken important action in the housing and other fields, still, we have not taken action on many other prime problems here at home.

I refer in particular to the school problem, involving the Nation's most precious asset—our children jammed into overcrowded, understaffed, obsolete schools. Also, we have not taken necessary action to lower the age of women's eligibility for social security from 65 to 62, or preferably, to 60.

We have not taken action to strengthen the Pure Food and Drug Administration, which has certainly one of the most important roles affecting America's householders.

CONCLUSION

I conclude as I began.

The vital role of women must never be forgotten by men or women alike. The constructive activities on which I have commented, should be given every possible encouragement.

This is America at work, America at its best:

A League of Women Voter chapter informing voters of the issues in a coming municipal election.

A women's club securing a new local playground.

A veterans' auxiliary visiting our sick and wounded ex-servicemen in Veterans' Administration hospitals.

A Woman's Christian Temperance Union chapter combating the narcotics menace or the danger of youngsters getting into the alcoholic habit.

A Gold Star Mother's chapter remembering the heroic dead on Veterans' Day.

A DAR chapter preserving the historical heritage of our country.

Women serving the Girl Scouts of America or the Campfire Girls of America.

Women working in community centers, in YMCA's, with Eastern Star chapters.

A PTA meeting debating how to improve the local school curriculum.

Women in the National Education Association trying constantly to improve the professional standards of that great teaching profession—of men and women alike.

Nuns training children in the faith of their fathers, faith in the all-knowing, all-seeing, all-present Creator.

Then, there are the women Sunday schoolteachers, the women workers with the blind, the deaf, the disabled.

There are the home demonstration agents, helping what is perhaps the most unsung but hardest-working group of all—the women who toil alongside their menfolk on the Nation's farms.

This is America in all its glory.

Women training our young in America's nursery schools and in kindergartens.

Women social workers helping to straighten out family problems.

Women striving for equal rights in the National Women's Party.

Women in garden clubs, adding to the beauty of neighborhoods and of local communities.

One could go on and on reciting all of the diverse activities in which our womenfolk are engaged.

But each of us need not look far afield to find how important are the contributions of women. We only need to look in our own offices, our own homes, our own communities for those, without whom virtually none of us could be now doing what we are doing, or doing it as well as we might have hoped.

THIS IS A WELL-DESERVED TRIBUTE

This is no empty tribute on my part, no conferring of flowery or unjustified phrases. Rather, it is a simple acknowledgment of the fact, a simple expression of appreciation which is more than merited.

Free women versus slave women. Free men versus slave men. The free world versus the Communist world. This is the epic struggle still underway. We have faith in the outcome of the forces of freedom.

FRYINGPAN-ARKANSAS PROJECT, COLORADO

Mr. MILLIKIN. Mr. President, will the distinguished acting majority leader answer a question for me?

Mr. CLEMENTS. Mr. President, I am always willing to try to answer any question which might be asked of me by my distinguished friend from Colorado. Knowing his ability in many fields, I am aware that he could propound to me many questions which might not be capable of an answer by the Senator from Kentucky. But I shall be happy to try to answer the Senator's question.

Mr. MILLIKIN. I shall ask the acting majority leader a simple question.

Calendar No. 235, Senate bill 300, was introduced by the junior and the senior Senators from Colorado. The bill is to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

The bill has been on the calendar for a long time, it having been reported by the committee with no objection.

As I understand, for reasons which have nothing to do with the merits of the project, no action has been taken on the bill. I wonder if the Senator can assure me that action will be taken on it early in the next session of Congress.

Mr. CLEMENTS. First, I may say that the bill has been on the calendar since April of this year. I do not know what some of the earlier objections were to the consideration of the measure, but, as I have stated to my friend from Colorado on a number of occasions, there have been objections to the bill for as long as it has been my responsibility to occupy the seat formerly occupied, and soon again to be occupied, by the distinguished senior Senator from Texas [Mr. JOHNSON].

Those objections, in the judgment of the acting majority leader, have made it prudent that the bill be deferred for the time being. At this stage of the session, of course, it would be impractical, and an idle gesture, to have the bill called up.

I can assure my friend from Colorado that, although I will not be in this chair at the next session, I know of no reason why the bill should not be taken up for consideration in the early part of the next session, since it already has the approval of the committee.

Mr. MILLIKIN. I thank the acting majority leader.

WILDLIFE REFUGES ESSENTIAL TO RECREATION AND TRADITIONS OF THE UNITED STATES

Mr. NEUBERGER. Mr. President, as never before in our history, efforts are underway to impair the size and value of great natural reserves set aside for the outdoor enjoyment of all the people. We have seen the persistent campaigns of both public and private interests to secure exploitation of Dinosaur National Monument, the Wichita Mountains National Wildlife Refuge and the Olympic National Park. I have fought hard in the United States Senate against such encroachments and I expect to continue to do so, as long as I shall serve in this body.

Wildlife refuges are among the most valuable domains belonging to all of us. They are not only sanctuaries to which people can retreat, but they serve to safeguard the remaining bird and animal population of this North American Continent. When Lewis and Clark trudged west 150 years ago with the American flag, the land teemed with wild

creatures. The waste and profligacy of the white man has largely ended that. Wildlife refuges are a few islands of safety when the surviving wild fowl and animals enjoy a measure of protection.

With the cooperation of a fine and effective organization, the National Wildlife Federation, I have compiled a list of places throughout the Nation where selfish and greedy or just plain misguided efforts are underway, either to abolish wildlife refuges or to reduce them so substantially in size as to alter their true purpose. I think this compilation should appear in the CONGRESSIONAL RECORD, so that other Members of the Congress can be vigilant against efforts of the Army, of irrigation interests, of logging companies, of utility companies, and of any other groups to jeopardize the magnificent system of wildlife sanctuaries which should be held in trust for the inspiration of future generations of American citizens.

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

Encroachments on refuge lands may be divided into two general classes: First, and perhaps most important at present, is the use of refuge lands for purposes wholly alien to the resources of the affected land, but concerned rather with the location or physical characteristics of the lands involved; and, second, exploitation of natural resources lying within a refuge, to the detriment of the lands, or the wildlife, or both. The use of refuges for bombing areas, artillery ranges, and other military purposes falls within the first category, as do requests for road, drainage, pipeline, and electric transmission line rights-of-way. Oil and gas operations are in the forefront of the second group, which includes also requests for water diversion, mining and mineral entry, timber-cutting privileges, etc.

National wildlife refuges are managed on a multiple-use basis consistent with sound wildlife management principles. The necessity and propriety of permitting regulated public use of refuge lands is recognized. During 1954 over 5 million visitor-days were spent on national wildlife refuges, where opportunities were afforded for fishing, hunting, picknicking, hiking, swimming, and other planned activities. Byproducts of refuge management, or resources surplus to the needs of the various areas are sold or otherwise disposed of, and 25 percent of these net receipts are returned to the local county from which the revenue was derived. In the fiscal year 1954, total receipts from the sales of these products and resources amounted to more than $2,257,000. Grazing, farming, timber cutting, haying, and trapping serve as tools of management, and these activities are therefore encouraged. It is apparent, therefore, that the multiple-use principle applies in the management of national wildlife refuges. It is essential, however, that secondary uses not be permitted to monopolize the individual refuges and defeat the primary objective of wildlife management and preservation of its essential habitat. It is essential that secondary uses be in the best interest of local economy and the public at large.

Oil and gas exploitation of refuge lands is an ever-present threat and one, probably, that can be expected to increase rather than diminish. As yet there are not adequate safeguards to protect refuge lands and more particularly the wildlife habitat from permanent damage or complete destruction through the development and removal of gas and oil.

Many thousands of acres of refuge lands under the joint jurisdiction of the Fish and Wildlife Service and the Bureau of Land Management are open to mining and mineral entry, and at the present time there is no authority to prohibit or adequately control mining operations on these areas.

Some of the more serious threats to our national wildlife refuges I would enumerate and detail as follows, and I now list them for the Senate.

ARIZONA

Cabeza Prieta Game Range, Yuma and Pima Counties, 860,000 acres: This refuge, under joint jurisdiction with the Bureau of Land Management, was established under the provisions of the Taylor Grazing Act for the protection and management of the desert bighorn sheep and other species of wildlife peculiar to this arid habitat. Part of this area is now being used by the Yuma Airbase for gunnery practice. Periodically there have been indications that the military authorities were seeking to obtain primary jurisdiction of substantial portions of the refuge, including the mountain ranges and water supplies essential to the welfare of the sheep and other desert wildlife. Some mining activity also appears here.

Kofa Game Range, Yuma County, 660,000 acres: This area is similar to the Cabeza Prieta Game Range and was established for the same purpose. It includes a series of mountain ranges of primary importance to the desert bighorn sheep and a series of waterholes, many of them developed at considerable expense. Three-fourths of this area is now wanted for testing poison gas on a battlefront scale. The United States Army Test Station at Yuma, Ariz., now uses a part of the refuge, and members of the United States Army Engineer Corps Real Estate Office at Phoenix outlined tentative plans for taking over much of the refuge for the purpose of testing poison gas. Needless to say, this testing program, if carried out, would render the refuge a biologic wasteland.

NEVADA

Desert Game Range, Clark and Lincoln Counties, 2,204,000 acres: The Desert Game Range is jointly administered by the Fish and Wildlife Service and the Bureau of Land Management, and was established under the provisions of the Taylor Grazing Act for the protection and management of bighorn sheep and other wildlife restricted to the mountain ranges occurring within the refuge boundary. Now under partial use by the Air Force for air-to-ground and air-to-air gunery practice, the Air Force has taken preliminary steps to obtain primary jurisdiction over approximately one-half million acres which they are now using and to extend their holdings by about 100,000 acres.

CALIFORNIA

Lower Klamath National Wildlife Refuge, Siskiyou County (1,340 acres in Klamath County, Oreg.): This 22,800-acre waterfowl refuge is essential to the preservation and management of the waterfowl resource in the Pacific flyway. It is an integral part of the vital Tule-Klamath Refuge management area, on which 80 percent or more of the total flyway population depend for food and protection during a critical part of the fall and winter season. There has been a continuing threat over the years of further drainage of this once vast waterfowl feeding ground for the purpose of bringing additional lands under irrigation. Over the years thousands of acres of the Klamath marshes have been diked, drained, and brought under irrigation for the production of crops. Much of this agricultural development has been made possible through substantial financial assistance from the Federal Government through the Bureau of Reclamation.

Tule Lake National Wildlife Refuge, Modoc and Siskiyou Counties, 37,337 acres: This refuge adjoins the Lower Klamath National Wildlife Refuge and is equally important in the protection and management of the Pacific flyway waterfowl resource. These two refuges represent the absolute minimum of water, marsh, and croplands at that junction of the flyway if the waterfowl resource is to be maintained anywhere near its present level. The lush feeding grounds present at the turn of the century have been reduced progressively for conversion to cropland, and there is a continuing threat of further reduction. Many of the lands now being sought are of marginal value for cropping even with Federal assistance.

GEORGIA

Okefenokee National Wildlife Refuge, Charlton, Clinch, and Ware Counties, 329,000 acres: The management objective here is the preservation of a unique wildlife environment on which the Florida crane and a great variety of colonial birds are dependent. The refuge also has considerable value to waterfowl. During the past 15 years there has been a succession of threats to invade the refuge for removal of stands of virgin cypress. The possibility of oil being present beneath the swamp has prompted numerous attempts to obtain authorization for exploration, with the understanding that such deposits as might be discovered would be developed and removed.

LOUISIANA

Lacassine National Wildlife Refuge, Cameron Parish, 31,000 acres: An important waterfowl wintering ground, on which a 16,000-acre pool has been developed at considerable expense to provide fresh-water habitat and related food supplies for ducks and geese. Currently, there is an effort being made to invade the refuge impoundment with drilling equipment and to provide for a system of canals for the removal of oil by barges in the event a deposit is discovered. Needless to say, this important feeding ground would be largely destroyed if oil development were permitted. There is the additional problem of a system of canals, plus the oilfield operations, establishing alligatorweed and water hyacinth throughout the entire pool. These two pest plants already occupy many thousands of acres of former waterfowl feeding ground along the gulf coast, and the future of the Lacassine pool requires that these pest plants which are so difficult and costly to control be prevented from gaining a firm foothold.

Sabine National Wildlife Refuge, Cameron Parish, 142,700 acres: One of the most important waterfowl wintering grounds on the gulf coast and essential to the management of the Mississippi flyway waterfowl resource. Gas and oil developments under mineral reservations existing prior to the purchase of this property limit the value of some of the marshlands. About 30 percent of the acreage, known as the East Cove and found to be the most important feeding area, is underlain with a deposit of shell. The proposal to remove this shell and the related destruction of this important feeding ground became a national issue in 1949. Former Secretary Chapman denied permission for the exploitation of the shell deposit. In the past few weeks there has been a renewed effort to invade this part of the Sabine Refuge, and the threat may continue in spite of the fact that investigations by the Louisiana authorities indicates that shell deposits elsewhere along the coast were sufficient to meet the needs of the currently established industries in the State for a period in excess of 100 years. The Sabine shell deposits represent only a fraction of the total along the Louisiana coast.

VIRGINIA

Chincoteague National Wildlife Refuge: This 9,000-acre project, located primarily in Accomack County, was purchased to meet waterfowl management needs at this point

in the Atlantic flyway. It has been developed to increase the waterfowl carrying capacity and has become increasingly important by reason of these improvements, as well as the destruction of habitat elsewhere. Three years ago considerable pressure was exerted to dredge up a substantial acreage of the refuge for the removal of zircon and titanium, deposits of which were reported to be present in the soil. There has been and continues to be a threat of a toll road being built with private funds under State authorization to service a real-estate development lying immediately north of the refuge. The toll road would connect with existing State roads. The proposed construction could nullify much of the improvement work which the Service has accomplished thus far.

MASSACHUSETTS

Parker River National Wildlife Refuge, Essex County, 6,400 acres: This refuge was acquired and developed to meet the growing need of waterfowl feeding and resting ground on the Massachusetts coast. The results have greatly exceeded expectations. The original project proposal was modified by congressional legislation. Later a bill was introduced in the Congress proposing the elimination of this and the 2,900-acre Monomoy National Wildlife Refuge in Barnstable County. The State of Massachusetts has been pressing for release of a part of the Parker River Refuge for recreational development, while, at the same time, some of the properties which they already have available for this purpose are only partially developed.

NORTH DAKOTA

Lower Souris National Wildlife Refuge, Bottineau and McHenry Counties: This 58,600-acre waterfowl-management area represents a major restoration of the historic Souris River marshes for a distance of some 50 miles southward from the Canadian border. At the instance of some local farmers interested in the exploitation of the rehabilitated crop and pasture lands, a bill was introduced in the Congress proposing the elimination of the refuge. The bill was never acted upon, and at the present time the only serious threats to the future of this important project are gas and oil exploration and the proposed use of a part of the original channel lying within the refuge for handling irrigation water in conjunction with the Reclamation Bureau's Missouri Souris diversion.

OKLAHOMA

Wichita Mountains Wildlife Refuge, Comanche County, 59,099 acres: This refuge has been and continues to be under pressure from the Department of Defense for military use. The Department of Defense now makes use of a portion of the refuge under an agreement with the Fish and Wildlife Service whereby some phases of military training are carried out. The activities as now authorized are compatible with refuge-management objectives, which include the preservation of the unique wildlife habitat occurring here, the management of a herd of nearly 1,000 buffalo, about 350 longhorn cattle, native wild turkey, and many other species of wildlife found only in this area. There is now before the Congress a proposal to transfer 10,700 acres of refuge land to the Department of Defense for their exclusive use. The necessity of such a transfer has not been demonstrated, and, since it would result in the loss of a vital portion of the refuge, the proposal is meeting with considerable opposition.

OREGON

Malheur National Wildlife Refuge, Harney County, 165,000 acres: This historic waterfowl breeding ground and feeding and resting area is a vital link in the national refuge system, and exceedingly important to the management of the resource in the Pacific flyway. Considerable improvement has been made here through the development of additional marsh and water areas. Considerable effort was made through congressional representatives to set aside for homesteading purposes a substantial portion of the refuge which previous experience under private ownership had demonstrated to be of questionable value for agriculture. The threat of expropriation is dormant at the moment, but is likely to be revived in connection with federally supported irrigation developments.

ALASKA

Kenai National Moose Range, 2 million acres: Established at the recommendation of the Alaska Game Commission for the protection and management of the giant Kenai moose and other species of wildlife occurring within the management area. Recently the Department of Defense sought to take over primary jurisdiction of a substantial portion of the refuge for use in conjunction with artillery training. It developed that the military requirements could be met by allocating a relatively small portion of refuge lands, and an agreement has been executed accordingly. However, the threat of a paper transfer of a substantial part of this area continues.

SOUTH CAROLINA

Santee National Wildlife Refuge, Clarendon and Berkeley Counties, 78,364 acres: This refuge was established to compensate for the loss of waterfowl feeding and resting grounds in the Santee Delta. The original feeding area became largely unserviceable with the completion of the Santee-Cooper project by the South Carolina Public Service Authority. By agreement with this authority, a national wildlife refuge was established and certain lands were allocated for development and management. The authority has now decided to withdraw for sale lands which the service has cleared and developed at considerable expense for waterfowl management. The primary value of these lands under private ownership would be for shooting purposes, and it appears that at least two organized gun clubs are now negotiating for acreage within the heart of the refuge. The solution here appears to be the purchase of lands from the public service authority. Unfortunately, this development could not be foreseen at the time the refuge agreement was entered into.

PERMISSION TO MAKE INSERTIONS IN THE RECORD FOLLOWING THE ADJOURNMENT OF CONGRESS

Mr. CLEMENTS. Mr. President, the previous order entered today will permit Members of the Senate to make insertions in the RECORD for some time to come.

The PRESIDING OFFICER. Such an order was entered.

ORDER OF BUSINESS

Mr. CLEMENTS. Mr. President, I should like to inquire of the chairmen of various conference committees if there is a conference report which can be brought up at this time. I also ask them to advise whoever may be in the majority leader's seat of any conference reports available as early as possible, so that every effort can be made to have conference reports considered at the earliest possible time.

WORLD FOOD BANK AND WORLD FOOD AND MATERIAL RESERVE

Mr. HUMPHREY. Mr. President, two resolutions relating to establishment of a World Food Bank and a World Food and Material Reserve have been pending before the Senate Committee on Foreign Relations. They are Senate Resolution 85 and Senate Resolution 86. The main sponsors of the resolutions were the Senator from Montana [Mr. MURRAY] and the Senator from North Carolina [Mr. SCOTT].

I merely wish to say, as one member of the committee, that I support the resolutions, and give assurance to my colleagues, insofar as one member of the committee can do so, that in the next session of Congress I shall do what I personally can to secure favorable consideration of these resolutions. I know the resolutions mean a great deal to their sponsors, and that their objectives are highly desirable.

Since both Senators have spoken to me about the resolutions, and since I happen to be a member of the subcommittee which will be considering them, I thought I would bring my statement to the attention of the Senators, since they are present on the floor, and give them my personal assurance of every help possible in the coming session.

Mr. President, I now desire to speak to another subject.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

THE MIAMI, FLA., HOTEL STRIKE AND THE NATIONAL LABOR RELATIONS BOARD

Mr. HUMPHREY. Mr. President, on last Wednesday the junior Senator from New York [Mr. LEHMAN] called to the attention of the Senate the serious labor dispute involving the principal hotels in Miami, Fla. As I think all of us know, that dispute has been going on for many weeks, and there is still no sign of a break in the dispute and no progress toward a solution. Thus far, too, Mr. President, there has been no change in the decision of the National Labor Relations Board not to intervene in this dispute or to make the facilities which are available under the Taft-Hartley Act—inadequate though this act is in many respects—for bringing the parties together to work out a reasonable settlement of this dispute.

I am sure that most of us who participated in or heard, or who have read, the colloquy between the junior Senator from New York and the senior Senator from New York [Mr. IVES], the junior Senator from Illinois [Mr. DOUGLAS], and the junior Senator from Minnesota, which took place last Wednesday, cannot fail to be impressed with the fact that this refusal of the National Labor Relations Board to make its facilities available to the parties to this dispute raises serious questions concerning the attitude of the Board toward its responsibilities in promoting labor peace and stability. It demonstrates clearly, in my opinion, the need for a thoroughgoing investigation by the Committee on Labor

and Public Welfare, through the Subcommittee on Labor, of the Board's concepts of its jurisdiction under the Taft-Hartley Act.

The labor dispute involving the Miami hotels is one with which, because of its long-drawn-out character and the complete frustration of all efforts to resolve it, most of us have become quite familiar. There are other situations, however, Mr. President, in which the Board has adopted the same type of mechanical attitude toward its jurisdiction which enables it to wash its hands of many troublesome disputes on the pretext that these disputes are local in character and should be handled by local authorities rather than by the National Labor Relations Board. I do not intend at this time to try to list in detail all of the types of situations in which the Board now refuses to exercise its jurisdiction to facilitate free collective bargaining and prevent unfair labor practices where in the past it has made its facilities available for these purposes. In several statements issued last year, however, the Board substantially narrowed its jurisdiction in a large number of situations, and I should like to indicate a few of these situations.

Let me cite a few examples:

The Board will not now cover disputes involving radio and television stations and telephone and telegraph systems which gross less than $200,000 annually.

It will not handle labor disputes involving public utilities which gross less than $3 million annually.

In the case of public transit systems, it will not handle disputes involving companies deriving less than $100,000 a year from interstate operations or having a combined total revenue from transit operations and intrastate operations in interstate transportation of passengers of less than $100,000.

Also, the Board will not handle disputes involving a single independent retail store such as a big department store or a chain of intrastate stores which have direct out-of-State purchases of less than $1 million a year or indirect out-of-State purchases of less than $2 million or less than $100,000 worth of out-of-State shipments.

Nor will it handle disputes involving a store which is part of an interstate chain unless it meets the tests for interstate stores or the gross sales of the chain amount to more than $10 million a year.

These same standards are applied in the case of retail auto dealers and other retail distributors and to restaurants and restaurant chains.

Although the Walsh-Healey Public Contracts Act regulates labor standards in the performance of Government contracts calling for the furnishing of goods or services amounting to $10,000 or more, the Board holds that disputes involving establishments affecting the national defense will not be covered unless the goods and services supplied relate directly to national defense and are furnished under a Government contract or subcontract in the amount of at least $100,000 a year.

I cite these instances to demonstrate the mechanical character of the rules which the Board now applies in deciding whether or not to make its facilities available in labor disputes in a number of different types of situation. I think it will be clear from the list which I have given that while the Miami hotel strike is a glaring example of consequences of this kind of mechanical administration of the provisions of a law, there are other situations which urgently require an investigation by a committee of this body.

Whatever else may be said of the Taft-Hartley Act—and as a former member of the Committee on Labor and Public Welfare and as former chairman of its Subcommittee on Labor and Labor-Management Relations, there are many things that I could say about its unfair and unworkable provisions—it is the ostensible purpose of the act to provide machinery whereby free collective bargaining is encouraged and impediments to collective bargaining growing out of unfair labor practices by employers or unions are prevented. Such an objective requires a broad concept of its jurisdiction on the part of the agency entrusted with the administration of the law.

Under the old Wagner Act, the Board used to look at situations called to its attention and make its decision to intervene or not to intervene on a case-by-case basis, depending upon its judgment as to whether its intervention would or would not contribute to a solution of the parties' difficulties. In my judgment, Mr. President, this was a sound rule. It is a rule which the present Board had no reason to change, because it worked well.

The difference in the attitude between the old Board and the present Board on this whole problem of jurisdiction is one that is very basic. Evidently it is the philosophy of the present administration, including the National Labor Relations Board, that there are situations where the Federal Government must not intervene even if it can intervene constructively to help parties resolve difficulties which have arisen. This does not make sense, Mr. President, in the complicated economy of today. Particularly is this so when, as in the case of the Miami hotel strike, the refusal of the Board to offer its facilities to the parties leaves them with no recourse whatsoever, since there is no machinery under the Florida law to which they can resort for help in resolving their dispute.

This is a point which requires emphasis, Mr. President, because while the jurisdictional standards announced by the present Board go into great detail as to the amount of business which concerns must do in order to bring them within the scope of the Taft-Hartley Act, these standards do not make any exception in situations where there are no other facilities available to the parties than those of the National Labor Relations Board.

I believe, Mr. President, that the bill (S. 2651) offered by the junior Senator from New York [Mr. LEHMAN] is a suitable framework against which the Committee on Labor and Public Welfare, through its Subcommittee on Labor, can undertake a very useful and necessary investigation of the Board's concepts of its jurisdiction and responsibilities under the law. I trust that this investigation can be carried on during the forthcoming recess so that the Congress when it returns in January can have before it the results of such investigation, together with the recommendations of the committee for legislation with which to remedy the situation which I have described. In the meantime, it is my hope that the Board will reconsider its refusal to enter the labor dispute involving the Miami hotels and that it will make its facilities available to the parties so that this dispute may be brought to an early termination.

PAYMENT OF WAGES IN THE DISTRICT OF COLUMBIA

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of measures on the calendar to which there is no objection, starting with Calendar No. 1283, S. 938.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The first bill in order on the calendar will be stated.

The Senate proceeded to consider the bill (S. 938) to provide for payment of wages in the District of Columbia, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

DEFINITIONS

Whenever used in this act, (a) "employer" includes every individual, partnership, firm, association, corporation, the legal representative of a deceased individual, or the receiver, trustee, or successor of an individual, firm, partnership, association, or corporation, employing any person in the District of Columbia: *Provided*, That the word "employer" shall not include the Government of the United States, the government of the District of Columbia, or any agency of either of said governments, or any employer subject to the Railway Labor Act.

(b) "Employee" shall include any person suffered or permitted to work by an employer except any person employed in a bona fide executive, administrative, or professional capacity (as such terms are defined and delimited by regulations promulgated by the Commissioners of the District of Columbia).

(c) "Wages" mean monetary compensation after lawful deductions, owed by an employer for labor or services rendered, whether the amount is determined on a time, task, piece, commission, or other basis of calculation.

(d) "Commissioners" means the Commissioners of the District of Columbia or their designated agent or agents.

(e) "Working day" means any day exclusive of Saturdays, Sundays, or legal holidays.

SEMIMONTHLY PAYDAY

SEC. 2. Every employer shall pay all wages earned to his employees at least twice during each calendar month, on regular paydays designed in advance by the employer: *Provided, however*, That an interval of not more than 10 working days may elapse between the end of the pay period covered and the regular payday designated by the employer,

except where a different period is specified in a collective agreement between an employer and a bona fide labor organization: *Provided, further,* That where, by contract or custom, an employer has paid wages at least once each calendar month, he may lawfully continue to do so. Wages shall be paid on designated paydays in lawful money of the United States, or checks on banks payable upon demand by the bank upon which drawn.

EMPLOYEES WHO ARE SEPARATED FROM THE PAYROLL BEFORE A REGULAR PAYDAY

SEC. 3. Unless otherwise specified in a collective agreement between an employer and a bona fide union representing his employees—

(a) Whenever an employer discharges an employee, the employer shall pay the employee's wages earned not later than the working day following such discharge.

(b) Whenever an employee (not having a written contract of employment for a period in excess of 30 days) quits or resigns, the employer shall pay the employee's wages due upon the next regular payday or within 7 days from the date of quitting or resigning, whichever is earlier.

(c) When work of an employee is suspended as a result of a labor dispute, the employer shall pay to such employee not later than the next regular payday, designated under section 2 of this act, wages earned at the time of suspension.

(d) If an employer fails to pay an employee wages earned as required under subsections (a), (b), and (c) of this section, such employer shall pay, or be additionally liable to, the employee, as liquidated damages, 10 percent of the unpaid wages for each working day during which such failure shall continue after the day upon which payment is hereunder required; or an amount equal to the unpaid wages, whichever is smaller: *Provided, however,* That for the purpose of such liquidated damages such failure shall not be deemed to continue after the date of the filing of a petition in bankruptcy with respect to the employer if he thereafter shall have been adjudicated bankrupt upon such petition.

UNCONDITIONAL PAYMENT OF WAGES CONCEDED TO BE DUE

SEC. 4. In case of a bona fide dispute concerning the amount of wages due, the employer shall give written notice to the employee of the amount of wages which he concedes to be due, and shall pay such amount, without condition, within the time required by sections 2 and 4 of this act: *Provided, however,* That acceptance by the employee of any payment made hereunder shall not constitute a release as to the balance of his claim. Payment in accordance with this section shall constitute payment for the purposes of complying with sections 2 and 4 of this act, only if there exists a bona fide dispute concerning the amount of wages due.

PROVISIONS OF LAW MAY NOT BE WAIVED BY AGREEMENT

SEC. 5. Except as herein provided, no provision of this act shall in any way be contravened or set aside by private agreement.

ENFORCEMENT, RECORDS, AND SUBPENAS

SEC. 6. (a) The Commissioners shall enforce and administer the provisions of this act and may hold hearings and otherwise investigate any violations of this act and institute actions for penalties provided hereunder. Any and all prosecutions of violations of this act shall be conducted in the name of the District of Columbia and by the corporation counsel or his assistants.

(b) The Commissioners shall have power to administer oaths and examine witnesses under oath, issue subpenas, compel the attendance of witnesses, and the production of papers, books, accounts, records, payrolls, documents, and testimony and to take depositions and affidavits in any proceedings before them.

(c) In case of failure of any person to comply with any subpena lawfully issued, or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the municipal court for the District of Columbia or any judge thereof, on application by the Commissioners, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpena issued from such court or a refusal to testify therein.

PENALTIES

SEC. 7. Any employer who, having the ability to pay, wilfully violates any provisions of section 2 or section 4 of this act or who fails to comply with any other provisions of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall for the first offense be punished by a fine of not more than $300, or by imprisonment of not more than 30 days, or in the discretion of the court, by both such fine and imprisonment; and for any subsequent offense shall be punished by a fine of not more than $1,000 or more than 90 days, or in the discretion of the court, by both such fine and imprisonment.

EMPLOYEES' REMEDIES

SEC. 8. (a) Action by an employee to recover unpaid wages and liquidated damages may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated, or such employee or employees may designate an agent or representative to maintain such action for and on behalf of all employees similarly situated. Any employee, or his representative, shall have the power to settle and adjust his claim for unpaid wages. Whenever the Commissioners determine that wages have not been paid, as herein provided and that such unpaid wages constitute an enforceable claim, the Commissioners may, upon the request of the employee, take an assignment in trust for the assigning employee of such wages, and of any claim for liquidated damages, without being bound by any of the technical rules respecting the validity of any such assignments, may bring any appropriate legal action necessary to collect such claim and may join in one proceeding or action such claims against the same employer as the Commissioners deem appropriate. Upon any such assignment the Commissioners shall have power to settle and adjust any such claim or claims on such terms as they may deem just.

(b) The court in any action brought under this section shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow costs of the action, including costs or fees of any nature, and reasonable attorney's fees, to be paid by the defendant. Such attorney's fees in the case of actions brought under this subsection by the Commissioners shall be deposited in the Treasury of the United States to the credit of the District of Columbia. The Commissioners shall not be required to pay the filing fee or other costs or fees of any nature or to file bond or other security of any nature in connection with any action or proceeding under this act.

DELEGATION OF FUNCTIONS

SEC. 9. The Commissioners are authorized to delegate to any agency of the government of the District of Columbia any function, power, or duty vested in or imposed upon them by this act.

SEPARABILITY OF PROVISIONS

SEC. 10. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 11. This act shall take effect 60 days after its approval.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ACCEPTANCE OF GIFT FROM THE ERICSSON MEMORIAL COMMITTEE

The joint resolution (S. J. Res. 93) authorizing the acceptance of a gift from the Ericsson Memorial Committee was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. MANSFIELD. Mr. President, reserving the right to object, and I shall not object, I ask unanimous consent that there may be printed in the RECORD, before action is taken on the passage of the measure, a news story which was published in the Billings (Mont.) Gazette of July 27, 1955, on the Leif Ericsson memorial.

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

STATUE APPROVED BY SENATE BODY

WASHINGTON.—The Senate Rules Committee has approved the resolution by Senator WARREN G. MAGNUSON (Democrat, Washington) that the statute of Leif Ericsson, the Viking leader, be erected in Washington, D. C., facing the Potomac River.

The Washington State Senator appeared in behalf of his resolution before the Rules Committee, and was informed that Senator FRANCIS GREEN (Democrat, Rhode Island) and Senator MIKE MANSFIELD (Democrat, Montana), both Irishmen, would inform him how the resolution fared.

Later MAGNUSON said the Senators informed him that the committee approved the statue resolution with the proviso that the base of the statue be green and ringed with shamrocks.

On the serious side, the Senate Rules Committee resolution appropriates $65,000 to prepare the statue and pedestal. It also authorizes Secretary of the Interior Douglas McKay to accept contributions to reimburse the United States for the money spent on the project, MAGNUSON said.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the very fine report of the Committee on Rules and Administration regarding joint resolution.

There being no objection, the report (No. 1267) was ordered to be printed in the RECORD, as follows:

The Committee on Rules and Administration, to whom was referred the joint resolution (S. J. Res. 93), authorizing the acceptance of a gift from the Ericsson Memorial Committee, after considering same, report favorably thereon with amendments and recommend that the joint resolution, as amended, do pass.

This joint resolution would bring to the District of Columbia, and erect on a suitable Federal site, a bronze replica of the original figure of Leif Ericsson, presented to the Government of Iceland by the Government of the United States of America, in 1930, and which is now located in the Mariners' Museum at Newport News, Va.

The amendments added by the Committee on Rules and Administration correct the

title, and make certain arrangements in the text, and set a ceiling of $65,000 on the authorized funds to carry out the provisions of the joint resolution.

By act approved June 21, 1929, Congress authorized and requested the President of the United States "to procure a suitable statue, or other memorial" of Leif Ericsson and present the same as a gift from the American people to the people of Iceland in connection with American participation in the celebration of the 100th anniversary of the Althing, the National Parliament of Iceland.

At the instance of the Secretary of State, the Commission of Fine Arts requested 14 sculptors to submit photographs of their executed work. As a result of this competition, on November 20, 1929, A. Stirling Calder, of New York City, was recommended to the Secretary of State by the Commission, and accordingly a contract was made with him with the provision that the plaster working model remain the property of the United States. Harvey W. Corbett, architect, was selected by Mr. Calder to design the pedestal. After conferring with Prof. Sveinbjorn Johnson, of the University of Illinois, as to the correct spelling of the name, the Commission approved this inscription:

"Leifr Eiricsson, Son of Iceland, Discoverer of Vinland. The United States of America to the People of Iceland, on the One-thousandth Anniversary of the Althing. 1930."

On the advice of Senator Peter Norbeck, of South Dakota, and Representative Olger Burtness, of North Dakota, a site east of the Parliament Building, at Reykjavik, Iceland, was selected. Ground was broken June 30, 1930, during the celebration. The pedestal was set in place in September 1931, and on May 3, 1932, the mayor of Reykjavik certified that the statue had been erected (S. Doc. 214, 74th Cong., 2d sess.).

Meanwhile, the plaster working model of the statue was transferred to the Smithsonian Institution. At the inception of the New York World's Fair in 1939, the Ericsson Memorial Committee, a subcommittee of the Icelandic National League, which is composed of citizens of Icelandic descent in the United States and Canada, raised a subscription to have this model lent to the Government of Iceland and a bronze replica made for installation in the Icelandic exhibit at the fair.

The loan was negotiated through Vilhjalmur Thor, Commissioner General of the Icelandic Commission to the New York World's Fair in 1939. The Minister of Denmark, Hon. Otto Wasted, assisted in requesting of the late Hon. Cordell Hull, then Secretary of State, to use his offices to have the plaster model made available.

In these matters, Mr. Vilhjalmur Stefansson, the explorer, and Justice Gudmundur Grimson, of Bismarck, N. Dak., also wrote to the Smithsonian Institution, as members of the World's Fair Commission for Iceland. Justice Grimson, along with Dr. Rognvaldur Petursson and Asmundur Johannsson, were members of the group known as the Ericsson Memorial Committee of the United States, in charge of such negotiations, and the casting of the model.

As a result of these arrangements, the model was delivered to E. Gargani & Sons, Inc., who made the bronze casting, and to A. J. Contini & Sons, Inc., who returned and reassembled the model in the Natural History Building of the Smithsonian Institution. The bronze statue was later placed in the Icelandic exhibit at the World's Fair (letter to Senator WARREN G. MAGNUSON, date of June 20, 1955, from Dr. Leonard Carmichael, secretary of the Smithsonian Institution).

At the close of the World's Fair in New York in 1940, the Ericsson Memorial Committee was faced with the problem, according to Justice Grimson, of finding a place for their bronze replica. The Mariners' Museum at Newport News, Va., "volunteered to take care of it until such time as it could be placed in Washington, D. C."

Justice Grimson continues:

"I think they have done that very well, but we are still of the opinion that it should be placed in Washington. To ascertain the present desires of the Icelanders I wrote to the president of the league. I enclose his reply. It bears out what I have said (letter to Senator WARREN G. MAGNUSON, date of July 19, 1955, from Gudmundur Grimson, Associate Justice, Supreme Court of the State of North Dakota, Bismarck, N. Dak.)."

In his reply to Justice Grimson, Dr. V. J. Eylands, president of the Icelandic National League, of Winnipeg, Manitoba, Canada, wrote:

"My recollection is that you (Justice Grimson), are the only surviving member of the Leifr Ericsson Statue Committee [sic]. The other members were Dr. Rognvoldur Petursson and Asmundur Johannsson. Personally, I think it would be most desirable that the statue be placed in Washington, D. C. I have spoken to some of the members of the executive committee of the Icelandic National League about this matter, and they are of the same opinion. Whatever you and Senator MAGNUSON can do to bring this about will be greatly appreciated by our organization, and I believe by our people generally" (Letter to Justice Gudmundur Grimson, date of July 19, 1955, from Dr. V. J. Eylands, Winnipeg, Manitoba, Canada.)

Title to the bronze replica, according to Justice Grimson, is in the Icelandic National League. The league has offered it to the United States several times through the provisions of joint resolutions previously introduced (cf., letter from Justice Grimson, July 19, 1955). None of these earned final action. The offer is still open for acceptance.

Acceptance of the bronze statue in the name of the people of the United States and its erection in the District of Columbia would be, it is believed, a demonstration of further good will and of the friendly relations existing between this Nation and the Government of Iceland. The people of Iceland would also accept the transfer of it to Washington as an added token of friendship to have their famous son standing in replica in the Capital of the United States, particularly since the original is in the capital of Iceland. The original statue is of heroic proportions, being 9 feet tall and weighing some 6 or 7 tons. It has for its pedestal in Reykjavik, across from the Parliament Building, a block of New England granite carved in the form of the prow of a Viking ship.

The Commission of Fine Arts has consistently urged that Leif Ericsson be honored by the erection of this bronze statue in the District of Columbia. The site recommended by the Commission in 1946 was near the Inlet Bridge in Potomac Park, where it would face south toward the Potomac River.

An estimate prepared in 1952 by Harry T. Thompson, Associate Superintendent of the National Capital Parks, was for $52,000 for the pedestal. This was based on the assumption that a pedestal similar to the one now at Reykjavik would be obtained, and that further, a firm foundation, including an underpinning, must be provided, since the Potomac Park area consists of reclaimed land.

Although such location would require the driving of piles and the placing of some fill, it is considered that the site afforded by water of the Potomac will be in good keeping with the design and the nautical nature of the statue.

The Mariners' Museum at Newport News has held this statue since 1941 on an indefinite loan basis from the Ericsson Memorial Committee. The figure now faces the main entrance of the museum building. The museum, which is privately endowed, is located on the Virginia Peninsula and was founded in 1930 by Archer M. Huntington. It is devoted to the culture of the sea and its tributaries, its conquest by man, and its influence on civilization.

The buildings of the Mariners' Museum are situated within an extensive park and game sanctuary, including a fresh-water lake of 165 acres named after a celebrated Virginian, the oceangrapher, Matthew Fontaine Maury. The location is approximately 5 miles north of the city of Newport News. Within a 25-mile radius of the museum are Jamestown Island, Williamsburg, and Yorktown, and other places of national interest.

Following is a letter addressed by Senator WARREN G. MAGNUSON to Senator THEODORE FRANCIS GREEN, chairman of the Committee on Rules and Administration, relative to Senate Joint Resolution 93:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
July 25, 1955.

In re Senate Joint Resolution 93, statue of Leif Ericsson.

Hon. THEODORE FRANCIS GREEN,
Chairman, Senate Committee on Rules and Administration,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR GREEN: On July 21, I introduced Senate Joint Resolution 93, authorizing the acceptance of a gift from the Ericsson Memorial Committee.

I would much appreciate committee consideration of this legislation in place of Senate Joint Resolution 74, authorizing the erection of a statue of Leif Ericsson in the District of Columbia.

In talking to the various Government agencies informally, including National Park Service, National Capital Parks Service, National Collection of Fine Arts, Smithsonian Institution, and the Department of State, I found a number of changes were desirable in Senate Joint Resolution 74. As a result, the new resolution, Senate Joint Resolution 93, has been introduced as a "clean bill," to present a better and more appropriate resolution, setting forth the objectives more clearly.

The major changes in the legislation represent a new approach and are as follows:

1. Acceptance formally of the longstanding offer of the Ericsson Memorial Committee is found necessary in order to secure firm title and to observe proper decorum.

2. The diplomatic gesture of good will and friendly relations which caused the United States to construct the original statue and present it to the people of Iceland is emphasized and made a part of the acceptance of this replica. While the people of Iceland have placed the original statue in a place of honor at their capital, the United States has not accepted the replica of it for honoring in our Nation's Capital.

3. Because the Secretary of the Interior is given authority to accept public or private donations, particular mention of the organization of a committee or association for defraying expenses is eliminated as unnecessary.

It may be of interest to you to know the changes incorporated in Senate Joint Resolution 93 have been discussed with and approved by the Minister from Iceland as well as the Icelandic National League of North America and the only surviving member of the Ericsson Memorial Committee that paid for the bronze replica.

I hope that the Senate Committee on Rules and Administration will take action on this bill before the recess of Congress.

Thank you for any courtesies you may be able to extend.

Sincerely,

WARREN G. MAGNUSON,
United States Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate Joint Resolution 93?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Rules and Administration with amendments on page 1, line 5, after the word "Committee", to insert "of the United States"; in line 6, after the word "of", to strike out "Leif Ericsson" and insert "Leifr Eiricsson"; in line 11, after the numeral "2", to strike out "Upon the recommendation of the National Commission of Fine Arts, and concurred in by the National Park Service, the" and insert "The"; on page 2, line 3, after the word "choose", to insert "upon the recommendation of the National Commission of Fine Arts, and concurred in by the National Park Service"; in line 9, after the word "is", to insert "further"; in line 16, after the figures "$65,000", to strike out "or so much thereof as may be necessary"; and in line 17, after the word "resolution", to strike out "and sufficient additional money to cover" and insert "including", so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Interior, on behalf of the United States, is hereby authorized to accept the offer of the Ericsson Memorial Committee of the United States of a replica of the heroic bronze statue of Leifr Eiricsson, the original of said replica having been presented to the people of Iceland by the United States Government as a gesture of good will and friendly relations on the 1,000th anniversary of Althing, the Icelandic Parliament.

SEC. 2. The Secretary of the Interior is further authorized and directed to choose upon the recommendation of the National Commission of Fine Arts, and concurred in by the National Park Service, a site on the public grounds of the United States in the District of Columbia; and is further authorized and directed to design and erect an appropriate pedestal upon which to place said statue.

SEC. 3. The Secretary of the Interior is further authorized to accept from any source, public or private, donations of funds to reimburse the United States for amounts expended under the provisions of section 2 of this joint resolution. Any such funds shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 4. There is hereby authorized to be appropriated the sum of $65,000 to carry out the provisions of this joint resolution including the transportation and erection of the statue at the place selected.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution authorizing the acceptance of a gift from the Ericsson Memorial Committee of the United States."

CONSTRUCTION OF NUCLEAR-POWERED PROTOTYPE MERCHANT SHIP—BILL PASSED OVER

The bill (S. 2523) to amend sec. 212 of the Merchant Marine Act, 1936, to authorize the construction of a nuclear-powered prototype merchant ship for operation in foreign commerce of the United States, to authorize research and experimental work with vessels, port facilities, planning, and operating and cargo handling on ships and at ports, and for other purposes, was announced as next in order.

Mr. ERVIN. Mr. President, I ask that the bill go over, on the ground that it is not properly a bill to be considered on the call of the calendar.

Mr. MAGNUSON. Mr. President, I appreciate the reason for asking that the bill go over.

The PRESIDING OFFICER. The bill will go over.

AMENDMENT OF MERCHANT MARINE ACT OF 1936

Mr. MAGNUSON. Mr. President, I should like to say that there is only one other bill affecting the merchant marine left on the calendar, and that is Calendar No. 1175, S. 2286, to amend the Merchant Marine Act of 1936 so as to provide for the utilization of privately owned shipping services in connection with the transportation of privately owned motor vehicles of certain personnel of the Department of Defense.

Request has been made that that bill go over, but I desired to make a brief announcement concerning the measure. Obviously, the House will not now consider the bill, anyway. The bill is of great concern to the shipping industries of the United States. It relates to the shipping of automobiles and household goods, and other articles of that kind. The distinguished Senator from Georgia [Mr. RUSSELL], the chairman of the Armed Services Committee, did have some objection to some provisions of the bill; but I think we have ironed out that situation.

However, in view of the fact that the House will not act on the bill at this time, anyway, I wish to say that I believe we shall be able to resolve the matter in January. I wished to make this statement for the record.

RECONVEYANCE OF CERTAIN LANDS ACQUIRED FOR RESERVOIR PROJECTS, STATE OF TEXAS

The bill (H. R. 7195) to provide for adjustments in the lands or interests therein acquired for reservoir projects in Texas, by the reconveyance of certain lands or interests therein to the former owners thereof was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 898) to amend the Interstate Commerce Act, with respect to the authority of the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property, was announced as next in order.

Mr. KNOWLAND. Over.

The PRESIDING OFFICER. The bill will go over.

CHANGE NAME OF GARZA-LITTLE ELM DAM TO LEWISVILLE DAM, STATE OF TEXAS

The bill (H. R. 6102) to change the name of Garza-Little Elm Dam located in Denton County, Tex., to Lewisville Dam was considered, ordered to a third reading, read the third time, and passed.

SACRED HEART HOSPITAL

The Senate proceeded to consider the bill (S. 530) for the relief of the Sacred Heart Hospital, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "of", where it appears the first time, to strike out "$14,910.81" and insert "$5,686.12", and on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

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

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, beginning in line 8, it is proposed to strike out "of one hundred and ninety-two unpaid Indian accounts."

Mr. KILGORE. Mr. President, the purpose of the proposed amendment is to bring the bill into conformity with the Senate Committee's report which provides that payment to the Sacred Heart Hospital of $5,686.12 in settlement of its claims for treatment of enrolled Indians shall be without prejudice to the right of the hospital to submit additional information which may justify payment of the remaining 100 accounts which involve nonenrolled Indians.

In other words, by means of a committee amendment the bill has been limited to the payment for the enrolled Indians. But there was a larger account; and the amendment I have now submitted will provide an opportunity at a later time for justification to be made as to whether payment should be made for the nonenrolled Indians, as well as for the enrolled Indians.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. KILGORE].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment and third reading of the bill.

The bill (S. 530) was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Sacred Heart Hospital, Havre, Mont., the sum of $5,686.12. The payment of such sum shall be in full settlement of all claims of the Sacred Heart Hospital against the United States for payment for hospitalization, treatment, and other services rendered to certain Indians, 92 of whom were enrolled Indians from the Rocky Boy's Reservation and the Fort Belknap Agency: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the con-

trary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SAM BERGESEN

The bill (S. 872) for the relief of Sam Bergesen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding any contractual provision relating to a 30-day limitation for filing an appeal contained in contract numbered C8ca-3694 entered into between Sam Bergesen, of Tacoma, Wash., and the Civil Aeronautics Administration, Department of Commerce, for the construction of a very high frequency repeater station at North Nenana, Alaska, the Administrator of Civil Aeronautics is authorized and directed, upon application filed with the Civil Aeronautics Administration within 6 months after the date of the enactment of this act, to review any claim of the said Sam Bergesen resulting from the assessment of liquidated damages against him under such contract.

LEO E. VERHAEGHE

The Senate proceeded to consider the bill (H. R. 3027) for the relief of Leo E. Verhaeghe which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 9, after the word "act", to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CLAIMS OF BARTLETT SPRINGS CO. AND OTHERS

The bill (H. R. 3063) to confer jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claims of the Bartlett Springs Co. and certain others was considered, ordered to a third reading, read the third time, and passed.

MEDALS IN COMMEMORATION OF THE ONE HUNDRED AND TWENTIETH ANNIVERSARY OF THE SIGNING OF THE TEXAS DECLARATION OF INDEPENDENCE

The bill (H. R. 7244) to provide for the striking of medals in commemoration of the 120th anniversary of the signing of the Texas declaration of independence, and the Battles of the Alamo, Goliad, and San Jacinto in the year 1836, was announced as next in order.

Mr. ERVIN. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a statement prepared by the distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON].

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

STATEMENT BY SENATOR JOHNSON OF TEXAS

Next year Texans will join in celebrating the 120th anniversary of the signing of the Texas declaration of independence, and the Battles of the Alamo, Goliad, and San Jacinto.

H. R. 7244 provides for the striking of commemorative medals in connection with that celebration.

The proposed legislation would authorize the Treasury Department to manufacture for and sell to the Texas Heritage Foundation 2,000 of these medals. The bill also proposes to authorize the manufacture and sale by the mint to the public of bronze duplicates of this medal upon authorization by the Texas Heritage Foundation.

The Texas Heritage Foundation is a nonprofit patriotic organization sponsored by many of the leading citizens of my State. It is a potent force in creating among Texans a pride in the Texas tradition and a deeper knowledge of the historic events that have gone into the making of that tradition.

Passage of H. R. 7244 is recommended by the Treasury Department. I urge that favorable action be taken on the measure as a means of helping to insure a successful and memorable celebration next year of events that gave birth to Texas as an American Republic.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 7244) was considered, ordered to a third reading, read the third time, and passed.

TAX RELIEF TO A CHARITABLE FOUNDATION

The bill (H. R. 7746) to provide tax relief to a charitable foundation and the contributors thereto was announced as next in order.

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill?

Mr. HRUSKA. Mr. President, reserving the right to object, in the case of this bill, let me say that even if we concede the merits of the bill, for the purpose of correcting an inequity and to overcome some technical points, it is to be noted that the bill has an effective date for commencement but not for termination. I understand, however, that there is a proposed amendment which will be acceptable.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

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

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, in line 13, it is proposed to strike out "beginning after 1949," and to insert in lieu thereof "beginning after December 31, 1949, and prior to January 1, 1956."

Mr. SYMINGTON. Mr. President, this amendment is in line with the statement made by the distinguished junior Senator from Nebraska.

The amendment will have the effect of limiting the tax relief to taxable years beginning after December 31, 1949, and prior to January 1, 1956.

For years beginning on or after January 1, 1956, the trust instrument creating the foundation will have to be amended to conform to the requirements of the 1954 code. This will prevent any question arising as to whether the foundation can engage in the so-called prohibited transactions described in section 503 of the 1954 code. The foundation has never engaged in such prohibited transactions since it was created, and could never engage in such transactions at any time, under the terms of the trust agreement.

Mr. President, that explains the amendment, and I understand there is no objection to the bill, on the basis of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF RIVER AND HARBOR ACT OF 1954

The bill (H. R. 4734) to amend the provisions of the River and Harbor Act of 1954 which authorizes the Secretary of the Army to reimburse local interests for work done on a dredging project at Los Angeles and Long Beach Harbors, Calif., during a period ending July 1, 1953, by extending that period to November 7, 1953, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6857) to authorize the Administrator of the General Services Administration to convey certain land to the city of Milwaukee, Wis., was announced as next in order.

Mr. BIBLE. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

MRS. MARIA DEL MUL

The bill (H. R. 929) for the relief of Mrs. Maria Del Mul was announced as next in order.

THE RURAL ELECTRIFICATION ADMINISTRATION AND PUBLIC POWER

Mr. LANGER. Mr. President, I wish to take this opportunity to state that I strongly disagree with the report of the task force of the Hoover Commission dealing with the Rural Electrification Administration and public power.

I wish publicly to thank the North Dakota Rural Electric Association for their resolution commending me at its annual meeting 2 weeks ago at Bismarck, N. Dak., and I wish particularly to thank that association for their words regarding my "untiring service to REA and RTA on all occasions and in all the various ways these programs have been assisted."

In this connection, Mr. President, I take pride in their resolution which said:

We particularly commend Senator LANGER for his valiant fight to expose the scandalous

Dixon-Yates contract through his investigating committee.

I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an address entitled "The Role of the Rural Electrics in the Atomic Age." The address was delivered by Mr. Clyde Ellis, secretary of the National Rural Electric Association, at the Atlantic City national convention of that organization.

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

MR. ELLIS' ATLANTIC CITY REPORT—THE ROLE OF THE RURAL ELECTRICS IN THE ATOMIC AGE

This is a great day. For the 13th time now we have gathered from the four corners of a great Nation in our national annual meeting. We are assembled in this huge workshop to review our progress, exchange knowledge and ideas, discuss problems of the present and the future, and make important decisions.

We are here from Maine to California, from Florida to Alaska. Some of us have traveled farther than from here to London. We have traveled a total of over 4 million miles. We are here from most of the approximately 900 rural electric cooperatives and power districts.

We represent a gigantic rural industry—in the aggregate one of America's largest enterprises—more than a million miles of distribution lines, some generation and transmission facilities, and an investment of over $2½ billion.

But even more important is the fact that we are here as the chosen representatives of those 15 million farm people who have built and are serving themselves through their own farflung rural electrification systems.

As I look out among you, one overwhelming fact, unchallenged and unquestioned, radiates from all your faces. It's the fact of faith and confidence which has permeated our whole electric cooperative endeavor. You expressed it when you sang just now to the tune Battle Hymn of the Republic—

We have set transmission towers on their march across the land. We have shown the world what happens when the farmer takes a hand, for in union we are strong.

This faith and the accompanying sense of pride and joy at being associated with so fine and noble an effort and achievement are of inestimable help to us when we sometimes face situations that otherwise might be extremely discouraging.

HOG-KILLING YEAR

This whole past year has reminded me of a hog-killing experience back on the farm. Ours was a big family and it took a lot of meat. The neighbors had gathered in to assist, as usual. We kids had stayed home from school, as usual. Even then the job was shorthanded.

It was my responsibility to keep the water hot in the scalding barrels—with red-hot irons carried from an open fire—you know. That was a big job for one boy and no matter how hard I worked I never seemed to be able to keep it hot enough to suit everybody. I always had too many irons in the fire and too few in the barrels. The pigs wouldn't scald right and were hard to scrape.

Well, on one occasion I became so excited when a pig that was the victim of a poor shot went mad and broke out that I forgot all about the water, and when the pig was finally ready the water was cold. There was just one thing to do. Everybody pitched in and helped pull the hot irons out of the fire and put them in the barrel. Very soon the water was boiling hot and then they all talked about how easy that pig scraped, and from that time on I had help. It was everybody's job after that to pitch in in a pinch.

That is just about the way it has been with our program the past year. Particularly with the accelerated legislative work, we in your national office were always shorthanded and we just couldn't keep the water hot all the time. Several times we sent out calls for help to you in the field when it seemed desirable for Congress to hear from you. And, like the good neighbors that you are, you always responded magnificently and rushed in to help pull our irons out of the fire. The atomic-energy battle was a good example.

Yes, 1954 was hog-killing day all the year. But it was still our best year in my opinion.

Inasmuch as we reported on most of the year's efforts rather fully at the regional meetings, I shall not burden you with details today. It does seem appropriate, however, that we remind ourselves briefly at this point of what we faced and did.

With the help of our friends in Congress, we got the REA loan funds raised from the administration's budget request of $90 million to $170 million—nearly doubled. This enabled most of you to continue with your planned construction and heavying-up program on schedule. But the amount is not adequate to cover loans that our people want in Illinois, Colorado, and possibly other States during the balance of this fiscal year.

We did not succeed in getting the telephone budget request increased as needed.

We succeeded in getting the administration's budget request for REA administrative funds raised by $200,000. This was to be used primarily to cut down the backlog of loan applications and for REA to assist us in exploring the application of atomic power in rural areas.

We succeeded, with the help of the REA Administrator, in scotching an effort to double our interest rates.

During the past year we worked more closely with all other organizations friendly to our cause—or rather we all worked better together, gathering and disseminating information. Most of this work was done through the Electric Consumers Information Committee.

We supported the Langer antimonopoly committee of the United States Senate in its effort to expose the countrywide power company drive through Interior Department officials and others to wreck our power supply arrangements with the Federal Government and thus increase its monopoly position. Nevertheless, the power-company drive is still on. Except in isolated instances the 50-year-old preference or antimonopoly clause in the law and the whole power program are being crippled by new policies and practices and the rural electrics will be limited to less power at higher cost than under the old policy—while the power companies will get more at lower cost. The power companies are putting on powerful pressure right now to stop this antimonopoly investigation of themselves and right now it seems they are succeeding.

In the Southwest we were unable to keep SPA from being reduced to a mere marketing setup, with most of its functions, even its power negotiations, moved to Washington. The situation was aggravated by two lawsuits now pending in the Federal courts.

In the first Southwest case the 10 power companies of Missouri were and still are suing to kill the right of all rural electric systems everywhere to borrow money from REA to generate their own electricity, on the ground that that is not serving unserved persons; and in the same case, they were and are suing to kill our right to enter into certain types of power exchange arrangements with the Government. Should they ultimately win on either contention it would be a major disaster for our program countrywide. They lost this suit in the Federal court but they are now appealing it to the circuit court of appeals. The Department of Justice has done a nice job presenting our side of the issue for the Government.

In the second Southwest case some of our co-ops in Missouri were forced to sue the Secretary of Interior. They won a judgment against him in the Federal court declaring him to be in violation of the law in not carrying out certain contracts which Interior's Southwestern Power Administration had made with us, but he still won't do it. Instead he is appealing the case while at the same time trying to force our generation and transmission co-ops in Missouri and Oklahoma to enter into power supply contracts with the Missouri and Oklahoma power companies. And the companies apparently won't agree to anything that we can live with. They seem determined to kill off our GT's and are employing the further device of trying to force themselves in as toll gates between the GT's and the Federal power.

To make matters worse, in the absence of the administration's support, we were not able last year to get congressional appropriations to carry out SPA's side of power exchange contracts with us beyond this February 28—just 2 weeks from today. Unless Congress comes to our rescue quickly with a supplemental appropriation, the chaos that already exists with our GT's in the Southwest will be intensified many times.

Interior's new policy calling for less firming up of hydro power means less power for the rural electrics at higher cost. Last month SPA made application to the Federal Power Commission for a rate increase.

A further tragedy will exist if the GT's are lost for not only will their member co-ops suffer but so will all the other co-ops in the area, some of which are getting Government power wheeled to them by power companies and some of which are buying directly from the companies. Their rates will go back up, for when the GT's that helped to bring the rates are lost the bargaining position of all our co-ops in those States will be lost.

But one very good thing happened to us in the power-thirsty Southwest last year. We got Table Rock Dam restarted and Beaver and Greer's Ferry authorized for future construction. In addition two small 7,000-kilowatts projects, Stockton and Pomme De Terre, in Missouri, and one large project, Lower Cumberland Dam (130,000 kilowatts) in Kentucky and Tennessee, were authorized during 1954.

In the Southeast, during the past year, we made no apparent progress in the efforts of Georgia and North Carolina cooperatives to purchase from Interior, Kerr and Clark Hill Dam power that belongs to the co-ops under the law. Nor could we persuade Congress to approve transmission lines as one means of effecting delivery.

In the Tennessee Valley we failed to obtain more needed power generation but I hope we have helped to block the Dixon-Yates counterarrangement which would no doubt mean the ultimate strangling of this great agency that has been of untold assistance to the entire rural-electrification program. The Dixon-Yates deal would mean increased costs in that area, and possibly all over the country because of the loss of the competitive effect of the TVA yardstick.

In the Missouri Basin our systems have been able to contract for limited amounts of power under the Bureau of Reclamation marketing criteria but the amounts available under the new policy are insufficient to meet projected growth than would have been the case under the old policy.

We got some but limited new transmission lines approved for North and South Dakota, Nebraska, and Wyoming. And the small multipurpose Glendo Dam was begun in Wyoming.

In the Northwest, like with SPA and SEPA, we were unable to keep Bonneville Power Administration from being reduced to a mere marketing agency with many of its old functions either eliminated or centralized in

Washington. We were unable to get any new starts on any new dams or major Bonneville Power Administration transmission facilities. We joined with other organizations in helping to delay the Hells Canyon dam site gift to the Idaho Power Co., a Maine corporation.

In the Northeast we helped to pass the St. Lawrence Seaway bill, but lost our demand for a Federal-type preference clause. We helped to stop the gift of the Niagara Falls power site to five power companies, but we failed to achieve Federal development.

In the country as a whole, we were unable to stop the tremendous administration's drive to apply its so-called partnership policy. The policy tends to ignore, neglect, or destroy the country's traditional resources partnership with people locally and substitutes the big corporations.

We failed to get a new generation and transmission co-op loan approved anywhere in the United States in 1954, which meant that more than 2 years had passed without a new GT being started, although several were needed.

We testified before the Hoover Commission Task Force on Water and Power but apparently met a solid wall of prejudices. We presented a statement by mail to the task force on lending agencies—that's as close as they would let us get to them—but we are not conscious of any good accomplished. All the Hoover Commission task force reports are due to be filed with Congress soon.

In the battle over revision of the Atomic Energy Act, we won some needed amendments but lost others. I shall return to this topic of atomic energy presently and discuss it more fully than I have these others because it is newer, more involved and far reaching, and of interest to all of us.

Our NRECA president and secretary-treasurer have both told you of other efforts and accomplishments of the association during the past year. These have included our successful management institutes, the regional meeting management and power use workshops, and the board's constant struggles with inadequate housing and inadequate budget. Our editor of Rural Electrification magazine and the manager of our retirement and insurance department will tell you of still more of our work this afternoon. Even if 1954 was hog-killing day all the year, I am very proud of that year's work. We made mistakes but we have an excellent staff and we did our best. Washington employees are proud of the excellent cooperation and support which the NRECA officers, the board of directors, and all of you have given us. I am proud of you, all of you, because you are such fine folks to work with, because you demonstrate over and over again that you know what you want done, that you know how to do it, and that you don't intend to be stopped.

ENERGY AND MAN

The basis of all human life is our ability to utilize the energy of the sun. This has always been true, and man has lived well or poorly depending on how efficiently he has been able to harness this energy. Primitive man lived a life that was brutish and short because his available energy resources were limited.

The great turning point in the history of man was the coming of the industrial revolution, when at last man no longer depended upon his own frail strength and the work of domesticated animals and at last learned to harness the power of the fossil fuel, coal, oil and gas to machines through the power of steam. Since then, he has learned to convert these old deposits of the sun's energy and the power of falling water in the rivers into electricity. It is machines and these sources of inanimate energy which have made possible the kind of America we know.

THE AGE OF ATOMIC ENERGY

But now we stand on the brink of one—if not the greatest of man's conquests—the conquest of the atom itself. From here on we can still utilize the power of the sun in field and forest; we can utilize the power of sun which lifts the water from the sea and controls the winds that move it to the land where it can be harnessed as it runs back to the sea; we can utilize the old deposits of fossil fuels, products of the sun's energy ages ago. But now we have learned a new great secret: We can, we have already, created little suns of our own. For the sun is only a great atomic reactor, and we, at last have learned to create small suns of our own. From these midget suns, from atomic reactors, we can generate incredible quantities of low-cost energy.

This does not mean that conventional methods of electric generation will soon become obsolete. They will not. It means that the coming of atomic fuel to the power industry will supplement other generation processes. It will simply give us more power at lower cost, and will stimulate beyond anything we can now imagine our present free-enterprise system, and it will add unbelievably to our military strength. It will supplement but not replace existing power generation.

To us this also means that our old problems of obtaining adequate REA loan funds for expansion of our systems and of obtaining public development of low-cost water power with preference and transmission lines to make this preference effective will be with us indefinitely. But to these problems is now added the additional task of achieving the same ends in the atomic energy program that we have sought in the water resources program. If our systems are to survive and grow, we must share in the atomic energy program. Moreover, as citizens we must participate, in any event, in the pursuit of equality of opportunity and an economy of abundance, for defense and the aid of our allies, for the free people of the earth and those who can become really free only when the crushing weight of poverty and want has been lifted from their shoulders.

THE OLD PROBLEM OF MONOPOLY

These are the possibilities, provided the age-old problem of monopoly does not prevent rapid development and utilization. For nearly half a century we saw monopoly lay claim to the choice hydroelectric sites. We saw the great power combines seek to hoard up and sit on the best sites, frequently without making any move to develop them. Many of the companies obtained licenses to build the dams, but then claimed for decades that their development was not feasible, that power could be generated from the fossil fuels at lower cost. Only since the Federal Government began harnessing the rivers, by developing multipurpose projects, have the giant companies become really interested in developing hydropower, and even under the new partnership policy, they are calling for Federal subsidies to assist them.

It appears that we now face the same struggle in the development of atomic energy and the distribution of its benefits. The technology of atomic energy has been developed at public expense. By June 30 of this year, the people of this Nation will have already invested over $18 billion in public funds in this field and Congress has appropriated a total of over $15 billion. Individuals and corporations have invested virtually nothing. Furthermore, the United States Government takes title to all atomic fuel, including the processed ore. Under these circumstances, who can deny that atomic energy is a part of the public domain just as much as were the public lands, in the early days of the Republic, or the water power resources of our rivers?

The rate at which atomic energy is developed to the point where its benefits will pour into every home in the country; the cost of that power once it is generated; and the decision as to whether we have electric power so cheap it may not pay to meter it, as AEC Chairman Strauss put it—these all rest in no small part with us and with the other people's organizations with whom we work. Of this, there is no doubt.

The basic technology is already known and is being developed. From here on atomic energy will come cheap and quickly if we establish wise public policies and if we are willing to make the public investment, or it will come slowly and will cost much more if we permit private monopoly, with its hesitant investment and arrogant profiteering to dominate the field.

We can get cheap atomic fuel just as we got the atom bomb and the hydrogen bomb—but at much less cost because the people have already put up the principal cost—by providing a relatively small additional investment. But, the more our country is willing to invest at this time, the more quickly will this new, low-cost electric energy become available.

And, as I shall suggest again later, the atomic technology has reached the point of development where all future investment in atomic power will be repaid, not only in direct reimbursement of the investment by consumers of electricity but also many times over by tremendous savings in power costs.

OUR HOPE IN THE ELECTRICAL AGE

Our cooperative program, which is bringing electricity to the country's farm, has become a vital part of the electrical age in America. Spread before you here in the meeting hall are two great charts, the results of recent studies, which will enable you to get some picture of the significance of that age. I want to discuss these charts with you.

Chart I is titled "Electrical Consumption, United States, A. D. 1900 to 2000." The year 2000, incidentally, is only 45 years away. Many of us will live to see it.

This chart shows the extraordinary growth of the output of electricity—which in many ways is the key to our American civilization. Electrical energy drives more and more of our machines, it provides a basis for good living in city and rural homes, it sustains the Nation's power in war.

The first half of chart I, left to right, is the recorded history of a rich half century of progress, beginning in 1902, when the country's total use of electricity was only about 1 percent of what it is today. You will notice that down to 1933 it had increased very slowly, to only about 100 billion kilowatt-hours a year. At that time homes were using only about 600 kilowatt-hours per year, and less than 10 percent of all the farmers in the land were connected with power lines. As late as 1936, when the Rural Electrification Administration Act was passed, the use of electricity for all purposes was only 136 billion kilowatt-hours a year.

Note that it was only after the passage of the TVA Act in 1933 and the Bonneville and REA Act of 1936 and 1937, that the line on the chart started really moving up. This was the direct result of the Government impetus in the power field, even though it was relatively small. (The Federal Government does not retail power in the Tennessee Valley or any other of its power-marketing areas. It wholesales its power and the commercial power companies purchase several times as much of it as do the rural electrics. The commercial companies occupy a more than 80-percent monopoly position in both the generation and retailing of electricity in the United States.)

From 1936 to this year 1955, the electrical age was actually here and we, the country's rural electrics, have been contributing substantially, both directly and indirectly, to its expansion.

But, it is the second half of chart I in which we are most interested now, for it looks to the future. The second half is based on certain assumptions. One of those

assumptions is that the American people will move forward on the basis of the same principles of power policy which have presided over the extension of rural electric service from 11 percent to 92 percent of our farms and the expansion of the country's total use of electric power from 136 billion kilowatt-hours in 1936 to over 540 billion kilowatt-hours in 1954.

As we move into this second half of chart I and understand its meaning in terms of American life, more goods, more services, more employment, more leisure, let us try to appraise the part which the farmers through their rural electrics must play if they are to share fully in the blessings already envisaged for the dwellers in cities and their suburbs. For it is going to be up to us of NRECA to give the answer.

In the first place, a glance at this chart impresses us with the sheer growth in the country's use of electricity ahead. Down to 1970 the figures represent the forecast of Electrical World magazine, trade journal of the commercial power industry, as set forth in its issue of September 20, 1954, supplemented by figures for production in nonutility electric plants. Beyond 1970 to the end of this century, the increases are conservatively figured at somewhat less than the utilities themselves expect during the decades to 1970. There is not the slightest ground for assuming that the general upward trend will not continue.

The chart shows that, by 1970—only 15 years from now—when our population reaches about 200 million, the total electric requirements will be over 1½ trillion kilowatt-hours annually.[1] This means a national supply of electricity amounting to about 7,500 kilowatt-hours per capital of the population as compared with about 2,600 kilowatt-hours in 1950, a nearly threefold increase in 20 years.

The chart shows that by the year 2,000 A. D., with a possible population of 270 million, the country's annual electrical requirements are likely to reach the astounding total of close to 9 trillion kilowatt-hours, or perhaps 33,000 kilowatt-hours per capita of the population.

This seems almost inconceivable today because we can no more foresee all the appliances and devices, which will be invented or perfected to render man's life less laborious, more comfortable and convenient 45 years hence than 50 years ago we could have imagined the appliances we are using today. As but one example of what may happen, I need only to remind you that today moderately priced demonstration houses are being constructed which, in addition to all known electrical appliances, will be completely air conditioned throughout the year. Year-round electric home air conditioning is just starting—but it's here and some of you already have it.[2]

RESIDENTIAL USE WILL COME INTO ITS OWN

From the point of view of our program, the tremendous growth in residential use of electricity is perhaps the most significant single trend in the picture of the country's electrical future. For the electrical farm is also the electrified rural home.

General Electric Co., in a two-page magazine advertisement in August 1954, bears testimony to this epoch-making shift from industry to the home, the application of the electrical age. It says:

"Residential load is growing rapidly and is expected to equal industrial load by 1975." That's only 18 years from now.

The ad further emphasizes suburban developments as the principal areas of future residential growth.

Because of the astounding nature of this trend we have prepared chart II, on the other side of the platform, which shows the growth of the use of electricity in the Nation's homes as compared with use in the Nation's industries.

Here again, we have used the Electrical World estimates down to 1970. Beyond that year, the estimates are based on conservative assumptions as to population growth, ratio of homes to population, and extension of the trends in use of electricity per home.

The figures show that when we reach 1970, the average home will be using about 7,323 kilowatt-hours of electricity per year as compared with 2,528 kilowatt-hours in 1954. Its use will nearly triple. But, when we project our view to the year 2,000, only those 45 years away—we find an indication that the average annual home use of electricity may reach 50,000 kilowatt-hours. This opens wide the opportunity for our imagination to conjure up what that electrical magician will do for our homes of the future.

But the very discussion of this tremendous growth by representatives of the electrical industry suggests the need for our organization and the need for its fight for vertical as well as horizontal expansion of our rural systems. For, on the one hand, we find the General Electric ad emphasizing expansion of city suburbs as the stimulus to the indefinite upward trend in residential use, and, on the other hand, we find Electrical World emphasizing an expected 40 percent increase in per capita spending ability plus an increase of at least 1 million a year in new non-farm homes as the basis for its estimate that residential use will rise from 15 percent of the total use of electricity in 1944 to 36 percent in 1970. According to this trade journal:

"Homebuilding is finally becoming a real consumer goods industry. * * * Among other things good-product design will mean larger, more electrified houses, with air conditioning and plenty of appliances added."

On the average American farm it uses much more electricity inside the dwelling than outside. But neither prediction emphasizes us, the farms, and farm homes. It's our problem to make sure that we are emphasized in the expansion.

It's our problem to make sure of a continuation of the national power policy, including rural electrification, which has vastly stimulated all electric power use nationally and under which the farms of the country, through their own cooperative business organizations, have for the first time in history begun to really share in this electrical age. We must not pause in our efforts, or be divided in our strategy, lest the rapidly expanding electrical civilization again leave the farms behind.[3]

THE ATOMIC ENERGY BATTLE OF 1954

Last year as the original Atomic Energy Act was being revised, we studied, watched, and testified in an effort to see that the antimonopoly features of the original act were left intact. The features provided ample protection for the public interest. When at last it appeared that a bill was about to pass, transferring the fruits of $12 billions of the people's money to a few huge corporations, we launched a counterattack against that attempted grab. In cooperation with other friendly organizations, the rural electric spearheaded one of the most comprehensive drives ever undertaken to acquaint the Congress and the American public with the people's stake in a sound atomic-power-development program, a program for the benefit of all the people, not just a few.

The result was the longest debate in the history of the Senate, centered around the policies on which we insisted. The policies we were fighting for were not new. They were policies fixed by you—a logical extension and application of the long-established power policies of our county and of our association. All we were asking for was the practical application to this new field of the same natural-resource principles and concepts which had done so much to make this Nation great.

Among other things, we fought to keep the corporate giants from obtaining absolute control of atomic technology which they sought and still seek through exclusive patent rights on all new developments. We fought to preserve the right of the people through their Government to build atomic reactors to provide a competitive element in the industry and to provide a yardstick—a yardstick by which we might measure the actual efficiency and cost of power production from atomic fuel. To make this yardstick function, we fought for preference rights in the marketing of this power. We fought to let the rural electric systems actually participate in the development of this new technology so that rural areas would not have to wait for years to share in its benefits as they waited for years for electricity itself.

At several points during those debates last year, we were within an inch of complete victory. In the Senate we won practically all of the amendments for which we fought. But the Conference Committee of the House and Senate was stacked against us and it proved impossible to hold the line in the House of Representatives.

However, the fight was not by any means lost. Out of it, through compromise, we gained some amendments. We gained more specific recognition of the importance of having the AEC build some large experimental atomic powerplants. We gained preference in the granting of licenses to construct atomic powerplants and in the marketing of atomic power from the Commission's experimental plants. We were able to defeat brazen attempts to turn over the country's great new energy resource to mammoth corporate insiders through unlimited monopolistic private patents.

And we gained something else. We forced public attention upon the problem, and gained time and opportunity for a discussion countrywide of the real issues involved. We gained time for our consumer members everywhere, but particularly in those areas where we don't have the advantages of Federal hydropower, to discuss the vast possibilities of atomic energy.

One important decision which you should make at this meeting is in answering the question "Where do we go now in the atomic energy program?" Shall we fight, for instance, for changes which would permit and guarantee the right of others than the big corporations to participate?

OLD POLICIES PRACTICALLY APPLIED

When considering policy with regard to any new situation involving the public interest in electric power, it is wise to consider well the policies which brought us to our present advanced position. In the field of energy development and use, what policies have helped to make America the world's foremost agricultural and industrial Nation? What policies have made our free enterprise system so productive, have made it possible for our people to live so well that we have been relatively free from internal threats which would swing us to either the extreme of fascism on the right or communism on the left?

What is it that we and the rest of the people of the Nation need in terms of public policy and action on atomic energy? The general answer I believe, is simple. If rural people, if our rural electric systems and all

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[1] So by 1970 the usage will be well above the figure estimated for 1975 by the President's Materials Policy Commission (the Palley Commission) in its report of June 1952.

[2] For a picture of how the commercial electric industry views the future, see appendix A.

[3] On the importance of adequate low-cost power supply, see appendix B.

electric consumers, rural and urban, are to get the maximum benefit from this great resource, if the Nation is to be secure and if we are to maintain our opportunity to lead the other free people of the earth up the road to abundance—if we are to achieve these things, we must see that the Congress and the AEC establish and adhere to the old, tried policies which have applied in the past to hydroelectric power and the homesteading of agricultural land.

These old policies basically add up to equality or opportunity, competition and enterprise and restraints upon monopoly. These principles are as old as the Nation.

STRUGGLE OVER LAND POLICY SHOWS THE WAY

For nearly 300 years after Plymouth Rock, land continued to be our most extensive and most valuable resource, and the basic resource policies for which we fight today were hammered out in the struggle between the forces of hereditary landlordism, of feudalism, and the common people who sought free holdings. From the earliest times the kings turned great tracts over to individuals and companies. Great land companies tried to gobble up the land wherever possible, to monopolize it and profiteer. But the common people were opposed to large-scale landlordism, to profiteering exploitation of the little man who sought a farm.

During colonial times and after the founding of the Republic, the people clamored for land and they made progress. The long struggle finally culminated in the passage of the Homestead Act in 1863. That act was passed during the administration of a man close to the people and one of the people. He had much to say about how monopolies thrive by keeping their commodities scarce and their prices high. After he was elected, it took him 2 years to get the Homestead Act passed by Congress and during the fight Abe Lincoln was abused, smeared, condemned and threatened with impeachment for daring to oppose the plans of the landgrabbers.

We must not forget that an America of free farmers did not happen automatically, did not come easily or without conflict. It was and is the product of the struggle of the common people for equality of opportunity, for a right to a place in the sun, for freedom of enterprise and democracy.

CORPORATIONS ATTEMPTED TO SEIZE HYDRO SITES

Then almost exactly half a century after the passage of the Homestead Act, when the technology of the electric industry made the Nation's water powers a resource, the great corporations began to lay claim to them, there went up throughout the land another clamor for the hydroelectric resources to be developed in such a way that all the people to whom they belonged would benefit. It was in reality a clamor among the people to use their Government to turn these resources which they already owned into servants of their enterprises and their communities.

It was at this time that a great Republican President, Theodore Roosevelt, first referred to private power monopoly as a threat to the Nation. In vetoing a bill to turn a hydroelectric dam site over to a private company he said: "The great corporations are acting with foresight, singleness of purpose and vigor to control the water powers of the country. * * * I esteem it my duty to use every endeavor to prevent the growing power monopoly, the most threatening which has ever appeared from being fastened upon people of the Nation."[4]

And so that same Republican Party which gave us the Homestead Act of 1863 gave us the Reclamation Acts of 1902 and 1906.

A few years after the Teddy Roosevelt veto, another great Republican President, William Howard Taft, in vetoing a bill giving a dam site on another river to a power company said that "To introduce a diversity of title into a series of dams which may all become eventually a part of a single improvement directed at the same end would, in my opinion, be highly objectionable."[5]

They simply applied the resources-belong-to-the-people idea, the homestead principle, the antimonopoly principle, to the development of our vast resource of falling water.

But they recognized that it wasn't enough to just provide for Federal development of the resource. It was necessary in addition to provide that the people should have a priority claim to purchase the electric energy which it produced. Thus originated the so-called preference clause provision—the real homestead provision, or antimonopoly provision, in our various water power development laws.

Just as the Homestead Act held back the great land monopolies to give the people and free competitive enterprise a chance, so the preference clause was designed to give the people and our enterprise system access to what was already theirs, the energy developed at Government dams, free from any toll exacted by monopoly.

It was therefore a perfectly natural thing for our rural electrification leaders 20 years ago this spring to build on these same ideas, antimonopoly ideas, when they undertook to make electricity available to farm people.

Throughout 1935 and 1936, when the Rural Electrification Act was emerging to become an established law of the land, great leaders of both parties—Franklin Roosevelt, of New York; George Norris, of Nebraska; William Borah, of Idaho; Charles McNary, of Oregon; Bob La Follette, of Wisconsin; Smith Brookhart, of Iowa; Gifford Pinchot, of Pennsylvania; Sam Rayburn, of Texas; John Rankin, of Mississippi; and many others—working together without political jealousy for the common good, gave us the plan that has succeeded so well. They wrote into the REA Act the principle enunciated by Lincoln when he wrote, "The legitimate object of Government is to do for a community whatever they need to have done, but cannot do at all, or cannot so well do, for themselves, in their separate and individual capacities."

And that's the reason the Rural Electrification Act of 1936 provides for preference on loans to cooperatives and other nonprofit groups. It says nothing about any priority of loans to the monopolistic power companies, either directly or indirectly. And that is why, too, the Federal waterpower marketing laws, beginning with the TVA Act of 1933, began to include cooperatives along with public agencies as vehicles through which resources could be made available to the people. From the Mayflower compact of 1620 to the establishment of REA, it has been the self-help idea plus the people's access to resources, that held back monopoly and permitted free enterprise to surge forward to create a good life. If it is socialistic, or communistic as some would imply, to hold back monopoly and thus guarantee citizens access to their own resources, then the United States and the Republican Party and the Democratic Party have always been socialistic or communistic. Obviously, this is an absurd contention.

Would it not therefore be wise today to consider applying the same principles to the development and marketing of the most abundant of all our present-day energy resources, the atom?

WHAT SHOULD WE SEEK UNDER THE ATOMIC ENERGY ACT?

In terms of the general antimonopoly principles which have served this Nation so well in terms of the absolute necessity that our systems participate in the atomic energy program in such a way as to secure access to low-cost atomic power, what specific policies and developments should we seek? What action should we take?

In the first place, we must take full advantage of the favorable provisions in the Atomic Energy Act of 1954, by pressing for the prompt undertaking by the Atomic Energy Commission itself of full-scale experimental atomic powerplants in several parts of the country. This is authorized in the law now, but AEC is not acting. We should insist upon the same mobilization of public scientific and technical skills to achieve this objective as the Government put into the "crash" program for development of the atomic bomb.

This means that we should press Congress to direct the AEC to use its powers, not only to collaborate with private power systems in the construction of such large experimental plants, not only to undertake similar collaboration with large public and cooperative systems, but also to itself undertake the construction of large-scale atomic powerplants using the most economical reactors so far developed. And we should insist that Congress appropriate the necessary funds for such Government-owned power projects.

The atomic projects undertaken by the AEC itself should be located where rural electric cooperatives and public electric systems, which have not had access to low-cost power from river basin projects, can take advantage of a similar competitive source of power supply. The output would be sold to them under the preference provision which is already in the 1954 act.

In the second place, we should insist that Congress direct the Atomic Energy Commission to undertake the speedy development of economically feasible small atomic powerplants, adapted to the needs of rural electric cooperatives and small municipal power systems. Ample funds for this phase of the atomic power development program would assure small community power systems the opportunity to take advantage of atomic power and remain a competitve stimulus in the electric industry. Progress along this line may prove of great importance in our efforts to help backward peoples get a start in the electric age.

This phase of the program under the existing act should be carried out through AEC cooperation with the NRECA and REA, but with the responsibility for financing largely assumed by the Federal Government. As I shall note later, the AEC has already announced a developmental program which would largely subsidize the experiments of private monopoly. Let us make sure that our Government gives the same encouragement to those consumer-owned projects which would provide these monopolies with effective competition.

As you all know, beginning last year, the staff and I, in conferences with AEC, began pressing for knowledge as to how the rural electric systems could participate in the atomic power program. With each additional conference we became more convinced that we should move quickly. We knew that for 4 years AEC had been entering into contracts with power company study teams of a type which, by our very nature, excluded us. We were interested simply in receiving comparable treatment. We were told, however, that the annual cost to us of such a team would remain substantial. Thus we felt we were still excluded because we were poor.

Lately, however, we have made some progress toward a different, but limited type of study team. After our showing of strength in the congressional fight over the atomic energy bill last summer, AEC indicated it might look with favor upon our making application for a type of study team, not one of the $100,000 variety but one which would permit us at least to gain some inside knowledge of the possibilities of atomic power for rural areas.

[4] From veto message, James River bill.

[5] From the veto message, White River bill.

The week after the new law was signed, our president, Jack Smith, appointed an atomic energy committee of our own people, including several of our leaders in high power cost areas. The committee met and invited REA to join us in a joint study group. Later the executive committee repeated the invitation. We wanted REA to join us for two reasons: (1) Because we cannot get into this field without the cooperation of our banker, and (2) because we must have the assistance of technical personnel, nuclear physicists and chemists and metallurgists, which REA could hire with the funds we secured for that purpose from the Congress last year, but which we alone could not afford. Only with the active support of both Government agencies, AEC and REA, can we hope to make the most rapid possible progress toward our goal.

I am happy to announce that AEC has partially approved—subject to our agreeing to certain conditions—a study team arrangement with our Atomic Energy Committee, and that we apparently will soon have access to considerable information. But access to information is not enough. We must be in a position to make a real contribution to the development of low-cost energy from atomic reactors of the size we can use. We can do this, however, only if we can consult with qualified technical people with considerable experience in atomic power. We are still hopeful that REA will join us in this study group and will hire the technicians which we and they need so badly.

DISTURBING DEVELOPMENTS IN AEC

In the meantime there is very disturbing development at AEC. Last month AEC announced that it would accept bids for the construction of experimental atomic reactors from interested groups. The time for accepting bids would close April 1, 1955. Upon investigation we found that no group could apply for this privilege unless it had obtained security clearance from AEC. This meant that the only bidders eligible were the utility groups that already have cleared study teams. In other words, those eligible under AEC rules were two public power agencies—TVA and Consumers Public Power District, in Nebraska—and 42 private power companies. Thus, electric cooperatives, all other power districts, and all municipally owned electric systems were excluded from the bidding. But even if we had the necessary study teams and had been cleared we would not have had a chance in a deal like that.

Even TVA cannot apply without congressional authorization, so that in effect AEC was announcing that bids for reactors must come only from one power district and 42 private companies, including most of the largest power companies in the country.

With your help we shall see that such discrimination is not long continued.

WE MUST SEEK AMENDMENT OF THE ACT

Our basic hopes, however, require amendment of the existing Atomic Energy Act. We must restore the act at least to the form in which it passed the Senate before the House conferees applied the hatchet to the public interest provisions.

There are certain amendments to the Atomic Energy Act which I believe we would all agree are in the "must" category. These amendments should include the following:

First. The act must clearly direct the establishment in AEC of a division of civilian power application, which will concentrate upon the development of electricity from atomic power. This division should have consultants from private, public, and cooperative power groups which it will keep informed and which will keep us informed of developments.

2. We must insist upon clarification of our preference rights as to A-power. The law gives us preference, but it leaves too much to administrative determination. In Illinois and New York electricity from experimental reactors is already available and energy is being offered to co-ops as preferred customers, but it is not firm power. It is interruptible and we may not be able to exercise our preference rights unless that power is firmed up and wheeled to our systems. The firming up would not be a net expense to the Government, but would, instead, enable the Government to gain more.

3. We must prevail upon the Congress to revise the patent provision to prevent huge private monopolies from getting a stranglehold on this new public-power resource. If the basic research is done by Government, the patents will become a part of the public domain. If, on the other hand, the research is done by private companies, the companies can bottleneck development with patents and leave us out in the cold, despite the fact that all such research is subsidized directly or indirectly by the Federal Government. The people will pay in any case because if, for example, Duquesne Power Co.'s present construction of an atomic powerplant near Pittsburgh is a sample, part of the cost will still be borne directly by AEC and part of all of the rest will be paid by the Treasury through interest-free loans under the rapid amortization provisions of the Internal Revenue Act. All patents which have been financed directly or indirectly by the Government should be made available to all on a nonexclusive basis.

We must insist on the passage of the Johnson amendment providing for cooperation between the AEC and Federal power agencies in the development of full-size atomic reactors to serve as an atomic-energy yardstick, with preference to nonprofit electric systems.

If these things are done, I am confident we can soon begin to bring wholesale electric rates down in the higher power cost areas, particularly from Maine to Ohio, to Kansas, Minnesota and Alaska.

While I have devoted a major part of this report to atomic energy, because its development is so new, we must not lose sight of other equally important problems.

OTHER MUSTS

Very briefly I want to list now some of the other urgent needs of the individual rural electric cooperatives and power districts as I see them. All of these suggestions, I believe, are in line with your declared policies:

We must push for a supplemental loan fund authorization to help REA get around the formula and make loans that cannot otherwise be made before the next fiscal year.

We must urge an emergency $780,000 supplemental appropriation to permit Interior's Southwestern Power Administration to continue its interim, makeshift power exchange contracts with our cooperatives in Missouri and Oklahoma. And this must be followed by the establishment of an SPA operating fund and a congressional directive to Interior that the original SPA-coop contracts be carried out.

We must give our action and immediate support to full-fledged investigation of power company monopoly practices.

We must press for congressional action to stop the Hells Canyon giveaway.

We must fight for adequate REA loan funds for the next fiscal year. The amount required will be determined by our national legislative committee after thorough studies of our January 1 survey returns have been completed.

We must actively seek repeal of the State allocation formula in the REA Act. I congratulate REA Administrator Ancher Nelsen for endorsing and advocating this change.

We must secure the authorization of funds for new TVA steam plants.

We should support congressional action to again authorize TVA to issue its own bonds.

We should insist on the authorization of and appropriation for new power or multipurpose river projects, particularly at Niagara Falls, Hells Canyon, and on the Colorado and Arkansas Rivers, with Government assuming full responsibility for marketing the power under traditional power policy.

We should press for appropriations to start several new multipurpose projects, particularly in the Northwest and upper Missouri areas where power is badly needed, as well as in the Southwest where a power shortage already exists and where drought conditions have seriously crippled the whole economy.

We should call for the appropriation of planning funds for a survey of all potential multipurpose river projects for a national pattern of development.

We should urge Congress appropriate funds for several self-liquidating transmission lines from the multipurpose projects, particularly in Idaho, Montana, North Dakota, Minnesota, North Carolina, and Georgia.

We should support the establishment of Federal capital budget, in which Federal funds loaned or invested, and which will be returned to the Treasury, will not be shown as expenses.

We should oppose congressional approval of the anticipated Hoover Commission reports without considering well their effect on the rural electrification program.

If this sounds like a big order, I can assure you it looks still bigger when laid alongside what the highly organized and fabulously financed National Association of Electric Companies is planning to try to do to us this year. We have come upon a confidential copy of their program. Time does not permit my quoting it, but it's obvious they have declared total war on us, working largely through public officials. They even claim to have a majority of the present Congress on their side.

LET US CONTINUE TO PLAY OUR PART

The most alarming development in this Nation, outside of the Communist threat, is the increasing effectiveness of mass propaganda financed so lavishly by the great corporations, propaganda against the Government of the United States, yes, against the people of the United States. A Government established to promote the common welfare is no longer considered American by some great corporations, unless the common welfare is promoted through them. In a country where the government has always taken a hand in economic and political life where necessary to promote the welfare of all, the idea is spreading that there is something evil and subversive if government now curbs the great corporations in the interest of freedom of enterprise and equality of opportunity.

We are told that a great Federal dam on the Snake at Hells Canyon is subversive of democracy and freedom, but that giving away the sites to private monopoly and sacrificing half of the potential power output of the Hells Canyon project is good Americanism. In the same language we are being told that, if the people through government participate in the development of atomic energy, or if the people insist upon antimonopoly restraints in the Atomic Energy Act, this is un-American and a threat to a free society. But Government subsidy of development by private monopoly, they tell us, is 100 percent American.

And by virtue of this propaganda and the money power which finances it, great inroads are being made upon the minds of our people, upon the minds of Members of Congress. Government is now being used to deprive the people of their resources and rights. Government is being used to compel our own people to enter into agreements with power company monopolies which cripple us and jeopardize our future inde-

pendence of action and even our existence as electric systems.

Let us not be silenced by pressures and threats. Let us not be slowly destroyed by pressure and propaganda. Let us not be fooled into doubting our own finest principles.

The rural electrics have a peculiar role to play in this picture because we are the primary competitive force in the electric energy field. It is upon us that the influences of monopoly most quickly impinge; it is upon us that farm, labor, consumer groups—and our allies in the local publicly owned plants—depend to act as watchdogs and scouts as well as battlers for abundance.

The policies we have championed and champion now in terms of old resources are born out of experience and hardship. We have not only hammered our policies out of hard experience, but we are heirs to two great traditions: (1) that the people's resources, the natural resources of the Nation, should be so developed as to make the greatest possible contribution to all the people; and (2) that competition in the real sense of the word is the only guaranty that consumers, that citizens, will share in the fruits of nature's bounty and man's genius. When we look over our policies, the thing that stands out in all of them is our devotion to these great traditions, to democratic resource development and to the promotion of abundance and opportunity through competition, through the yardstick, through the ingenuity which we have employed in performing a task condemned as unfeasible by the smartest minds of the monopoly companies that dominated the electric energy field prior to 1935.

Now, as we enter a new age, most of the old problems are still with us and the old policies must be maintained and implemented because monopoly control of our new and greatest energy resource would mean monopoly domination of our whole way of life.

In this new atomic age, the details are new. Indeed, there is new hope and promise from the little nuclear "suns." But there is the same old problem, the problem of monopoly and restriction of output, of lack of vision, of "it cannot be done" propaganda. Our ability to harness this great discovery, to use it greatly, to spread the knowledge of it among the peoples of the earth in the grim race with the U. S. S. R. and her allies, rests upon our unity, our understanding, our courage, and the energy we bring to bear upon the solution. From now on the scientific problems, the technical problems can be solved only by large-scale experiment which means money—and where is it to come from? We must approach electric atomic energy much as we approached the atom bomb. The Congress must say, "It can be done, and here is the money to do it with." Private capital alone, usually timid toward progressive expansion where it controls a monopoly, could leave us limping far behind Russia and other nations. But private capital spurred on by Government can do wonders. So we can either prepare to subsidize monopoly, or push for a combined program of private, cooperative, local, public, and Federal develpment as we have in waterpower.

Monopoly rides virtually unshackled in the power field. Look at the Langer committee findings: Monopoly corrupts, corrodes, and dominates. Monopolies treat State governments as captive colonies. They build hesitantly and profit arrogantly. They seek to destroy all competition. This is one of our old problems, but in atomic energy it becomes a new and disturbing one because of the world situation and the opportunity to make the great steal of the ages.

A Congressman called me year before last and asked me to come see him. When I arrived, he told me, "As you know, Clyde, I have always been a friend of the rural electrification program, but unless you people can convince more people in my district that your program is sound, I am going to have to quit you. The pressures on me against your program are becoming too great. I'll be defeated if I don't recognize them." His record had been 100 percent for us until that time. After that he has been voting against us part of the time.

I say again, we are the key group in the electric industry because, outside the professional monopolists, we are the informed group, we are organized, we need power, and our interests are not in conflict, but wholly in accord with, the interest of all Americans, of all men of good will everywhere. Because of this, we have the key role. With intelligence and unity, we must lead out. This will not only enable us to survive and perform our own task, but it will also enrich the lot of all our people, of all people everywhere.

Let us go home from this historic meeting remembering this great chart on the wall, its hope and its promise. And let us go forth determined to do our part and even more than our part to see that that hope and promise are fulfilled.

Appendix A

How the Electric Industry Views the Future

Let us pause in discussing the chart to let ourselves in on what the commercial segment of the power industry is thinking about this picture—on what they are basing their estimates.

The Edison Electric Institute, a commercial company group, suggests, on the basis of a study, that the demand for electric power will double from 1955 to 1965, and double again from 1965 to 1975.

The October 11, 1954, issue of Electrical World carriers a story on the Westinghouse Manufacturing Co. program to spur generator purchases, which gives, as one of the reasons why this is necessary, that the electric utility industry predicts fantastic future load growth. It adds that similar predictions in the past have always been exceeded.

President G. M. Gadsby, of Utah Power & Light Co., addressing a General Electric forum at Salt Lake City on November 14, 1952, praised the record of the electric industry and added that its cumulative results up to 1946 have been dwarfed by the tremendous expansion of the past 6 years.

All those commenting and predicting on behalf of the private power industry base their conclusions of tremendous growth on the need for growing electrical capacity behind each industrial worker to enable him to produce the requirements of a higher standard of living in fewer work hours, and the tremendous upsurge in the use of electrical conveniences for the home.

Electrical World, in its September 20, 1954, issue, largely devoted to forecast, says that its predictions are based on the fact that Americans will continue to strive for, and achieve, an improved standard of living—a standard which is becoming synonymous with electrical living. I emphasize the last part of that statement because we who make up NRECA are largely responsible for assuring the Nation's farms full opportunity to participate on an equal basis in electrical living. We are responsible for the all-electric farm and for the all-electric rural area which NRECA President Smith discussed this morning.

But let us examine Electrical World's predictions further. This voice of the private electric companies calls attention to the fact that the dynamic postwar growth in the American economy has brought with it a spectacular rise in the use of electrical equipment and resulting energy consumption. It says: "The economy's predicted continued growth will bring with it a continued rapid rise in the use of electric energy."

Industry, Electrical World says, must increase its production of goods to meet the demands for an improved standard of living, but, it continues, the trend toward greater leisure among the Nation's workers will restrict the number of man-hours available to business. The answer, it says, is a sharp increase in the use of machinery which means electric energy. The publication points out that the consumer's share of the national output will increase and his increased share will enable him to purchase electrical conveniences and comforts which have been luxuries in the past.

President Gadsby of Utah Power & Light also gives us a vivid picture of what this electrical age means in terms of the workers in our factories.

He points out that the average use of electricity in our industrial plants in 1951 was 7 kilowatt hours per man hour, with the ratio increasing month by month. He says:

"It is difficult to visualize the dramatic significance of these few statistics. They indicate that built into our tools of production is now power of such magnitude that each average worker has under his direction the equivalent of 154 men."

Gladsby finds no difficulty in projecting the increase in hidden manpower to a crew of 250 unseen workers for each visible individual on the production line. He refers to the unbelievable skill and versatility of these hidden crews.

It is important for us to realize the significance of what these electrical industry spokesmen are saying. For, as we go deeper into their outlook, we find that their ideas of growth in the use of electricity center mainly around increased productivity of industry and expanded suburban living—both of which are associated with our cities and their surrounding communities. It is the old story—the cream-skimming viewpoint. They are not talking about all-electric rural ideas.

NRECA and a few allied groups constitute the only organized effective advocates of the farmer's share in this electrical future. Our program, the program for which we have fought with notable success during past years, and will continue to fight during the years ahead, has as its worthy objective the task of assuring the country's farmers those same hidden crews of versatile workers, and the same opportunity for more leisure, the same opportunity to use electrical conveniences and comforts as are being offered the commercial and industrial portions of the population.

Your NRECA is the great union of farmers for participation in the electrical age—symbolized throughout the Nation by our "Willie Wiredhand."

Appendix B

Importance and Cost of Power Supply

If we may turn back to chart I a minute, we suddenly realize that in terms of the country as a whole, as well as of our own rural electrics, it will be a gigantic task to find the low-cost power supply which will make this electrical-power-unlimited possible.

Just to get some idea of the magnitudes involved, even if we should take full advantage of all potential hydroelectric developments, the requirements for fuel-generated energy would be equivalent to demands for over 600 million tons of coal in 1970, over a billion tons in 1980, 2 billion tons in 1990, and over 4 billion tons in the year A. D. 2000. This would range from more than 4 times the present use of coal for generation of electricity by 1970 to about 8 times in 1980, 16 times in 1990 and more than 30 times in the year 2000.

When we consider that the United States Bureau of Mines estimates the total capacity

of all existing bituminous coal mines, operating at approximately full-time with existing manpower, to be less than 700 million tons a year, we realize the challenge of these figures. Total production for all purposes in 1954 was less than 400 million tons. And of course there are many other demands on the coal industry other than for power generation.

I am deliberately leaving out oil and gas, as contributors to the generation of power for the future, because they represent only a very small fraction of our total energy resources and their limited supplies will no doubt soon be reserved principally for the uses for which they are specially adapted.

The major burden of expanding power production is therefore on coal until we bring in atomic power and, if coal could carry this burden at all, it would be for only a time and at greatly increased cost.

The threat, then, to the country's economy and to the rural electrics is that, unless we quickly get low-cost power from the atom, the rapidly increasing demand for coal will result in rising fuel costs and higher electric rates. Thus a statement by the Atomic Energy Commission to the Joint (congressional) Committee on Atomic Energy points out that, while coal in the United States is abundant, "its cost and quality cannot be expected to remain at present levels in the face of indicated increases in demands of industry and utilities." It says: "Coal reserves are ample to meet projected consumption far beyond 1975, but rapidly rising rates of consumption may require us to turn in the last quarter of the century to higher cost and lower quality coal."

AEC tells the joint committee that "the prime contributions of nuclear power would be to help hold power costs down, to provide a new source of energy to meet, and perhaps help stimulate, rising demands in the last quarter of the century, and thus to assure that adequate electric power is available at reasonable rates to sustain continued national growth and well-being."

Therefore, tremendous importance attaches to the areas of the chart indicating the contributions of water power and atomic power in meeting the need. And the chart shows clearly that beginning very quickly now, atomic power will begin rising rapidly toward the position of chief supplier of the country's electrical energy. Our estimates suggest that it will provide 50 percent of all new electricity supplied by fuels in the 1970–80 period; 75 percent of such additional generation between 1980 and 1990, and 100 percent of the new fuel plants thereafter. Atomic energy will not soon replace our hydro and coal sources but will supplement them. Electrical production from water and coal will continue to increase for many years yet.

It follows then that if we would have low-cost power in abundance, to gain the full advantages of the electrical age we must (1) continue to support a policy which will deliver all the kilowatt-hours which we can get out of our rivers at the lowest possible rates; and (2) more important still, we must apply that policy to obtain the same results from an atomic power program.

And we of the electric cooperative movement—including the power districts—know from long experience that it will require something more than technical and engineering brains to attain the desired objective. It will require a continuation of the true Federal-local partnership which was the central theme of our great meeting a year ago in Miami. It will require the partnership in which the Federal Government shares the responsibility for low-cost wholesale power supply with the truly community enterprises, while these municipals, power districts, and rural cooperatives in turn take the responsibility for the most widespread distribution of electricity at the lowest possible rates.

This true partnership policy on which we have grown strong, and for which I am sure we shall continue to battle, provides the only a check on huge private power monopoly with its tendency to restrict the full development of the Nation's hydroelectric power, slow down the development of commercially feasible atomic power, and maintain the high wholesale power rates which will jeopardize the success of our rural electric cooperative movement.

And as I turn to a discussion of our role, the role of NRECA in helping to lead the country into the blessings of the atomic power age, let me state, with all the force that I can muster, my conviction that within the next few years this new source of power supply will offer us the lowest cost electric energy that the people of this land have ever obtained except from our water-power developments. I base this conviction not only on the facts contained in the AEC statement to the joint committee but also in part, on technical articles in such journals as Electrical World describing prospective power reactors which the great equipment companies now have on the boards. And from other sources, including discussions with atomic scientists, we have even more encouraging reports.

If you read the most recent AEC reports carefully you get two hints of great importance.

The first hint is that industries like the electrochemical and light-metal industries, which have always sought really low-cost power supplies from hydro or natural gas, may no longer be limited in location to the neighborhood of these resources because they can now look to cheap nuclear power. That means atomic power at 4 mills or less per kilowatt-hour.

AEC has made this further significant statement to the congressional joint committee:

"Much development work will need to be done before small nuclear plants producing at competitive costs can be built to meet small loads, and if fixed charges constitute a relatively large part of generating costs for such plants, their economics will be unfavorable as compared with conventional plants wherever plant factors are low."

This sounds like a kind of a negative way to express a hope. But it means to me that, if we can get the AEC and REA working with us to do the necessary development work, it will not be long before we will have nuclear plants which our G. and T. cooperatives can afford, producing electricity at relatively low cost. Even more recent information indicates that low-cost atomic power from relatively small generators may be possible right now with the cooperation of AEC.

And this means to me further that, with fixed charges the chief item of atomic power cost, the rural electric cooperatives and the people of the country as a whole are going to obtain some advantages from having a significant part of atomic power development financed by the Federal Government or by REA loans to G. and T. cooperatives because of the lower financing costs and the nonprofit operation. It is with this challenge that we now turn to a consideration of the application of traditional Federal power policy—100 percent American power policy—to atomic power as the key which will open the gate to the next forward stride in the electric age.

Mr. LANGER. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a statement by Clay L. Cochran, director of the legislation, research, and management department of the National Rural Electric Cooperative Association. The statement was delivered by him before a subcommittee of the House Governmental Operations Committee.

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

STATEMENT OF CLAY L. COCHRAN, DIRECTOR, LEGISLATION, RESEARCH, AND MANAGEMENT DEPARTMENT, NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, BEFORE A SUBCOMMITTEE OF THE HOUSE GOVERNMENTAL OPERATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES ON THE HOOVER COMMISSION REPORTS ON FEDERAL LENDING AGENCIES, JULY 6, 1955

Mr. Chairman, my name is Clay L. Cochran, I am director of the legislation, research, and management department of the National Rural Electric Cooperative Association, which is the national association of REA-financed electric borrowers of which there are over a thousand. Most of these borrowers are cooperatives and public power districts. Approximately 900 of these systems are members of our association, a very high proportion of members in any voluntary organization, a condition which we think is a tribute to the purposes and functions of our organization.

Our association was organized in 1942 primarily to protect the infant rural-electrification program from destruction during the war as the result of a propaganda campaign launched by the big power companies.

We wish to commend this committee for making inquiry into the background and report of the Hoover Commission Report on Lending Agencies of the Federal Government, and we appreciate the opportunity to appear before you.

BACKGROUND OF RELATIONS WITH THE LENDING TASK FORCE

Mr. Chairman, almost as soon as the members of the task force on lending agencies were appointed, we expressed an interest in their work as it related to the Rural Electrification Administration, and requested an opportunity to be heard regarding the functions of the REA. We were advised that no public hearings would be held by the task force, and that there would be no opportunity for us to be heard.

Subsequently, in an effort to present the case of the rural electric systems we talked to the staff director, Mr. Theodore Herz, and his assistant. It was immediately obvious that Mr. Herz was not hunting ideas, nor an understanding of the program. He was not interested in efficiency or any of the matters which should have been of vital interest to him in his official position.

Summed up, his questions were: (1) Don't you think the rural electric systems are being subsidized? and (2) when can REA be abolished?

After this discouraging beginning, for we had already been denied a public hearing, we wrote a letter to the lending task force and attached a statement entitled "Financing the Rural Electrification Program in the United States." I have a copy of this statement with me, and I would like to request that it appear in the record as the viewpoint of the rural electric systems on the Rural Electrification Administration and in order to make it possible for me to shorten my formal statement to the committee today. (See exhibit A.)

I would like to read the summary of this statement:

"The Rural Electrification Administration was established by Executive order in 1935 and by act of Congress in 1936 for the purpose of bringing modern electric service to that 89 percent of rural people who had been denied service. REA offered to lend its funds to the profit utilities first and when most of them continued to reject the idea of rural electrification even with Federal funds and technical assistance, REA turned to farmers' cooperatives as the only instrumentality

which would carry out the will of the Congress, aside from the efforts of public power districts and municipalities.

"REA's record of achievement is very great, and with the assistance of that agency the farmers have served themselves with electric power. Having been forced into the electric industry by the failure of private enterprise to carry out what would normally have been its function, the farmers of the country are insistent that they be permitted to continue this service to themselves. This cannot be done without an REA adequately supplied with administrative funds and loan fund authorizations. The rural electric systems will meet the same fate met by the old mutual telephone systems if adequate credit and technical aids are cut off.

"There is no alternative to REA which will meet the needs of the rural electric systems. The private money market is simply not designed to meet the needs of these small utility systems, particularly the cooperatives of which there are 983. As a consequence, any curtailment or abolition of REA as the banker and technical adviser of the rural electric systems should be recognized for what it would be, 'operation bankruptcy' for most of these systems.

"There is no justification under the law establishing the Commission on Organization for any recommendations altering the nature and functions of REA. REA in its functions as banker and technical adviser does not compete with private enterprise for private enterprise, the private money market, is simply not geared to the needs of the small electric systems, particularly cooperatives.

"The operations of REA do not jeopardize the economical operation of the Government because the Treasury has, and from all evidence will continue, to have the use of vast amounts of money which it secures at an interest rate safely below that which REA charges its borrowers. The rural electric systems are not subsidized by the Federal Government except insofar as one would contend that the administrative funds of REA constitute a subsidy. Since REA administrative funds are very small amounts as compared to the total Federal budget, and as compared to the expenditures for services to other forms of activity which are not labeled 'subsidy,' there would be no justification for so describing REA administrative funds.

"The rural electric systems are adamantly opposed to any change whatever in the nature of functions of REA except for the abolition of the State allocation formula on loan funds.

"We are hopeful that the task force and the Commission will commend REA to the Congress for very great achievements and recommend that it be continued on a vigorous and adequately financed basis."

From this summary, it is apparent that we were fearful that the task force and later the Commission might make recommendations adverse to the welfare of rural people, adverse indeed to the interests of all Americans, for we are all strong and prosperous together.

We pointed to REA's really great achievements; we attempted to show how important REA was in those achievements; we thought we had dealt honestly and persuasively with any alternative plans for meeting the power needs of rural people; we made it clear that REA does not compete with private enterprise because no comparable lending institutions are available to us; we defended the program against the charge of a subsidized interest rate; and, finally, we urged the task force and the Commission to recommend the continuation of a vigorous and adequately financed rural electrification program.

We were aware of the composition of the task force, Mr. Chairman. We knew that the staff director, his assistant, and the task force chairman were all employees of a big accounting firm which was deeply involved in the affairs of the big power companies. We knew that the task force had been named by a man who has never manifested any friendship for our program. We were well aware that no representatives of cooperatives, farmer organizations, or labor unions were on the task force because the task force had been recruited primarily from the ranks of executives of banking and insurance companies. (Exhibit B: New Hoover Lending Task Force.)[1]

It was the composition of the task force and its refusal to hold public hearings that made us fearful that we were up against a "packed jury." And our worst fears were to prove optimistic.

In February of this year, the task force submitted its Report on Lending Agencies to the Hoover Commission. This report is a study in prejudice, but hardly a study of ways and means of increasing the efficiency of Government or of abolishing nonessential governmental functions.

The misstatements are too numerous to list here, but permit me to note a few. On page 64 of the task force report is the following statement:

"The financial plans developed for the cooperatives assumed that the physical plant once financed would require little if any further change and that earnings would be used to meet debt service charges.

"These plans have been found to be inadequate. * * *"

The basis for this false charge is not indicated, but we would like to challenge Price, Waterhouse & Co. to produce any evidence that any responsible person ever thought that rural areas could be electrified once and for all by one loan to a rural electric system. This statement by the task force is one example of their attempt to undermine public confidence in the program by innuendo.

Later on the same page the report notes: "The financial planning of the cooperatives was deficient also because it did not take into consideration the continuously increasing capital requirements of an expanding electric system."

As proof of deficient planning, the task force says:

"No provision has been made for compulsory building of equity capital through retention of earnings or otherwise, which leads to the presumption that REA has undertaken the responsibility of meeting all further capital requirements by additional loans."

This is a ridiculous charge, supported by ridiculous assumptions.

No cooperative has, no cooperative could undertake to plan to pay off its entire debt and at the same time accumulate sufficient capital to meet its needs for expansion. Any such attempt would bankrupt a system, a result which the task force—made up of utility accountants, utility directors, corporation directors, and insurance and banking executives—could not possibly have denied. No utility system in America attempts to pay off its debts and provide for future expansion through retained funds—and any attempt by the cooperatives, small and operating in marginal areas, to do this would have meant their destruction.

The latter part of the statement quoted that "no provision has been made for compulsory building of equity capital" is a flat misstatement of fact. Each borrower is compelled to repay each loan in 35 years out of rates charged consumers. At the end of 35 years engineers estimate that something like 70 percent of the original value of the system built by each loan will be owned by the members of the cooperative. This charge by the task force cannot be supported and since the charge could not be based on ignorance, it must have been intended to be misleading to the Congress and the public.

The task force makes four recommendations which we would like to treat one at a time.

Recommendation No. 1 would submerge REA in the Farm Credit Administration, a proposal our systems have long opposed because we do not want REA to lose its identity and because we believe the credit problems of rural electric systems are so utterly different from other types of agricultural credit that the combination would only be harmful.

Recommendation No. 2 would compel the members of our systems to pay interest rates ranging between 4.8 percent and 6.1 percent, plus a service charge on each loan, contrasted to the present 2 percent. The effect of the recommendation, if it were translated into law, would be to bankrupt a majority, if not all, of our systems. We operate in thinly settled, marginal rural areas, areas which the power companies have said many times could never be served with electricity on a financially feasible basis. As late as 2 years ago the president of Ohio-Edison and at that time president of the Edison Electric Institute, whose company operates in a very rich agricultural area, stated publicly that his company lost money on every mile of rural line and that his rural lines had to be subsidized by charges on urban consumers. We believe he was right, and, if so, then the task force recommendation on REA interest rates is a recommendation that our rural electric systems be forced into bankruptcy. This statement is more meaningful when considered in conjunction with task force's Recommendation No. 4.

Recommendation No. 3 was that REA loan agreements provide for the systematic accumulation of equity capital "in the borrower cooperatives." This is already done through the compulsory retirement of all loans over a 35-year period, but the task force, interested in propaganda and not facts, saw fit to disregard present arrangements.

Recommendation No. 4 should actually have been a part of recommendation No. 2. In No. 4 the task force lets its bias out of the bag by insisting that the rural electric systems be forced into the open market for funds—a recommendation which would deliver the cooperatives into the hands of the banks and insurance companies if it did not force them into bankruptcy first. The only possible motives the task force could have had in making this recommendation would be to either destroy competition in the rural electric field by destroying the cooperatives, or to deliver up the rural market as a place where higher interest returns could be earned by investor groups like insurance companies. In effect, the task force has said that there is something immoral about the rural electric systems being allowed to utilize the borrowing capacity of their own Government, but something highly moral, just, and desirable in delivering them into the hands of the private moneylenders who could not possibly lend them money at anything like the rate the Government charges.

The balance of the task force report is an attack upon the National Rural Electric Cooperative Association and the generation and transmission program of the cooperatives.

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[1] On the task force we find the following:

Utility accountants	1
Utility company directors	2
Affiliated as directors or executives of banks, insurance companies, or other private lending agencies	8

The statements made about NRECA are power company propaganda bolstered by quotations taken from the testimony of REA officials removed from context to mislead the reader.

The power company slant becomes obvious when the task force attacks the right of the farmers' electric systems to generate and transmit their own power as being "inconsistent with the basic purposes of the REA program, and * * * inconsistent with sound public policy."

The REA Act clearly stipulates that the Administrator of REA has the right to lend money for the construction of generation and transmission facilities. Just what "inconsistency" his exercise of this right reveals we do not see, except by inference. What is "sound public policy" is a matter of opinion, and it is obvious that only those policies which serve the interests of the great power companies appealed to the task force.

Those long associated with the program know that had it not been for the right and opportunity of the rural systems to borrow for generation and transmission facilities, there would have been no rural electric program. We also know that if we ever lose this right, the program will be destroyed. We also believe that the task force knew this. If not, the task force knew so little that any of its comments on the program should be adjudged incompetent and not worthy of further consideration.

Mr. Chairman, the task force report is propaganda for the great private power companies and their insurance, banker, investor owners who seek to dominate the electric industry without competition.

THE REPORT OF THE HOOVER COMMISSION ON FEDERAL LENDING AGENCIES

The Hoover Commission task force reports seem to be the sounding board for propaganda for the interests who would foist upon the people a primitive concept of the functions of government. They are almost unadulterated propaganda. The Hoover Commission reports proper are less radical documents. Certainly these general actions apply to the lending agencies and the water resources and power reports. In the Hoover Commission report on lenging agencies, REA is again attacked and its abolition recommended.

Before the recommendations, the report repeats the "subsidy" charge of the task force. It is asserted that the 2-percent interest rate is subsidized because it is now below the long-term interest rates paid on Federal securities.

Economists refer to the average interest rate paid on "marketable securities" as the "cost of money to the Government." It is a matter of common knowledge that the Federal Government can raise virtually all the funds it might ever require at or below this average rate of interest. Interest rates above 2 percent are paid on specified types of securities for a variety of reasons, none of which should affect the rate of interest charged the rural electric systems.

Since 1936 the interest rate charged REA borrowers has been above the average rate paid by the Treasury on marketable securities in 11 years; the same in 3 years and below the Treasury rate in 5 years, but in 4 of the 5 years when the REA rate was below the Treasury rate the Treasury rate was higher by a tiny fraction of 1 percent. (See exhibits C and D.)

As of May 1955 outstanding funds advanced to all REA borrowers was approximately $2.25 billion. As of April 30, 1955, the Treasury had borrowed funds totaling over $75 billion at interest rates well below 2 percent. As long as the Treasury can and does borrow funds in such amounts at such low rates of interest, who would deny rural people the advantages of the borrowing capacity of the Treasury? As long as the Treasury can borrow such large amounts at rates well below 2 percent the charge of "subsidized interest rates" is hollow propaganda. The rural electric systems cannot be charged with subsidized interest rates except by those who seek to justify such charges for propaganda purposes and who, in doing so, juggle the figures to suit their own purposes.

According to REA, that agency has netted over $47 million on its lending operations since 1936, including interest paid, and accrued and payable. This $47 million is exclusive of administrative costs which (on the electric program) run slightly in excess of $75 million. The difference between the $47 million and the $75 million in administrative costs represents a fair estimate of the cost of the program to the American people. (See exhibit E on administrative costs attached.)

We do not believe that the Federal Government has ever operated any program which brought so many blessings to so many people for anything like a comparable figure.

Contrast this situation, Mr. Chairman, with the program of subsidies to the private power companies which, since June 1951, has paved the way for $2.9 billion in subsidies to the private companies and will, if the program announced in April of this year is carried out, net the private companies over $6.1 billion.

We believe that if you compare REA's electric loans, repayable at 2 percent and its administrative costs on the electric program, which are slightly in excess of $75 million, with the $6.1 billion gift to the private power companies—not including administrative costs—the Hoover Commission report will show up in its true light, i. e., as a vicious attack upon a great program, an attack which must give much joy to the power companies whose propaganda is set forth in the Hoover report.

Mr. Chairman, I am sure you are familiar with the recommendations of the Hoover Commission on REA, that the Rural Electrification Administration be abolished and that there be created in its place a Wall Street Rural Electrification Corporation which would become the banker for the rural systems; and that this corporation be compelled to borrow its funds in the open market and charge interest rates high enough to cover the results of this disadvantage plus administrative costs.

This is operation bankruptcy for the rural electric systems, and we are adamantly opposed to each and all of the recommendations of the task force and the Hoover Commission.

It is our sincere belief that both of these reports are cut out of the whole cloth of power company propaganda and that they would be destructive of the national interest and the welfare of rural people.

To substantiate our view, we would like to refer you to the fine analysis of the effects of adoption of the Hoover Commission recommendations on REA which was submitted by the REA Administrator. We are in agreement with the analysis submitted by Mr. Nelsen, and we commend him upon his acuteness and frankness.

If this report by REA has not been made a part of the record, we would like to request that it be made a part of the record.

COMMENTS OF KENNETH L. SCOTT, OF THE DEPARTMENT OF AGRICULTURE

We were disappointed, indeed astounded, when Mr. Kenneth L. Scott, Director, Agricultural Credit Services, who appeared before this committee a few days ago, endorsed the principles and objectives of the Hoover Commission Report. We are no less disappointed that Secretary of Agriculture Benson would have sent Mr. Scott to represent REA before this committee. We think that great agency needs no defense to the well-informed, but, for some reason, Mr. Scott did not see fit to present to you the facts which would have been adequate to all who would listen with an open mind.

COMMENTS OF PAUL GRADY BEFORE THIS COMMITTEE

We would also like to call attention to a flat misstatement of fact which Mr. Paul Grady, Chairman of the Task Force on Lending Agencies, made to this committee on June 13. In response to a question from the chairman regarding the fine repayment record of the rural electric systems, Mr. Grady said:

"I think it is more or less meaningless in relation to the whole program. * * *

"I should like to point out that the loans are continually increasing; new loans are made to pay off old loans."

That statement, Mr. Chairman, is absolutely without basis in fact. REA has never made new loans to pay off old loans, and we think Mr. Grady was aware of this. If not, and there is always the possibility that a man could have recommended the abolition of an agency without knowing much about it, but, if not, we submit that this kind of ignorance raises serious questions about the usefulness of any recommendations which this man or his staff may have made regarding the program.

If the committee has any doubts about the inaccuracy of Mr. Grady's attack upon the repayment record of the rural electric systems, we hope you will raise some questions with REA on the matter so that the record may be set straight.

THE PROBLEMS OF THE RURAL ELECTRIC SYSTEMS

Mr. Chairman, the Rural Electrification Administration was called into being by the Congress to bring modern electric service to rural areas. It has been a great program which, directly or indirectly, has brought modern electric service with all that service means to millions of rural people. That service has produced a market for billions of dollars of industrial products, creating employment, strengthening enterprise, and increasing tax income to the Government. That service has lifted rural people out of the darkness into the light of 20th century America; it has lightened the drudgery of millions of farm women and children; it has increased agricultural productivity and thereby been a blessing to all who consume the produce of our farms.

It has not been a program easy to administer, and the achievements have not been easy. The power companies which contended that they could not afford to electrify rural areas have fought the program every foot of the way. What they could not or would not do they sought to keep farmers from doing for themselves. They have attempted to deny or charge exorbitant rates for wholesale power; they have sought to prevent us from generating our own power to make savings; they have fought to hold down the loan authorizations essential to the electrification of rural America; they have fought our systems in the courts and before the State utility commissions; they have sought to cripple or destroy the Federal power program from which over 300 of our systems get all or part of their wholesale power. It has been a long war, between rural people and private monopoly. It could not have been won, and the program cannot last, if the vested interests are ever successful in brain-washing the Congress. We do not believe they will be successful in doing so.

If rural people are to continue to enjoy the benefits of low-cost electricity so essential to good living and increased productivity, if the half million rural homes still

without modern electric service are ever to receive that service, we must have the help of a friendly Congress. We must have low-cost money to overcome the high costs of serving rural people. We must have access to low-cost power, which means that the Federal power yardsticks must be maintained and not destroyed, and that we must have the right and opportunity to generate and transmit our own power where we can save money by doing so. We must have technical aid.

This means that a Federal power program and the Rural Electrification Administration must be protected and maintained by the Congress; both are self-liquidating programs with the possible exception of a part of the administrative costs of REA—costs far outweighed by the increased productivity generated by REA's activities.

We urge that this committee and the Congress which it represents weigh the best interests of all the people against the special pleading of monopoly, and we believe you will do so.

May I request that a resolution on the Hoover Report on Lending Agencies passed at our annual meeting in February and another adopted by our Board of Directors in May be made a part of the record.

Thank you, Mr. Chairman, for this opportunity to appear before the committee.

EXHIBIT B

NEW HOOVER LENDING TASK FORCE

Grady, Paul, chairman of the task force; partner in Price, Waterhouse & Co.; served as chairman of the same task force of the first Hoover Commission; Price, Waterhouse & Co. are accountants for Purcell Smith's National Association of Electric Cos. and a lot of utility companies.

Bestor, Paul, insurance executive; Prudential Insurance Co., 1943–47 (vice president 1940–47); president, Trust Co. of N. J., Jersey City, since 1948.

Bliss, George Laurence, lending business executive; president, Century Federal Savings and Loan Association, New York City since 1941.

Bodman, Henry Taylor, banker and corporation director; general vice president, National Bank of Detroit, Mich., since January 1950; director, Detroit Steel Products Co.; director, Detroit First Fire & Marine Insurance Co.; director, Universal Products Co., Dearborn, Mich.

Campbell, William Wilson, banker and corporation director; president, National Bank of Eastern Arkansas, Forrest City, since 1923; board of directors, Federal Reserve Bank, Memphis; director, Arkansas Power & Light Co.

Cole, Albert L., general business manager, Reader's Digest Association; Frank A. Munsey Publishing Co., New York City, 1910–15; joined Popular Science Publishing Co., New York City, in 1915; president and publisher, Popular Science Monthly and Outdoor Life magazines, 1929–39 (director since 1924); director, McCall Corp.; director, Greenwich Trust Co.

Cooper, Clifford D., industrialist; president, Horning Engineering Co., Los Angeles, since 1950.

Cowles, Gardner, publisher, banker, and corporation director; president, Des Moines Register, since 1943; president, Register Tribune Co., Cowles Broadcasting Co., Cowles Magazines, Inc. (publisher of Look magazine); chairman board, Minneapolis Star and Tribune Co.; Massachusetts Broadcasting Corp.; director, United Airlines, Bankers Life Co., Iowa-Des Moines National Bank and Trust Co.; director, R. H. Macy & Co.

Hotchkis, Preston, insurance executive and utility director; director, Blue Diamond Corp., Ltd., California Trust Co., Pacific Mutual Life Insurance, Pacific Telephone & Telegraph Co., Yosemite Park & Curry Co., Grand Central Garage Co.; executive vice president, treasurer and director, Fred H. Bixby Co., Long Beach, Calif.

Keller, Arnold B., Sr., business consultant and corporation director; with International Harvester Co. since 1913, treasurer since 1932, director since 1936. Vice president and treasurer since 1941, senior consultant since 1946; director, Chicago District Electric Generating Co., Continental Casualty Co., Continental Assurance Co., Gary National Bank, Associates Investment Co., C. M. St. P. & P. R. R. Co., director, United States Life Insurance Co.

Sproul, Allan, banker; president, Federal Reserve Bank of New York since 1941.

EXHIBIT C

Computed cost to the Government on money loaned by REA to electric borrowers, to June 30, 1954

Fisca year	Average principal balance of electric loans outstanding [1]	Cost of money to Treasury, percent [2]	Computed cost of money to the Government
1936	$411,631	3.000	$12,349
1937	6,344,050	2.770	175,730
1938	35,954,447	2.880	1,035,488
1939	90,974,061	2.525	2,297,095
1940	170,771,419	2.492	4,255,624
1941	254,538,774	2.413	6,142,021
1942	315,722,435	2.225	7,024,824
1943	343,244,637	1.822	6,253,917
1944	346,239,047	1.725	5,972,624
1945	362,602,875	1.718	6,229,517
1946	415,289,449	1.773	7,363,082
1947	541,621,435	1.871	10,133,737
1948	742,255,707	1.942	14,414,606
1949	1,003,939,962	2.001	20,088,839
1950	1,283,129,424	1.958	25,123,674
1951	1,528,731,566	1.981	30,284,172
1952	1,733,930,828	2.051	35,562,716
1953	1,902,782,365	2.207	41,994,407
1954	2,043,502,967	2.043	41,748,766
Total			266,113,188

[1] REA records. Mean value of balances outstanding at July 1 and June 30 each fiscal year.

[2] As reflected by computed annual interest rates on interest bearing marketable Treasury issues reported in Treasury bulletins for the period 1939–54. Data for 1936–38 not available; rates shown for those years are rates payable by the Treasury on long-term obligations.

EXHIBIT D

Interest rates charged by REA and computed annual interest rates paid by United States Treasury on interest bearing marketable securities, 1936–54

Fiscal year	Interest rate charged by REA on new loans	Computed annual interest rate on marketable Treasury issues [1]
1936	3.00	
1937	2.77	
1938	2.88	
1939	2.73	2.525
1940	2.69	2.492
1941	2.46	2.413
1942	2.48	2.225
1943	2.57	1.822
1944	2.67	1.725
1945	[2] 2.00	1.718
1946	2.00	1.773
1947	2.00	1.871
1948	2.00	1.942
1949	2.00	2.001
1950	2.00	1.958
1951	2.00	1.981
1952	2.00	2.051
1953	2.00	2.207
1954	2.00	2.043

[1] Comparable data for years 1936–38 are not available.

[2] During the period July 1–Sept. 20, 1944, REA charged 2.49 percent on new borrowings.

Source: Computed annual interest rate on marketable issues, Treasury bulletins, U. S. Treasury Department. Interest rates charged by the REA obtained from records of the agency.

EXHIBIT E

REA administrative funds appropriated and obligated, by program, fiscal years 1935–55

Fiscal year	Total administrative funds appropriated	Administrative funds obligated		
		Total	Electric program	Telephone program
1935	$43,687			
1936	699,721	[1] $743,408	[1] $743,408	
1937	1,201,617	1,185,711	1,185,711	
1938	1,520,000	1,472,311	1,472,311	
1939	2,402,000	2,357,115	2,357,115	
1940	2,790,000	2,710,118	2,710,118	
1941	3,675,000	3,545,276	3,545,276	
1942	4,262,375	3,851,120	3,851,120	
1943	3,500,000	3,234,539	3,234,539	
1944	2,558,000	2,549,227	2,549,227	
1945	3,246,000	2,903,975	2,903,975	
1946	4,671,965	4,469,946	4,469,946	
1947	5,550,000	5,528,700	5,528,700	
1948	5,000,000	4,817,903	4,817,903	
1949	5,956,000	5,914,985	5,914,985	
1950	7,128,000	7,040,394	6,687,400	$352,994
1951	8,271,392	8,229,392	7,002,381	1,227,011
1952	8,285,000	8,214,832	6,630,650	1,584,182
1953	8,287,980	8,005,384	5,722,151	2,283,233
1954	7,565,000	7,303,674	4,505,355	2,798,319
1955	7,285,000	[2] 7,285,000	[2] 4,175,576	[2] 3,109,424

[1] Fiscal years 1935 and 1936 combined.

[2] Estimated.

Source: REA, June 8, 1955.

EXHIBIT F

RESOLUTION OF THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, 13TH ANNUAL MEETING, ATLANTIC CITY, N. J., FEBRUARY 17, 1955

It has come to our attention that the task force on Federal lending agencies of the new Hoover Commission has prepared a report for the Commission, wherein this task force in reporting on REA recommends:

1. That the Rural Electrification Administration be abolished and a Federal corporation to be called the Rural Electrification Corporation be established in its place, thereby separating the farmers' electric cooperative banker from the farmer and the Congress through the appointment of directors by the President of the United States.

2. That the new corporation be compelled to raise funds for the rural electrics from private money sources by floating debenture bonds at whatever rate of interest the private money lenders demand.

3. That the new corporation be required to charge interest rates high enough to cover the much greater cost of private borrowing plus the cost of administration.

4. That the new corporation cannot lend money for any project which private industry is prepared to construct.

The results of these recommendations, if adopted by the full Commission and the Congress, would be utterly disastrous to the rural electric systems.

(a) The corporate form of operation would rob the Congress and rural people of their control over the banker of the rural electric systems by placing an appointive board of directors between the people and the Congress. Our experience with such appointive groups has not been good in the face of the manner in which the Securities and Exchange Commission and the Federal Power Commission have ceased to serve the people but serve, instead, the vested interests they were created to control in the public interest. We consider this recommendation on incorporation a part of a clear design to place REA funds and services under the control of the enemies of rural electrification.

(b) Forcing the new corporation into the arms of the bankers, investment houses, and insurance companies plus the requirement that the interest rates charged the rural electric systems be high enough to cover all

administrative costs would undoubtedly result in interest rates of 4.5 to 6 percent per annum, an intolerable burden on the rural systems and a burden designed to bankrupt said systems.

(c) The restriction against lending for any project which private industry is willing to carry out is trick phrasing designed to destroy the generation and transmission phases of the program and thereby our bargaining power.

This task force report, prepared by the power company accounting firm of Price, Waterhouse, the firm which audits the books of Purcell Smith's power trust lobby, was not prepared as a legitimate effort to improve Government lending functions but was deliberately prepared for the purpose of scuttling the rural electrification program and destroying competition in the electric industry. This same task force refused to hold public hearings and NRECA was forced to submit a written statement regarding the Rural Electrification Administration, a statement which was utterly disregarded by the task force.

The report of the task force is full of misstatements and half truths. It is not a report in any true sense, but a propaganda document as vicious as we have ever examined: Now, therefore, be it

Resolved, That we urge the Congress to label the REA section of this task force report, unofficially, as "Operation Bankruptcy for Rural Electrification," and that the Congress not only reject this report in its entirety, but that it also conduct an investigation into the sources of the ideas in this report and expose the authors to the public eye for what they are, tools of the moneylenders and the power monopoly; and be it further

Resolved, That copies of this resolution be sent to Members of the Congress and to President Eisenhower, who appointed the Hoover Commission which in turn selected the task force.

EXHIBIT G

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, MAY 13, 1955

Whereas the Hoover Commission has made a report to the Congress on Federal lending agencies in which the Commission has recommended that REA be abolished and that a Federal corporation be organized to act as banker to the rural electric systems, said corporation to be compelled to raise funds for loans in the private money markets and charge interest rates high enough to cover the cost of money borrowed, plus administrative costs of the new corporation; and

Whereas the report of the Hoover Commission on Federal lending agencies is based upon a Task Force Report on Federal Lending Agencies prepared under the direction of the Task Force Chairman and the Staff Director, both of whom are employees of the private power company accounting firm of Price, Waterhouse & Co.; and

Whereas the members of the Task Force and the staff of the Task Force were selected for their known prejudices against such governmental operations as is exemplified in REA and prejudiced in favor of a government which lends its power and influence to the vested interests, the big banks, insurance companies, and the power lobby, with the exception of member Caldwell of Arkansas, who to his lasting credit refused to join this parade of prejudice against a great program; and

Whereas this Task Force, despite pleas from this association, refused to hold public hearings and then issued a report which reeks with misstatements, errors, and falsehoods, and, for all practical purposes, recommended the liquidation of both REA and the National Rural Electric Cooperative Association; and

Whereas the report of the Hoover Commission, if adopted by the Congress, would result in the strangulation of the rural electric systems and their ultimate destruction or absorption by the big power companies to the detriment of the interests of rural people and the Nation as a whole and to the benefit of only a handful of big investors and power company moguls: Now, therefore, be it

Resolved, That the board of directors of the National Rural Electric Cooperative Association do hereby urge the Congress to reject this Hoover Report out of hand as biased, antisocial, antidemocratic, and destructive of the interests of rural people; and be it further

Resolved, That we oppose any and all recommendations of the Hoover Commission on REA and insist that none of these recommendations be put into effect either by congressional enactment or by executive order; and be it further

Resolved, That the staff of the association keep the board and the membership informed of any attempts, direct or indirect, to put said recommendations or any variation thereof into effect in any way; and be it further

Resolved, That we reaffirm to the Congress, to Administrator Nelsen, to Secretary Benson, and to the President our vigorous and unswerving support of the present organization and function of the Rural Electrification Administration as best adapted to the interests of farming people and the Nation as a whole.

Mr. LANGER. Mr. President, I wish to state that so long as I am a Member of the Senate I pledge myself to fight for continuation of the REA and the Rural Telephone Administration.

MRS. MARIA DEL MUL

The PRESIDING OFFICER. House bill 929, for the relief of Mrs. Maria Del Mul, has already been announced as next in order.

Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 929) for the relief of Mrs. Maria Del Mul was considered, ordered to a third reading, read the third time, and passed.

VERA GREGOVICH KENTER

The bill (H. R. 1235) for the relief of Vera Gregovich Kenter was considered, ordered to a third reading, read the third time, and passed.

VASILIOS LIAKOPOULOS

The bill (H. R. 1319) for the relief of Vasilios Liakopoulos was considered, ordered to a third reading, read the third time, and passed.

MARY MANCUSO

The bill (H. R. 1641) for the relief of Mary Mancuso was considered, ordered to a third reading, read the third time, and passed.

RODOLFO PUGEDA DE LA CERNA

The bill (H. R. 1909) for the relief of Rodolfo Pugeda de la Cerna was considered, ordered to a third reading, read the third time, and passed.

INGRID LISELOTTE POCH

The bill (H. R. 2079) for the relief of Ingrid Liselotte Poch was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARETE GICK SCORDAS

The bill (H. R. 2235) for the relief of Mrs. Margarete Gick Scordas was considered, ordered to a third reading, read the third time, and passed.

MONIKA SCHEFBANKER

The bill (H. R. 2339) for the relief of Monika Schefbanker was considered, ordered to a third reading, read the third time, and passed.

KAZUKO IWATA RAUSCH

The bill (H. R. 2704) for the relief of Kazuko Iwata Rausch was considered, ordered to a third reading, read the third time, and passed.

CHUNG POIK CHA AND HER CHILD, MYRA POIK CHA

The bill (H. R. 2897) for the relief of Chung Poik Cha and her child, Myra Poik Cha, was considered, ordered to a third reading, read the third time, and passed.

MRS. ELFRIEDA SCHOEPPE

The bill (H. R. 2916) for the relief of Mrs. Elfrieda Schoeppe was considered, ordered to a third reading, read the third time, and passed.

ROLF HUGO NEUMAN

The bill (H. R. 3195) for the relief of Rolf Hugo Neuman was considered, ordered to a third reading, read the third time, and passed.

ANDREW CARRIGAN

The bill (H. R. 4544) for the relief of Andrew Carrigan was considered, ordered to a third reading, read the third time, and passed.

MRS. LEE SHEE YEE

The bill (H. R. 4643) for the relief of Mrs. Lee Shee Yee (also known as Lee Lai Koon) was considered, ordered to a third reading, read the third time, and passed.

MISS BLANCA LINA RIONEGRO

The bill (H. R. 5074) for the relief of Miss Blanca Lina Rionegro was considered, ordered to a third reading, read the third time, and passed.

MRS. KOTO NAKAGAWA

The bill (H. R. 5082) for the relief of Mrs. Koto Nakagawa was considered, ordered to a third reading, read the third time, and passed.

MRS. JOHANNA ECKLES

The bill (H. R. 5908) for the relief of Mrs. Johanna Eckles was considered, ordered to a third reading, read the third time, and passed.

MOCK JUNG SHEE

The bill (H. R. 5913) for the relief of Mock Jung Shee (Mock Jung Liu) was considered, ordered to a third reading, read the third time, and passed.

ELFRIEDE ROSA (KUP) KRAFT

The bill (H. R. 6741) for the relief of Elfriede Rosa (Kup) Kraft was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND TO VILLAGE OF NEDECAH, WIS.

Mr. ERVIN. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1210, House bill 2889.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2889) to provide for the conveyance of certain land in Nedecah, Wis., to the village of Nedecah.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Carolina.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment.

The PRESIDING OFFICER. The committee amendment has previously been agreed to.

EXTENSION OF AUTHORITY OF CORREGIDOR BATAAN MEMORIAL COMMISSION

Mr. MANSFIELD. Mr. President, I move that the Committee on Foreign Relations be discharged from the further consideration of House bill 5469, and that the Senate proceed to consider the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5469) to extend the authority of the Corregidor Bataan Memorial Commission, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, this is a bill to extend the authority of the Corregidor Bataan Memorial Commission, which I have discussed with the minority leader.

Mr. KNOWLAND. The bill had been referred to the Committee on Foreign Relations?

Mr. MANSFIELD. That is true.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

Mr. MANSFIELD. I may add that the bill also has the approval of the senatorial members of the Commission, namely, the Senator from Wisconsin [Mr. WILEY], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H. R. 5469) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement explaining the purposes of the bill.

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

The purpose of H. R. 5469 is to give more flexibility to the Commission in making plans for a suitable memorial by providing that the Commission shall make a study for the survey, location, and erection on Corregidor Island of a suitable memorial, which may include buildings, tunnels, and roads as well as a replica of the Statue of Liberty. Other changes in the basic act permit the Commission to accept in its discretion public or private money or gifts to be used in connection with the memorial; to secure from our Government such help as may be requested by the Commission; to contract for work, supplies, materials, and equipment inside and outside the United States; and to engage the services of architects and other personnel in connection with the memorial.

The bill also requires the Commission annually to submit to the President a report of its progress and a statement of its financial transactions during the preceding year, which report the President shall transmit to the Congress. Before the conclusion of its work, the Commission is required to submit a final report and the Commission goes out of existence 90 days after such submission.

The bill carries an authorization of not to exceed $100,000 for the expenses of the Commission.

INCREASES IN ANNUITIES UNDER CIVIL SERVICE RETIREMENT ACT—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7618) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina make a brief explanation of the provisions of the bill?

Mr. JOHNSTON of South Carolina. Mr. President, the conference agreement is much like the bill as it passed the Senate yesterday. The Senate conferees agreed to a ceiling of $4,104. Some may wonder why it was made $4,104. We were asked to agree to that figure because it can be divided by 12. The figure in the House bill was $4,000.

The House conferees would not agree to the Senate amendment to provide retirement privileges for members of the Democratic and Republican senatorial campaign committees. The House conferees agreed to the other amendment which was added on the floor of the Senate. So I am glad to make this report. It is the best we could do under the circumstances.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ANN ARBOR CONSTRUCTION CO.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1033) for the relief of Ann Arbor Construction Co., which was, on page 1, line 11, after "act", insert "not in excess of 10 percent thereof."

Mr. KILGORE. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

ABSENCE FROM THE CALENDAR OF CIVIL RIGHTS LEGISLATION

Mr. HUMPHREY. Mr. President, in these closing hours of the first session of the 84th Congress as we enact hundreds of bills, some very important and others less important, I am struck by the fact that there is one subject matter conspicuous by its absence on the calendar. I refer to the vital subject of civil rights.

This has been an eventful year for us—a year mixed with many satisfactions and many regrets. In considering the status of the civil rights legislation in the Congress, my mind's eye recalls with great sadness the untimely death of the man who became the symbol of the struggle for greater democracy and human rights in the world, a distinguished American, Mr. Walter White, the Executive Secretary for the National Association for the Advancement of Colored People.

When the history of the twentieth century is written, very few men in the world will receive greater recognition for their efforts in behalf of freedom, equality and human dignity. Walter White devoted his life as a human being to eliminate the indignities of discrimination and prejudice from the hearts and minds of men. His energies as an American were devoted to making this Nation of ours a model for democracy and the living example of the religious principle of human brotherhood. His successful efforts in our own country and abroad serve the cause of free men all over the world. He was indeed the 20th century symbol of liberty.

His eloquent voice and his tireless, fearless energies will be missed by his friends and by millions of others who knew him as their leader. His life's works, however, will continue and are destined for greater success for his mission was in harmony with the traditions and with the spirit of American life.

I consider it one of the great privileges of my life to have enjoyed the friendship and the opportunity for many close associations with this great humanitarian leader. Those of us who knew, respected, and admired Walter White have an opportunity to demonstrate our belief in the American creed by utilizing all our energies and services to advance the cause of human understanding, tolerance, and equality which he so steadfastly championed. It is my pledge, Mr. President, that this program will continue to be my objective.

It is, therefore, fully appropriate, Mr. President, that I once again remind the Senate of its responsibilities to end once and for all discrimination against any of our fellow Americans because of their race, religion, color, or national origin. There are in the various committees of the Congress 11 bills which I had the privilege of introducing with a number of my colleagues comprising a comprehensive civil-rights program. It is a matter of deep regret to me that none of these bills has reached the Senate floor. This lack of sensitivity and lack of responsibility are most disturbing to me. I cannot help but feel that the inaction is due to an unwarranted assumption that the subject matter is still surrounded by an environment of conflict and bitterness. In all sincerity, I do not believe that is the case any longer. I believe that with a willingness to move forward in this area we can make significant progress in a harmonious and constructive fashion. To accomplish this objective, we need cooperation from the committees of the Congress who now have the bills within their jurisdiction and under their study. These bills are moderate and deserve support. They were presented not on an all-or-nothing basis, but rather as vehicles for discussion, negotiation, and consensus. Let me take a moment of the Senate's time to list them once again for the information of this body:

S. 899, a bill to establish equal opportunity in employment.

S. 900, a bill to protect persons within the United States against lynching.

S. 901, a bill outlawing the poll tax, as a condition of voting in any primary or other election for national officers.

S. 902, a bill to reorganize in the Department of Justice by establishing a Civil Rights Division in the Department under an Assistant Attorney General.

S. 903, a bill to protect the right to political participation and make it a crime to intimidate or coerce or otherwise interfere with a right to vote.

S. 904, a bill to strengthen the current laws with regard to peonage, convict labor, slavery, and involuntary servitude.

S. 905, a bill to strengthen existing civil-rights statutes.

S. 906, a bill to establish a Commission on Civil Rights in the executive branch of the Government.

S. 907, the omnibus civil-rights bill to strengthen existing civil-rights statutes.

S. 908, a bill to provide relief against certain forms of discrimination in interstate transportation.

S. Concurrent Resolution 8, a bill to create a joint congressional Committee on Civil Rights.

I conclude this statement, Mr. President, with a fervent prayer that the 84th Congress in this next session will crystallize and symbolize a feeling of good will and brotherhood in the consideration of this vital legislative program as we move forward to strengthen democracy in this Nation and thus strengthen the free world.

In conclusion, I ask unanimous consent to have printed in the body of the RECORD a series of editorials memorializing Walter White.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of March 22, 1955]

WALTER WHITE, 61, DIES IN HOME HERE—LEADER IN CIVIL RIGHTS FIGHT 37 YEARS WAS EXECUTIVE SECRETARY OF NAACP—CHOSE TO BE A NEGRO—AUTHOR OF 5 BOOKS ALSO WAS A GOVERNMENT ADVISER IN U. N. AND VIRGIN ISLANDS

Walter White executive secretary of the National Association for the Advancement of Colored People, died last night of a heart attack at his home, 242 East Sixty-eighth Street. He was 61 years old.

Last October he twice entered the New York Hospital for treatment for a heart ailment that had caused him to take a leave of absence from his duties.

Recently he had returned from a month's leisurely visit in Haiti and Puerto Rico. Yesterday he spent 2 hours at his office.

Mr. White, the nearest approach to a national leader of American Negroes since Booker T. Washington, was a Negro by choice.

Only five-thirty-seconds of his ancestry was Negro. His skin was fair, his hair blond, his eyes blue, and his features Caucasian. He could easily have joined the 12,000 Negroes who pass the colorline and disappear into the white majority every year in this country.

But he deliberately sacrificed his comfort to publicize himself as a Negro and to devote his entire adult life to completing the emancipation of his people.

JOINED NAACP EARLY

Walter Francis White was born July 1, 1893, 1 of 7 light-skinned children. Being bright and of a comparatively well-to-do family—his father was a postman—he was able to attend Atlanta Preparatory School and Atlanta University. After graduation in 1916 he became an insurance salesman.

He became active in the local chapter of the National Association for the Advancement of Colored People a few years after its organization. James Weldon Johnson, then executive secretary of the NAACP, impressed by the young man, hired him in 1918 as assistant secretary and brought him to New York.

When Mr. Johnson retired in 1929, Mr. White succeeded him. From 1918 until 1929 the assistant secretary personally investigated 41 lynchings and 8 race riots.

Investigating the notorious race riots in Elaine, Ark., in 1919, in which 3 whites and 200 Negroes were killed, he posed as a reporter for the Chicago Daily News. He interviewed some of the 79 Negro men imprisoned, some lynchers, and even the governor of the State, before escaping on a train one jump ahead of a mob that had discovered his identity.

As head of an organization of 580,000 Negroes and white sympathizers, and unofficial champion of 14 million Negroes, Mr. White was a powerful lobbyist for Federal antilynching, anti-poll-tax, and antisegregation laws.

INFLUENCED PRESIDENTS

In 1938 he pushed a Federal antilynching bill nearer to passage than ever before in 20 years of effort. The bill was defeated only after 7 weeks of filibuster by Southern Senators. In 1930 he helped block the confirmation of President Hoover's appointment of John J. Parker, of North Carolina, to the Supreme Court, because of the judge's approval of racial segregation.

He was the author of President Franklin D. Roosevelt's executive order on fair employment practices in war industry during World War II. And he was responsible for President Harry Truman's stand on civil rights that caused the Dixiecrat bolt from the Democrats in the 1948 campaign.

Mr. White traveled 1 million miles, including two trips around the world, lecturing and investigating racial discrimination. He made perhaps 10,000 public speeches, wrote five books (including two novels), a hundred articles for national magazines, and for years wrote two weekly columns, one syndicated in Negro newspapers and the other in white papers.

During the Harlem race riot of August 1, 1943, he and Mayor Fiorello H. La Guardia toured the streets all night in a limousine calming the agitated throngs. In 1939 he staged an open-air concert by Marian Anderson in Washington that attracted 75,000 persons after the Daughters of the American Revolution had refused their hall to the Negro singer. From 1943 to 1945 he toured every war theater as a special correspondent for the New York Post.

He was on the Advisory Council for Government of the Virgin Islands in 1934 and 1935, consultant to the United States delegation at the organization meeting of the United Nations in San Francisco in 1945 and consultant to the delegation at the General Assembly meeting in Paris in 1948.

In 1922 Mr. White married Leah Powell, an NAACP secretary. They had two children, Jane, now an actress, and Walter C. D. White. That marriage ended in divorce. In 1949, Mr. White married Poppy Cannon.

Besides his second wife, who is food editor of the magazine House Beautiful, and his children, he leaves three sisters, Mrs. Eugene Martin and Miss Madeline White, of Atlanta, and Mrs. Alice Glynn, of Cleveland.

[From Minnesota Labor of March 25, 1955]

WALTER FRANCIS WHITE—CHAMPION OF HUMAN EQUALITY FOUND STANCH FRIEND IN CIO

(By Cecil E. Newman)

A few months ago the Congress of Industrial Organizations, in an unprecedented action through the Philip Murray Memorial Fund, presented the National Association for the Advancement of Colored People a check for $75,000.

This was the largest single contribution ever received by the association, in its over 45 years of existence as a vigilant defender of civil rights for all Americans.

In a sense, the CIO presentation was a tribute to the association's executive secretary, Walter Francis White, who died Monday after a lifetime of fighting for equality for the American Negro in particular and all other Americans who were oppressed in general.

Walter White, early in his career as a champion of civil rights, recognized the importance of addressing his case for the Negro to the organized labor movement.

He recognized that the forces of evil often for economic gain used the white workers against the Negro workers and the Negro workers against the white workers.

Walter White recognized the close affinity between the struggle of the labor unions for decent wages, decent working conditions and recognition, with that of the American Negro, who sought escape from the second-class citizenship, the oppression and the discrimination with which he is still afflicted—92 years after the Emancipation Proclamation.

Mr. White recognized and hailed the organization of the CIO because its constitution and bylaws proclaimed its belief in the basic equality of men and insisted that its affiliated unions accepted workers as members regardless of race, creed, color, or national origin.

This action by the founders of CIO was hailed by Mr. White and the NAACP as revolutionizing the organized labor movement and giving Negro workers hope of the friendship, understanding, and the cooperation of fellow white workers all over the Nation.

Through the entire 23 years of his administration of the NAACP, Walter White sought and received the counsel of CIO leadership on both the national and local levels. This was because each organization sought in its own sphere the betterment of humanity and the advance of the cause of justice.

Walter White was a great man. His life symbolized the ideals, the strivings, and achievements of the Republic's founding fathers. He championed the cause of human equality and the dignity of the human personality vigorously and relentlessly from platform and by his facile pen. He numbered among his friends the great and near-great of the world and the little people of the land and he never lost the common touch. He was at home in the mansion of a millionaire industrialist and equally at ease in the humble dwelling of a poor Alabama sharecropper.

Walter White, as did many labor leaders, defied the mob many times. He traveled all over the United States southland, often under the cloud of threats on his life. His extensive coverage of the lynchings which plagued our country before the fifties, and his writings on the subject, were factors in arousing nationwide revulsion against mob violence.

In the death of Walter White the Nation has lost a great man, the CIO has lost a friend, and the cause of human equality has lost one of its stanchest champions.

[From the New York Herald Tribune of March 23, 1955]

WALTER WHITE

Walter White was one of the most important leaders in one of the most important struggles of his day. As executive secretary of the National Association for the Advancement of Colored People, he was regarded as a leader and spokesman for the American Negro, a man who had long ago earned the affection of his own people and the respect of others.

In his long service to the Negro, Mr. White had seen the virtual elimination of lynching, the enactment of fair employment laws, the reduction of discrimination, the outlawing of segregation in the Armed Forces, the approach heralded by the Supreme Court decision, of racial integration in the Nation's schools. For all these objectives he had labored zealously and devotedly; he crusaded not by inflaming passions or by preaching violence, but by putting his faith in democratic ways and the conscience of his fellow citizens. And he lived to see his faith and hope justified.

Walter White might have led a different life, apart from racial strife. He was but one sixty-fourth Negro and could have, if he had chosen, remained a white man to the world. But his people needed him and perhaps he, too, needed them. With their help and the help of other friends, he accomplished much. If, when he died, much still remained to do, none knew better than Walter White that freedom is a never-ending job.

[From the Indianapolis News of March 23, 1955]

CRUSADER FOR TOLERANCE

White and colored people alike should be grateful for the gains in race relations that have come about in this country in recent years. No one individual can receive full credit. But few contributed more effort than Walter White, now dead at 61.

Mr. White was a militant foe of "white supremacy." He was termed a "professional agitator" by his foes. Yet he conducted his lifelong crusade for racial equality always by peaceful methods and entirely within the pale of legal process and constitutional democracy.

This certainly cannot be said of those on the other side who resorted to force, intimidation and perversion of justice.

Thanks in part to Walter White and his kind, the American people have been awakened to the bestiality of lynchings and race riots to the point that such crimes have now virtually disappeared from the national scene. Advances have been made in the realm of economic and educational equality, more through a new awareness of tolerance than through statute or enforcement. That is as it should be.

[From the Christian Science Monitor of March 23, 1955]

LEADERS OF THEIR PEOPLE

Had Walter White, with his aggressive tactical approach, essayed to give the American Negro leadership in Booker T. Washington's day it seems certain he would have been overwhelmed. Attitudes as yet were but partially conditioned to the idea of Negro progress. Had Booker Washington lived to carry his vision of racial relations into the era when Walter White served his people, whether or not he would have done better is a question on which much can be said on both sides.

The careers of both men should be judged in the context of their times. Booker Washington, born a slave and coming to manhood just when "reconstruction" of the South ended, must have sensed that what was needed then was a platform on which both whites and Negroes could stand as free men.

In 1929, some 14 years after Booker Washington's passing, Walter White came into the executive secretaryship of the National Association for the Advancement of Colored People. Both as a matter of duty and of conviction he undertook the task, first of all, of removing legal sanctions that still buttressed racial discriminations and of erecting legal protections, around Negro rights. He pursued these objectives with persistence and, at times, with militancy. But no one could fairly say that he did not give his all, nor gave that all in vain.

It is symbolic, in a way, that on the day of Walter White's passing the annual campaign for the United Negro College Fund should get underway. Symbolic, we would say, in that through Negro education, particularly through the college trained, the good that Walter White strove for and all that Booker Washington's leadership stood for will be carried forward on a broad and enlightened front.

[From the Courier-Journal of March 23, 1955]

HE BATTLED TO MAKE DEMOCRACY WORK

More famed for fearlessness than for tact, Walter White did more to reduce racial injustice in the United States than any other man of his generation. From the memory of childhood wrong and adult battle he drew a bitter zeal for his lifelong war against discrimination. It was the early infusion of this uncompromising zeal into the small National Association for the Advancement of Colored People that eventually made the NAACP one of the largest and most effective civil-rights groups in the Nation, and which accounted for its most notable victories against discrimination.

The greatest of these occurred only last year, when the Supreme Court endorsed the NAACP contention that racial segregation in the public schools is unconstitutional. Many other factors helped to produce that evolutionary landmark, it is true, but it is also true that every one of the cases before the Supreme Court had been initiated and carried from the lowest courts to the highest by the NAACP, and it is more than likely that the momentous decision of 1954 would have been years longer in coming had it not been for Walter White.

As white as any white man in appearance, White early elected not to "pass over," but to become the most bitterly articulate of all Negroes. His readiness to risk his neck in lynching and riot investigations was legendary. His enemies attributed to him a sort of careerist enthusiasm for martyrdom, but his activities contributed effectively to spotlighting injustice and therefore to arousing the public conscience against it. And therein lay the secret of Walter White's success. A militant citizen of our democracy, he used the conscience and the laws of democracy to war against bigotry and prejudice and inequality. More than most he was dedicated, as Walter Reuther put it, to making democracy work.

[From the San Francisco Examiner of March 24, 1955]

WALTER WHITE

In the death of Walter White, executive secretary of the National Association for the Advancement of Colored People, the Negro people lose a champion and the Nation a good, courageous American. Mr. White's blood was only one sixty-fourth Negro, and with his fair complexion and blue eyes he could easily have passed through the color barrier. But he remained a Negro by choice. By making it he advanced, no one can say how much, the cause of racial understanding and brought nearer that day when bias and bigotry will have ceased.

[From the Washington Post of March 24, 1955]

WALTER WHITE

It was given to Walter White to enter and experience much of the promised land to which he led his people. As a boy in Atlanta, Ga., he knew at first hand the horror of race rioting and the ugliness of a lynch mob. He lived through racial discrimination in housing and schooling and recreation. But before his death the pattern of race relations in the United States had undergone a tremendous transformation. Violence against the Negro had virtually disappeared from the South. And segregation in public facilities had been declared by the courts of the land to be in contravention of the Constitution.

As executive secretary of the National Association for the Advancement of Colored People, Walter White played a dynamic part in effecting this change. And as a man, Nordic in appearance and predominantly of Caucasian ancestry, who chose freely to identify himself as a Negro, he played a dramatic

part in helping his fellow Americans to understand the folly of race prejudice. He gave his life to a heroic cause now well on its way to triumph.

[From the Washington Star of March 24, 1955]

WALTER WHITE

Some leaders are made by their times, and Walter White was one of the number. In a different era than our own "age of confusion" he might have chosen different work. Conditions being what he knew them to be, he rose to their challenge and, heading the National Association for the Advancement of Colored People, waged a campaign of reform and correction which already is historic. His cause was good, and he did not spoil it by unworthy methods. Americans of all groups recognized him as a spokesman for millions. He lived to see many of his objectives written into the law of the land. Even more important, perhaps, he saw them accepted into the standard pattern of American thought and American behavior. Thus he served the entire national community and, beyond that, the high ideals of democratic civilization throughout the world.

[From the New York Times of March 23, 1955]

WALTER WHITE

Walter White was the adviser of statesmen and soldiers, in peace and war. His work for the Negro was enormously effective over more than three decades. That he was the author of President Roosevelt's Executive Order on Fair Employment Practices in war industries is but one evidence out of many of the weight of his counsel and his vision. In his post of executive secretary of the National Association for the Advancement of Colored People, he was at the center of the conflict between bigotry and democracy which the so-called race question involves. Considerable progress has been made, in recent times here, in resolving this conflict. A great deal of what has been achieved can be directly traced to his influence.

Blue-eyed and fair of color, Walter White did not need to identify himself as a Negro. He did so deliberately, and in its way this act made a special mockery of race discrimination.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT TO PROVIDE VACCINATION AGAINST POLIOMYELITIS IN CERTAIN CASES—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2501) to amend the Public Health Service Act to authorize grants to States for the purpose of assisting States to provide children and expectant mothers an opportunity for vaccination against poliomyelitis. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

Mr. KNOWLAND. Mr. President, I should like to have an explanation before the report is acted upon.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, I wish to report the unanimous agreement of the House and Senate conferees on S. 2501, a bill to provide poliomyelitis vaccine for children and expectant mothers.

The conference accepted the House bill with a number of clarifying and strengthening amendments:

First. The House bill authorized appropriations to remain available until December 31, 1957. Since the matching features in the House bill, as reported by the Committee on Interstate and Foreign Commerce, were removed by a Committee amendment when the bill passed the House, the need for having such a long period of time set forth in the bill had disappeared. The conferees agreed to limit this program to the relatively short period ending February 15, 1956, with the distinct understanding that the whole program would be reviewed because additional legislation and an additional appropriation will be necessary at that time. In doing this, it was the intention of the conferees that the entire $30 million made available in the supplemental appropriations bill just passed by the Congress for the purchase of poliomyelitis vaccine should be made available to the States for use by February 15, 1956.

Second. The House bill, in a proviso in section 4 (a), required in effect the allocation of each State allotment over the entire number of eligible children in the State. By removing this proviso, the conferees have provided that the entire allotment for each State will be available to the States for use in priority groups just as rapidly as the State desires to use the funds.

Since this proviso is not in the bill, no allocation over the entire group of eligibles will be required. It was the expectation of the conferees that additional funds and legislation would be considered in the early weeks of the next session. The conferees recognize that since the present program will expire on February 15, 1956, it will be possible to give only two shots of the vaccine to persons who may be eligible. This should not be interpreted to mean that the Federal Government is not in favor of a third shot. It merely means that the conference committee believes that all the available money should be used to provide the first two shots of vaccine during the period between now and February 15, 1956.

Third. A third significant change in the bill as passed by the House was the inclusion of a provision in section 4 (a) by the conference which gives the Surgeon General authority to set up priority groups. It was intended that the Surgeon General's authority should be as flexible as possible to meet any unusual situation. Thus, he would be permitted to set one priority group for a State or region and a different priority group for another State or region if the medical conditions so warranted. In addition, the States themselves would be permitted to set their own priority groups within the priority categories set by the Surgeon General. Thus, if the Surgeon General set a general priority of age groups 5 through 9, a State might set its own priority for age groups 5 through 7, and so forth.

Fourth. Section 6 (b) of the House bill was amended by providing that the States should have authority to spend money provided under section 3 (A) (2) for the purchase of vaccine, if the money available under that section was in excess of the amount necessary for administrative purposes.

Fifth. The final amendment of importance changed the percent of the number of unvaccinated eligible persons which would be used in calculating the formula for the allotment of money among the States from 25 percent to 33⅓ percent. This means that each State's allotment would be 33⅓ percent of the number of unvaccinated eligible persons multiplied by the product of (a) the cost of the vaccine for each person, and (b) a State's allotment percentage.

Mr. LEHMAN. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. LEHMAN. Originally, the Senate bill provided no prohibition against a means test and that is a thing as to which I was particularly concerned.

Mr. HILL. The prohibition against a means test is now in the legislation.

Mr. President, I move that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 756. An act to authorize the appropriation of accumulated receipts in the Federal aid to wildlife-restoration fund established by the Pittman-Robertson Act and to authorize the expenditure of funds apportioned to a State under such act for the management of wildlife areas and resources; and

S. 2296. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

The message also announced that the House insisted upon its amendment to the bill (S. 2127) to amend the Small Business Act of 1953; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. WOLCOTT, Mr. GAMBLE, and Mr. TALLE were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2391) to amend the Defense Production Act of 1950, as amended, and for other purposes.

The message also announced that the House had agreed to the report of the

committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2501) to amend the Public Health Service Act to authorize grants to States for the purpose of assisting States to provide children and expectant mothers an opportunity for vaccination against poliomyelitis.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1003) for the relief of Mrs. Lorenza O'Malley (de Amusategui), Jose Maria de Amusategui O'Malley, and the legal guardian of Ramon de Amusategui O'Malley.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2907) for the relief of Thomas F. Harney, Jr., doing business as the Harney Engineering Co.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 3255. An act to amend the Classification Act of 1949 to preserve in certain cases the rates of basic compensation of officers and employees whose positions are placed in lower grades by virtue of reclassification actions under such act, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 5844. An act to increase the fee for executing an application for a passport from $1 to $3; to the Committee on Foreign Relations.

H. R. 7125. An act to extend to June 30, 1956, the free mailing privileges granted by the act of July 12, 1950, to members of the Armed Forces of the United Sates; to the Committee on Post Office and Civil Service.

AMENDMENT OF SMALL BUSINESS ACT OF 1953

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2127) to amend the Small Business Act of 1953, which was, to strike out all after the enacting clause and insert:

That section 204 (a) of the Small Business Act of 1953 is hereby amended by inserting after the word "branch" the following: "and regional."

SEC. 2. Section 207 of such act is further amended by inserting after subsection (e) a new subsection as follows:

"(f) To further extend the maturity of or renew any loan made pursuant to subsection (a) or (b) of this section, beyond the periods stated therein, or any loan transferred to the Administration pursuant to Reorganization Plan Numbered 2 of 1954, for additional periods not to exceed 10 years, if such extension or renewal will aid in the orderly liquidation of such loan."

SEC. 3. (a) The last sentence of section 204 (b) of the Small Business Act of 1953 is amended to read as follows: "The Administration shall pay into miscellaneous receipts of the Treasury at the close of each fiscal year, interest on the net amount of the cash disbursements from such advances at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities."

(b) Section 204 of the Small Business Act of 1953 is further amended by inserting the following new subsections (e) and (f), as follows:

"(e) As used in this act, the term 'United States' includes the several States, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

"(f) The Administrator may establish regional offices of the Administration in the Territories of Alaska, Hawaii, and in the Commonwealth of Puerto Rico.'

SEC. 4. (a) Section 205 (a) of the Small Business Act of 1953 is amended (1) by striking out "require bonds of them, and fix the penalties thereof" and inserting in lieu thereof "to provide bonds for them in such amounts as the Administrator shall determine, and to pay the costs of qualification of certain of them as notaries public", and (2) by inserting at the end thereof the following new sentence: "Subject to the standards and procedures under section 505 of the Classification Act of 1949, as amended, not to exceed 15 positions in the Small Business Administration may be placed in grades 16, 17, and 18 of the General Schedule established by that act, and any such positions shall be additional to the number authorized by such section."

(b) Section 205 (b) (7) of the Small Business Act of 1953 is amended (1) by inserting immediately following "all actions" the following: ", including the procurement of the services of attorneys by contract," and (2) by changing the period at the end thereof to a colon and adding the following: "*Provided*, That no attorneys' services shall be procured by contract in any office where an attorney or attorneys are or can be economically employed full time to render such services."

(c) Section 205 (c) of the Small Business Act of 1953 is amended by adding at the end thereof the following new sentence: "Any individual so employed may be compensated at a rate not in excess of $50 per diem, and, while such individual is away from his home or regular place of business, he may be allowed transportation and not to exceed $15 per diem in lieu of subsistence and other expenses."

SEC. 5. Section 207 of the Small Business Act of 1953 is amended to read as follows:

"SEC. 207. (a) The Administration is empowered to make loans to enable small-business concerns to finance plant construction, conversion, or expansion, including the acquisition of land; or to finance the acquisition of equipment, facilities, machinery, supplies, or materials; or to supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies, or materials for war, defense, or essential civilian production or as may be necessary to insure a well-balanced national economy; and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis: *Provided, however*, That the foregoing powers shall be subject to the following restrictions and limitations:

"(1) No financial assistance shall be extended pursuant to (a) above unless the financial assistance applied for is not otherwise available on reasonable terms and all loans made shall be of such sound value or so secured as reasonably to assure repayment; no immediate participation may be purchased unless it is shown that a deferred participation is not available; and no loan may be made unless it is shown that a participation is not available.

"(2) No loan shall be extended to (a) above if the total amount outstanding and committed (by participation or otherwise) to the borrower from the revolving fund established by this title would exceed $250,000, and no loan, including renewals or extensions thereof, may be made for a period or periods exceeding 10 years, except that any loan made for the purpose of constructing industrial facilities may have a maturity of 10 years plus such additional period as is estimated may be required to complete such construction, and any such loan shall bear interest at the rate prevailing in the area where the money loaned is to be used but shall not exceed 6 percent per annum: *Provided*, That the foregoing limitation of $250,000 shall not apply to any loan extended to any corporation formed and capitalized by a group of small business concerns with resources provided by them for the purpose of establishing facilities in and through such corporation to produce or secure raw materials or supplies: *Provided further*, That for any such corporation the limit of any loan extended or made as provided for in this section shall be $250,000 multiplied by the number of separate small businesses which have formed and capitalized a corporation as hereinbefore provided for in this section, and if a loan to such corporation is for the purpose of constructing facilities, then the loan may have a maturity not to exceed 20 years plus such additional time as is required to complete such construction and at an interest rate of not less than 3 nor more than 5 percent per annum: *And provided further*, That no act or omission to act pursuant to this section, if found and approved by the Small Business Administration as contributing to the needs of small business, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of the statement of any such finding and approval intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register. The authority granted in the last preceding proviso shall be delegated only (1) to an official who shall for the purpose of such delegation be appointed by the President by and with the advice and consent of the Senate, unless otherwise required to be appointed, (2) upon the condition that such official consult with the Attorney General and with the Chairman of the Federal Trade Commission not less than 10 days before making and stating any such finding and approval as is authorized in this subsection (a), and (3) upon the condition that such official obtain a statement in writing from the Attorney General that he, mindful of the antitrust laws and the public interest, concurs in the finding and approval made and granted by the Small Business Administration. Upon withdrawal of any finding or approval made hereunder the provisions of this section shall not apply to any subsequent act or omission to act by reason of such finding or approval. The Attorney General is directed to make, or request the Federal Trade Commission to make for him, surveys for the purpose of determining any factors which may tend to eliminate competition, create or strengthen monopolies, injure small business, or otherwise promote undue concentration of economic power in the course of the administration of this act. The Attorney General shall submit to the Congress and the President within 90 days after approval of this act, and at such times thereafter as he deems desirable, reports setting forth the results of such surveys and including such recommendations as he may deem desirable.

"(3) In agreements to participate in loans on a deferred basis under this subsection or under subsection (b) (1) of this section,

such participation by the Administration shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

"(b) The administration also is empowered—

"(1) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate because of floods or other catastrophes, including necessary or appropriate loans to any small-business concern located in an area where a drought is occurring, if the administration determines that the small-business concern has suffered a substantial economic injury as a result of such drought, and the President has determined under the act entitled 'An act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U. S. C., secs. 1855–1855g), that such drought is a major disaster, or the Secretary of Agriculture has found under the act entitled 'An act to abolish the Regional Agricultural Credit Corporation of Washington, District of Columbia, and transfer its functions to the Secretary of Agriculture, to authorize the Secretary of Agriculture to make disaster loans, and for other purposes', approved April 6, 1949, as amended (12 U. S. C., secs. 1148a–1–1148a–3), that such drought constitutes a production or economic disaster in such area: *Provided*, That no such loan including renewals and extensions thereof may be made for a period or periods exceeding 10 years except that where such loan is for acquisition or construction (including acquisition of site therefor) of housing for the personal occupancy of the borrower, it may be made for a period not to exceed 20 years and at an interest rate not to exceed 3 percent per annum.

"(2) to enter into contracts with the United States Government and any department, agency, or officer thereof having proprocurement powers obligating the Administration to furnish articles, equipment, supplies, or materials to the Government;

"(3) to arrange for the performance of such contracts by negotiating or otherwise letting subcontracts to small-business concerns or others for the manufacture, supply, or assembly of such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Administration to perform such contracts; and

"(4) to provide technical and managerial aids to small-business concerns, by advising and counseling on matters in connection with Government procurement and on policies, principles, and practices of good management, including but not limited to cost accounting, methods of financing, business insurance, accident control, wage incentives and methods engineering, by cooperating and advising with voluntary business, professional, educational, and other nonprofit organizations, associations, and institutions and with other Federal and State agencies, by maintaining a clearinghouse for information concerning the managing, financing, and operation of small-business enterprises, by disseminating such information, and by such other activities as are deemed appropriate by the Administration."

SEC. 6. Section 211 of the Small Business Act of 1953 is amended to read as follows:

"SEC. 211. When directed by the President, it shall be the duty of the Administration to consult and cooperate with governmental departments and agencies in the issuance of all orders or in the formulation of policy or policies in any way affecting small-business concerns. When directed by the President all such governmental departments or agencies are required, before issuing such orders or announcing such policy or policies, to consult and cooperate with the Administration in order that the interests of small-business enterprises may be recognized, protected, and preserved: *Provided further*, That for the purposes of aiding in carrying out the national policy to insure that a fair proportion of the total purchases and contracts for supplies and services for the Government be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation, the Department of Defense shall make a monthly report to the President, the President of the Senate, and the Speaker of the House of Representatives not less than 45 days after the close of the month, showing the amount of funds appropriated to the Department of Defense which have been expended, obligated, or contracted to be spent with small-business concerns and the amount of such funds expended, obligated, or contracted to be spent with firms other than small business in the same fields of operation; and such monthly reports shall show separately the funds expended, obligated, or contracted to be spent for basic and applied scientific research and development."

SEC. 7. (a) Section 212 (c) of the Small Business Act of 1953 is amended by adding immediately before the semicolon at the end thereof the following language: "and to carry out this purpose the Administrator, when requested to do so, shall issue in response to each such request an appropriate certificate certifying an individual concern as a 'small-business concern' in accordance with the criteria expressed in this act. Any such certificate shall be subject to revocation when the concern covered thereby ceases to be a 'small-business concern'."

(b) Section 212 (g) of the Small Business Act of 1953 is amended by inserting after the words "to insure" the following language: "that a fair proportion of the total purchases and contracts for supplies and services for the Government be placed with small-business enterprises, to insure that a fair proportion of Government contracts for research and development be placed with small-business concerns, and to insure".

SEC. 8. Section 213 of the Small Business Act of 1953 is amended by adding "(a)" immediately following "Sec. 213." and by inserting an additional subsection, as follows:

"(b) Offices of the Government having procurement or lending powers, or engaging in the disposal of Federal property or allocating materials or supplies, or promulgating regulations affecting the distribution of materials or supplies shall accept as conclusive the Administration's determination as to which enterprises are to be designated 'small-business concerns', as authorized and directed under section 212 (c) of this title."

SEC. 9. Section 214 of the Small Business Act of 1953 is amended (1) by inserting before "mobilizing" the words "maintaining or."

SEC. 10. Section 215 of the Small Business Act of 1953 is amended by inserting at the end thereof the following new sentence: "The Administration shall make a report to the President, the President of the Senate, and the Speaker of the House of Representatives, to the Senate Select Committee on Small Business and to the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business on December 31, 1955, and at the end of each 6 months thereafter, showing as accurately as possible for each such period the amount of funds appropriated to it that it has expended in the conduct of each of its principal activities such as lending, procurement, contracting, and providing technical and managerial aids."

SEC. 11. Section 215 of the Small Business Act of 1953 is further amended by adding at the end thereof the following sentence: "The Administration shall retain all correspondence, records of inquiries, memoranda, reports, books, and records, including memoranda as to all investigations conducted by or for the Administration, for a period of at least 1 year from the date of each thereof, and shall at all times keep the same available for inspection and examination by the Senate Select Committee on Small Business, and the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business, or their duly authorized representatives."

SEC. 12. (a) Section 218 (a) of the Small Business Act of 1953 is amended by striking out "(a)" immediately following "SEC. 218."

(b) Section 218 (b) of the Small Business Act of 1953 is hereby repealed.

SEC. 13. Section 221 (a) of the Small Business Act of 1953 is amended by striking out the figures "1955" and inserting in lieu thereof "1957."

SEC. 14. The Small Business Act of 1953 is amended by adding at the end thereof two new sections which shall read as follows:

"SEC. 224. All laws and parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency.

"SEC. 225. The Administration shall not duplicate the work or activity of any other department or agency of the Federal Government and nothing contained in this act shall be construed to authorize any such duplication unless such work or activity is expressly provided for in this act."

SEC. 15. Section 3 of the Armed Services Procurement Act of 1947 is amended by adding at the end thereof the following new paragraph:

"(c) All bids or invitations for bids shall contain in their specifications all the necessary language and material required and shall be so descriptive both in its language and attachments thereto in order to permit full and free competition. Any bid or invitation to bid which shall not carry the necessary descriptive language and attachments thereto, or if such attachments are not available or accessible to all competent, reliable bidders, such bid or invitation to bid shall be invalid and any award or awards made to any bidder in such case shall be invalidated and rejected."

SEC. 16. This act shall take effect as of the close of July 31, 1955.

Mr. THYE. Mr. President, I suggest the absence of a quorum.

Mr. MORSE. Mr. President, I wish to assure the Senator from Minnesota that I have cleared the consideration of the matter with both leaders.

Mr. THYE. Am I correct in my information that this is the conference report on the Small Business Administration bill?

Mr. MORSE. It is not a conference report. The House has returned the Senate bill with an amendment. It is my intention to move that the Senate concur in the House amendment.

Mr. THYE. I have no objection.

Mr. MORSE. I move that the Senate concur in the amendment of the House. I may say that the Senate committee has gone over the House amendment, and we strongly recommend its adoption.

The motion was agreed to.

DISAPPROVAL BY CONGRESS OF EXPENDITURES BY TVA FOR CONSTRUCTION OF CERTAIN STEAM POWER UNITS

Mr. McCLELLAN (for himself, Mr. FULBRIGHT, and Mr. HOLLAND) submitted

the following resolution (S. Res. 146), which was ordered to lie on the table:

Resolved, That it is the sense of the Senate that, notwithstanding any authority conferred by law, the Tennessee Valley Authority should not expend any funds to commence the construction or installation of any additional steam power units at Johnsonville, John Sevier, and Gallatin until the Congress has approved the expenditure of funds for such purpose.

Mr. McCLELLAN. Mr. President, it is the contention of the TVA that, under the basic statute creating it, it has the authority, without Congress appropriating the money, to take the proceeds from the sale of power, and any other revenues that might come into its possession from its operation, and spend the money for the construction of new steam plants or additional units at steam plants already built. It has been the practice of TVA in the past, when it desired to make such expenditures out of its revenues for capital expansion, to come to the Committees on Appropriations and report its needs in that respect, its purpose so to use the money, and to secure the approval of the Appropriations Committees of the Congress for such expenditures in the report on the bill carrying appropriations for the TVA.

During this session of Congress, again, the TVA came before the appropriate committees and requested permission to build six additional steam units in the TVA area out of its revenues. It was the intention to build units 7 to 10 at Johnsonville, unit 4 at John Sevier, and unit 3 at Gallatin.

The Subcommittee on Public Works of the Committee on Appropriations considered the matter and made a report to the full committee. I shall read a part of the report of the subcommittee to the full committee. The request went before the full committee for its approval. I quote from the subcommittee's report:

Although the committee is providing no new funds for such purpose, the committee approves the proposed addition to the power capacity by the use of proceeds from power operations or funds otherwise available to provide additional units 7 to 10 at Johnsonville, unit 4 at John Sevier, and unit 3 at Garrison, those being units at existing steam plants, to build up the capacity and more nearly meet the heavy load forecast for 1957 and 1958.

The full committee gave consideration to this report and this proposal.

On motion of the senior Senator from Florida, who has joined me as a cosponsor of the resolution, as has my colleague from Arkansas [Mr. FULBRIGHT], to strike this authority and approval from the subcommittee's report, a record vote was taken, and the Committee on Appropriations voted, 13 to 10, to strike the provision from the report, thus refusing to give its approval to the expenditure of these unappropriated funds, which are revenues belonging to all the taxpayers of the United States.

In view of the action of the Committee on Appropriations, I immediately became interested to know just what such expenditures would involve. I may say that the action of the Committee on Appropriations was taken on July 1. On July 2, I sent the following telegram to the Chairman of the Board of TVA:

Please advise me promptly by wire, total estimated cost of additional power units 3 to 10 at Johnsonville, unit 4 at John Sevier, and unit 3 at Gallatin, which I understand the TVA proposes to construct, or begin construction of, within this fiscal year. In other words, these are the proposed additional power capacity units the Senate Appropriations Committee was asked to approve. I understand the cost of construction is to be paid out of proceeds and earnings of the TVA, and not out of appropriated funds. Thanks for your response.

On the same day, I received the following reply:

Reurtel Johnsonville units 7 to 10, John Sevier unit 4, Gallatin unit 3, which would add approximately 1 million kilowatts to TVA's assured load-carrying capacity are estimated to cost $144,500,000.

HUBERT D. VOGEL,
Chairman of the Board, TVA.

Mr. President, I thought that was a large sum of money in unappropriated funds to authorize a board to spend, or to have a board to presume to have the authority to expend, particularly so after the Committee on Appropriations of one House of Congress had expressly refused to give its approval to such expenditures. So I wondered what the attitude of the TVA Board would be under those circumstances. Later, on July 7, I sent a telegram to General Vogel, Chairman of the Board. I now read it:

WASHINGTON, D. C., *July 7, 1955.*

Gen. HUBERT D. VOGEL,
Chairman of Board, TVA,
Knoxville, Tenn.:

Re our exchange of telegrams July 2. In view of Senate Appropriations Committee's action in refusing by a vote of 13 to 10 to approve TVA's proposed construction of additional power units at Johnsonville, John Sevier, and Gallatin out of proceeds from power operations or funds otherwise available at an estimated cost of $144,540,000 as per your wire July 2, please advise whether the Board intends to proceed with the construction of said units, notwithstanding the action taken by the Senate Appropriations Committee.

JOHN L. McCLELLAN,
United States Senator.

I did not receive a prompt reply to that message, so again on July 11, I wired General Vogel as follows:

Please let me have your reply to my wire of July 7 at your earliest convenience.

I again received no prompt reply, and I telegraphed him on July 12:

Urgently request reply to my wire of July 7.

On July 12, Mr. President, I received the following wire from General Vogel:

KNOXVILLE, TENN., *July 12, 1955.*

The Honorable JOHN L. McCLELLAN,
Senate Office Building,
Washington, D. C.:

Reurtel of July 7. The Board of TVA is, of course, concerned with the necessity of adding capacity to the system to meet growing loads. Although no decision has been reached, we are studying all the problems involved in proceeding with construction of some units in existing plants by using power proceeds. Delay to this telegram caused by my absence from Knoxville, and is deeply regretted.

HUBERT D. VOGEL,
Chairman of the Board.

On receipt of that telegram, which did not answer my inquiry at all, I again wired General Vogel on July 13, as follows:

WASHINGTON, D. C., *July 13, 1955.*

Gen. HERBERT D. VOGEL,
Chairman of the Board, TVA,
Knoxville, Tenn.:

Thank you for your wire of July 12. What I wish to ascertain is whether the TVA board intends to construct or is considering proceeding with the construction of additional steam units at existing plants by using power proceeds without first coming back to Congress for approval. The Senate Appropriations Committee declined recently to give its approval, as you know. If its action is to be disregarded and the TVA intends to proceed with the construction of these units notwithstanding that action, the Congress is entitled to know it so that it may give appropriate consideration to the matter before the session adjourns. Please advise.

JOHN L. McCLELLAN,
United States Senator.

I received the following reply, dated July 14:

KNOXVILLE, TENN., *July 14, 1955*

The Honorable JOHN L. McCLELLAN,
Senate Office Building,
Washington, D. C.:

TVA is giving consideration to proceeding with construction of additional generating units at existing plants by using power proceeds but review of the extent of available funds and other factors may not permit decision by TVA board for some weeks. TVA counsel advises that in view of existing statutory authority further congressional approval is not required and does not interpret the action of the Senate Appropriations Committee as limiting the right to use proceeds for such purposes. In the last 2 years no appropriations have been requested for TVA to provide new power facilities to meet load growths. A plan to finance TVA power facilities through the issuance of bonds is now before the Congress and if this does not receive favorable action TVA's power earnings will constitute the only source of capital available for financing new power construction.

HERBERT D. VOGEL,
Chairman of the Board.

Mr. President, it is very clear that the action of the Appropriations Committee is most likely to be ignored by the Board, and its members propose, just because they have money from a source other than appropriations, to exercise what their counsel interprets as authority to spend that money without an appropriation and without specific approval of the Congress, and despite the fact that an Appropriations Committee of one branch of the Congress refused to give its approval.

General Vogel refers to some plan of TVA to issue bonds, thus financing future buildings of additional powerplants. The resources of TVA have been developed. This is simply the Federal Government, through an agency, attempting to build powerplants to meet power needs of that particular area—TVA.

Whether the agency gets approval to issue bonds or some other system is planned and worked out, in the meantime it proposes to spend revenues it receives as taxpayers' money without Congress appropriating the money for that purpose, and in spite of the fact that the Appropriations Committee of this body refused to give its approval that such expenditures be made.

Mr. President, I was not satisfied with that. However, I wanted to know what the other members of the Board thought about it.

Following the last telegram I have read, I had a conference with General Vogel, who came to my office and conferred with me. As a result of that conference, I concluded I should wire the other members of the Board to get their views.

Accordingly, on the 27th of this month, I wired the two other members of the Board, Dr. Harry Curtis and Dr. Raymond Paty, members of the Board, and asked them the same questions. I ask unanimous consent to have printed in the RECORD at this point both of those telegrams, which are dated July 27, since I do not wish to take time to read them.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *July 27, 1955.*

Dr. HARRY CURTIS,
Member, Board of Directors,
Knoxville, Tenn.:

In view of Senate Appropriations Committee's action in refusing by a vote of 13 to 10 to approve TVA's proposed construction of additional power units at Johnsonville, John Sevier, and Gallatin out of proceeds from power operations of funds otherwise available at an estimated cost of $144,500,000 as per wire Chairman of your Board July 2, please advise whether it is your intention to proceed with the construction of such units notwithstanding the action taken by the Senate Appropriations Committee. Please advise me promptly.

JOHN L. MCCLELLAN,
United States Senator.

WASHINGTON, D. C., *July 27, 1955.*

Dr. RAYMOND PATY,
Member, Board of Directors,
Knoxville, Tenn.:

In view of Senate Appropriations Committee's action in refusing by a vote of 13 to 10 to approve TVA's proposed construction of additional power units at Johnsonville, John Sevier, and Gallatin out of proceeds from power operations or funds otherwise available at an estimated cost of $144,500,000 as per wire Chairman of your Board July 2. Please advise whether it is your intention to proceed with the construction of such units notwithstanding the action taken by Senate Appropriations Committee. Please advise me promptly.

JOHN L. MCCLELLAN,
United States Senator.

Mr. McCLELLAN. I made the same inquiry of the other members of the Board that I made of General Vogel, the chairman.

Although I had sent wires separately to each member, on July 28 I received a joint reply, which reads as follows:

KNOXVILLE, TENN., *July 28, 1955.*

Hon. JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.:

Reurtel July 27, the situation is unchanged since General Vogel's July 14 telegram to you.

HARRY A. CURTIS,
RAYMOND R. PATY,
Directors.

Again, that was no answer to my inquiry. I had asked them for a specific answer as to what their intention was, and whether they were going to respect or ignore and disregard the action of the Appropriations Committee of this body. Accordingly, I wired them on July 28 as follows:

WASHINGTON, D. C., *July 28, 1955.*

HARRY A. CURTIS,
RAYMOND R. PATY,
Directors, TVA,
Knoxville, Tenn.:

Reurtel today, you have not answered my inquiry. What I want to know is whether you, each of you, as a member of the board of directors of TVA, intend to ignore and disregard the action of the Senate Appropriations Committee and proceed with the construction of the steam-power units to which my telegram of yesterday referred. It has been some time now since the Senate Appropriations Committee's action. Certainly you have had time to consider whether you will proceed, notwithstanding that action, or if you intend to respect it. Congress is still in session, and I will appreciate your giving me the information I have requested before it adjourns. I await your further reply.

JOHN L. MCCLELLAN,
United States Senator.

Mr. President, on July 29, I received the following reply, a joint reply from the other two members of the Board, Mr. Curtis and Mr. Paty:

Re your telegram July 28, the TVA Board of Directors has not made any decision in this matter and neither of us has reached a conclusion as an individual. When a decision has been reached, we shall be glad to advise you.

HARRY A. CURTIS,
RAYMOND R. PATY,
Directors.

Mr. President, we are going to have to face this issue. I cannot get an answer from the Board as to what it intends to do.

I remember that in the Appropriations Committee, I heard it stated that if the committee failed to give its approval, of course the TVA would not spend the money. I heard that statement made at that time. But now I am not so sure. Where is our responsibility? I know I cannot get the resolution agreed to tonight, and cannot get it considered by unanimous consent. But even with the burden of other work I have had, I have been trying to find out about this matter, so the Senate could know whether the action of its Appropriations Committee would be respected, or whether the TVA Board of Directors would proceed to obligate $144,500,000 to build these units, without getting specific approval from the Congress of the United States.

For that reason I am offering this resolution, to have it lie on the table, because I wish to serve notice that if the Board presumes to proceed to obligate $144,500,000 of the American taxpayers' money, in the face of the refusal of the appropriate committee of this branch of Congress to give its approval, then it is time for us to take a broad, overall look at the authority of the Board, which seems to have said, "We will disregard your action if you do not give your consent."

After all, Mr. President, everything, all natural resources in the TVA have been developed by using the money of the taxpayers from all over the Nation, to the tune of over $2 billion and more. If any Senator wishes to have a project constructed in his State, he has to obtain the approval of the Appropriations Committee. Time and time again, Senators request of the Appropriations Committee an appropriation of $100,000 or $200,000 for a small project, and such Senators are told that the money will not be appropriated because the item is not included in the budget.

But in this case we find that the directors propose to make commitments for the expenditure of the $144 million, notwithstanding the action of the Appropriations Committee's disapproval. It is money of the taxpayers; it is revenue from moneys invested by all taxpayers of the Nation. No Senator can obtain such treatment for a project for his State. He must secure a congressional appropriation for his project.

I say the time has come for the TVA Board to come before the congressional committees—just as the representatives of all other communities must do except the TVA, have to come before the congressional committees—and obtain approval of the expenditures for capital investment which they propose to make.

Mr. FULBRIGHT. Mr. President——

The PRESIDING OFFICER. (Mr. SCOTT in the chair). Does the Senator from Arkansas yield to his colleague?

Mr. McCLELLAN. I am happy to yield to my distinguished colleague.

Mr. FULBRIGHT. I should like to ask a question: If this principle persists, then is it not true that there will be no limit to the expenditures which may be made by the TVA Board in the future, without congressional approval?

Mr. McCLELLAN. Absolutely so; and in that event, all the proceeds it receives from this huge investment, that the taxpayers have made there—or all of it except the amount required for the necessary operating expenses—the Board perhaps will continue to use indefinitely, to build steamplants for the benefit of one area of the country; and, under such a procedure the Congress would be unable to make an equitable distribution of the general revenues through all the communities of the country. That is the situation we face.

Mr. FULBRIGHT. The fact that approval of the expenditure was included in the bill as it came to the committee is evidence, is it not, that heretofore it has been customary for approval to be granted?

Mr. McCLELLAN. I am sure it has been customary since the time they began to build additional steam units which were not necessary to firm up the hydroelectric power of TVA—I think the original intent was that the hydroelectric power should be firmed up; and they were given authority to build steamplants for that purpose. But now they have reached the saturation point, and I do not think what is now being done is fair or just. It discriminates against every other community in the country to have that Board refuse to put into the Treasury the revenues which belong to all the taxpayers, but, instead, to spend them according to their own wishes, without regard to what the congressional appropriation committees may say about the matter.

Mr. FULBRIGHT. It seems to me that is clear evidence that it is time that the policy of permitting the investment of the revenues without the making of appropriations should be reviewed. Does not the Senator agree?

Mr. McCLELLAN. I would say so, and I intend to try to get it reviewed. I may say that I have been trying to get this information. Everyone knows that the committee of which I have the honor to be chairman has been rather completely occupied with work during the last few days. I have been completely engaged in other public business. Nevertheless, I have been trying to obtain a committal—merely a statement of "yes" or "no"—so that the Congress may know from the members of the board who have been entrusted with this power what they intend to do. I told them I wanted the information for the Senate. But despite the action the Senate Appropriations Committee has taken, they decline to say whether they will exercise the power the Senate Appropriations Committee disapproved.

Mr. FULBRIGHT. Is it not rather strange that the board has found that it does not need any power to supply Memphis, since Memphis is going to build its own powerplant, although they need a million kilowatt-hours in their system, requiring $144 million to produce it?

Mr. McCLELLAN. Yes. If Memphis should build a 500,000-kilowatt or 600,000-kilowatt plant, what is this power for? I will tell you what it is for, Mr. President. It is to build steam plants there, with the taxpayers' money, and with no interest paid on it. That money then goes back into the capital assets, and then the power can be sold, and it is cheaper than power which can be produced anywhere else by private enterprise, and that means that factories will be built there, instead of in other States, because industry can obtain that cheap power, which is being provided by the use of the money belonging to all the taxpayers of the Nation.

If that is any Senator's idea of justice and equity to his State, it is not my idea of justice and equity to my State.

So I think we have to face this issue.

I am not so sure that under the Constitution the Federal Government has authority or power to use generel revenues to build a powerplant in one particular area or community of the country, simply to help that community or area meet its power loads. If so, Mr. President, if there is that authority, if that authority is vested in the Government, under the Constitution, then I ask my colleagues, are not they interested in having the Federal Government use general-revenue funds to build some powerplants in their States, where there is a power shortage today, and to build them on the same terms, so that their communities may be in the same favorable position to compete for private enterprise and private industry as is the TVA? With that in mind, I think we should know whether the Federal Government has such power. There is only one way to find out, and that is to let the highest court of the land finally decide the question.

I do not know the answer tonight. I do not believe the Federal Government has such power. Some of my distinguished friends across the aisle and some on this side of the aisle may think it has such authority. If it has, I should like to know it, because hereafter when bills come before us, appropriating funds to build steam plants in TVA or in Kalamazoo, for that matter, I want a little rider to provide for the construction of a steam plant in Arkansas. I want my constituents to have equity and justice, and not be discriminated against.

PURCHASE OF SUGAR IN CONTINENTAL UNITED STATES BY COMMODITY CREDIT CORPORATION

Mr. LONG. Mr. President, I send forward a Senate resolution, and ask unanimous consent for its immediate consideration.

Mr. KNOWLAND. Mr. President, reserving the right to object—and I have no desire to object—I believe we should have a quorum call, in view of the fact that there are no printed copies of the resolution available.

Mr. LONG. Very well. If the Senator will withhold his suggestion of the absence of a quorum for a moment, I should like to explain that I have discussed the resolution with all Senators who I know are particularly interested in it. The resolution involves the Sugar Act. I have discussed the resolution with the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Illinois [Mr. DOUGLAS], who have objected to the bill passed by the House.

This is not a bill. It is a resolution expressing the sense of the Senate with regard to certain emergency measures which the Commodity Credit Corporation might take to relieve the situation during the time when Congress is not in session.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. LONG. I yield.

Mr. MORSE. Does the Senator from Louisiana agree with me that his resolution offers about the only possible method by which we can be of help in this session of Congress to the sugar growers in our respective States, in view of the parliamentary situation in which we find ourselves?

Mr. LONG. The parliamentary situation being what it is, I believe that about the only assistance we could give to the sugar producers of the Nation would be the type which could be accomplished more or less by unanimous consent. I have been seeking to obtain an agreement with respect to this resolution, which I believe would lead to some aid being accorded to the sugar producers during the period when Congress is not in session.

Mr. MORSE. That would enable us in January, in a regular session of Congress, without a suspension of the rules, to consider so-called beet-sugar legislation, of which I happen to be one of the cosponsors, with the Senator from Louisiana.

Mr. LONG. This resolution would relieve hardship with respect to sugar producers who have a large surplus on their hands. It would provide some interim relief, if the Commodity Credit Corporation should see fit to follow the recommendations of the Senate as proposed in this resolution.

Mr. MORSE. Mr. President, will the Senator further yield?

Mr. LONG. I yield.

Mr. MORSE. I think it is a fair and equitable approach the Senator is making. Although I am as eager as he is to obtain action on sugar legislation, I must say for the RECORD, as one who believes that our regular parliamentary procedure in the Senate should be protected, that in view of the fact that we find ourselves in a parliamentary situation in which there would have to be a suspension of the rules, I do not think it would be wise to suspend the rules and make an exception in one case merely because it would be to our advantage to have such an exception.

I wish to commend the Senator from Louisiana for the purport of this resolution, because I think this is a fair and equitable approach. However, I must agree with the Senator from Arkansas [Mr. FULBRIGHT] on the question of protecting the regular parliamentary procedure of the Senate, because if we should begin making exceptions we would get ourselves into a situation in which, whenever any one of us had some particular legislation which would be of special benefit to some economic group in his State, the tendency would be to try to obtain a suspension of the rules. I think the exceptions would become so numerous that no rules, in fact, would be left for application to the Senate.

I think the Senator is to be commended for the approach he is now making.

Mr. LONG. I thank the Senator.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. FULBRIGHT. I wish to say that the Senator from Louisiana has discussed this question with me. I have no doubt that the Commodity Credit Corporation, under the direction of the Secretary of Agriculture, has the authority to purchase this sugar. I do not object to this resolution, nor do I object to the purpose of it, namely, the purchase of 100,000 tons of sugar.

I can only say that I do not agree that the sugar growers are in any dire necessity. They are really the aristocrats of all farmers in the country, and have the most satisfactory support program or subsidy program of any group.

I congratulate both Senators from Louisiana on the wonderful job they have done through the years to provide extra special benefits for sugar producers.

I am in agreement with the Senator's resolution.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KNOWLAND. Mr. President, before the Senate takes up the resolution of the Senator from Louisiana, I should like to ask the acting majority leader whether he knows if the conference report on the Washington transit bill is in a condition to be acted on?

Mr. FULBRIGHT. I am informed that it is being drafted. It is not quite ready for action.

Mr. KNOWLAND. I wonder whether the distinguished Senator from Oregon [Mr. MORSE] can given an estimate of when the conference report will be available to the Senate.

Mr. MORSE. I am advised by members of the staff that the report is being drafted into final form, and will be presented to the House at about 8:30 p. m. I believe the drafting of the report is just being finished. We agreed to let the House take it up first, before it is presented to the Senate.

Mr. KNOWLAND. I wonder whether the acting majority leader can give me further advice. A number of Senators have come to the Chamber from dinner, and I am sure they would like to be advised about the program for the remainder of the evening. I inquire particularly with respect to the conference report on the legislative appropriation bill. Can the acting majority leader tell me when that is likely to be called up?

Mr. FULBRIGHT. The Senator from Kentucky has just entered the Chamber.

Mr. CLEMENTS. Mr. President, I regret I was not in the Chamber when the Senator from California asked his questions.

Mr. KNOWLAND. Mr. President, I will say to the distinguished acting majority leader that we have had a quorum call because the Senator from Louisiana [Mr. LONG] submitted a resolution relating to a certain phase of the sugar situation. It is perfectly agreeable; I know of no opposition to it on this side of the aisle, and I do not know of any opposition from any Senator, so far as I have been advised.

In view of the fact that the resolution has not been printed, I thought Senators were entitled to be put on notice that a new matter was to be called up.

While the distinguished acting majority leader is in the chamber I should like to inquire of him when we may expect the conference report on the transit bill. I understand the conferees have agreed on the report. The distinguished Senator from Oregon [Mr. MORSE] indicated that the staff thought it would be ready for the House to act on it at 8:30 tonight, which should be at about this time.

Mr. CLEMENTS. I may say to my friend from California it is my information that the staff is drafting it now. As soon as it has been drafted and in final form and acted upon by the House, it will be immediately brought before the Senate.

Mr. KNOWLAND. The next question relates to the legislative appropriation bill, and the conference report on it. The distinguished acting majority leader is chairman of the conference committee. When does he estimate the conference report will be called up in the Senate?

Mr. CLEMENTS. It is my opinion it will be presented to the Senate within 30 minutes, or soon thereafter if there is an opportunity for the chairman of the conference committee to be recognized at that time.

There is no disagreement on the legislative appropriation bill. I believe it is well to say to the Senate at this time that the position which the Senate conferees took on the bill was eventually sustained by action of the House. The House acted on the items which the House conferees wished to put in the conference report. When the House did that, of course we had no further objection. I do not believe there will be any reason for any Member of the Senate to object, inasmuch as the procedure we followed is in accordance with tradition through the years.

My distinguished friend from California, who became a member of the conference committee when the distinguished Senator from New Hampshire was unable to meet with the conferees today, will agree, I am sure, that the position the Senate took yesterday, which the Senate took on Saturday, and which the Senate took on Friday, was sustained in conference today.

Mr. KNOWLAND. Yes; I agree with the Senator. I believe the position was a sound one, and I hope the precedent will be reestablished over the years so far as the procedure involved is concerned, particularly as it relates to the subject of comity between the two Houses.

Mr. CLEMENTS. If I may go a little further, I should like to say that even the House conferees, I believe, feel a little better about the procedure they followed today than they would have felt if they had pursued the course which they suggested over the weekend.

Mr. KNOWLAND. I believe the House conferees were very agreeable about the matter today.

Mr. CLEMENTS. They were not only agreeable, but I think they were also thoroughly understanding of the Senate's position, and understanding of the fact that the Senate conferees were acting not only on the basis of precedent and tradition, but were also acting under the specific rules laid down for conferees of the Senate.

Mr. KNOWLAND. As the distinguished Senator says, we felt we had taken a sound position in refusing to add in conference new material which had not been acted upon first by the body which desired it.

Mr. CLEMENTS. May I say, by either body?

Mr. KNOWLAND. That is correct.

Another matter which was the subject of some colloquy between a number of Senators on the floor when the legislative bill was before the Senate, and of considerable discussion elsewhere, was that relating to the press, radio, and periodical galleries. There are some practical problems involved in that matter which I think we all appreciate; but I was hopeful that perhaps prior to the time the legislative appropriation bill was finally acted upon, some way might be found through a joint resolution, to take care of the problem, in order to bring about some equity as between the galleries of the House and the Senate. The only way I know an approach might be found—and it might take a good deal of effort on both sides of the aisle—would be through a joint resolution adopted at the time of the action on the legislative bill, hoping it would not be too late for the House to give some consideration to it.

I hope the distinguished chairman of the Appropriations Committee will explore that matter further if it can be done without upsetting the balance.

Mr. CLEMENTS. As the Senator said, on last Thursday, I believe, there was a colloquy on the floor participated in by the distinguished minority leader, the Senator from New Hampshire [Mr. BRIDGES], and myself, in which was discussed this very matter of relative pay scales between the two bodies. A request was made of the committee this afternoon that some changes be made in the bill which would provide for the Senate galleries comparable pay for the same services rendered by the House galleries. We could not do that, because that is exactly the same principle which was involved in our other differences with the House. It would involve the question of putting new material into the bill in conference.

Mr. KNOWLAND. I am sure that all the conferees on our side agree that we could not in good conscience recommend action on our part which we felt was inadvisable on the part of Members of the House.

Mr. CLEMENTS. The Senator is absolutely correct. Since that time there has been some work done by the Appropriations Committee staff in comparing various pay scales between the radio galleries of the House and Senate, and it is not unlikely that during the evening, and after the final passage of the legislative appropriation bill, there will be a resolution submitted to the Senate. I have every reason to believe it will be in ample time for the House to act on it if they so desire, should the Senate confirm the recommendations.

Mr. KNOWLAND. I wish to thank the distinguished Senator for his constructive effort in trying to find a solution of this difficult problem. The reason why I raised it on the floor was because I wanted Senators to be advised of what we have in mind.

I think inquiry has been made of the acting majority leader, my good friend from Kentucky, whether action may be expected on the executive pay bill this evening. I understand the Senate committee reported one version and the House committee reported another version, House bill 7619. The Senate bill is S. 2628. From a practical point of

view, as I understand, if any executive pay bill is to be acted upon, it will more likely be in the nature of the House bill, although, if the measure were to go to conference, perhaps all after the title might be stricken and sent to conference, or because of the lateness of the hour, the Senate might have to take up the House bill in lieu of the Senate bill for such discussion and debate and amendment as the Senate in its wisdom might determine. It might expedite the matter in view of the lateness of the session. But, I wanted Senators to be on notice if such a bill were to be called up, so they might be available to proceed with its discussion.

Mr. CLEMENTS. Let me say to my distinguished friend the minority leader that the executive pay bill is under discussion. There has been no opportunity during the day to take it up without laying other matters aside which had been here a much longer time. Certainly, if and when it is taken up, the practical plan would be to take up the House bill, for the simple reason that should it be amended, there is a possibility that the House will accept any amendment that the Senate may incorporate, and there will be no need to go to conference.

Mr. KNOWLAND. May I ask my distinguished friend whether any other bills of major importance of which he knows are likely to be called this evening?

Mr. CLEMENTS. I ask the Presiding Officer if some measures from the Committee on Post Office and Civil Service have been sent to the desk. I ask the Chair if he will ascertain from the clerk if there are 3 or 4 bills involving matters pertaining to the civil service, one of which involves a change in fee from one to three dollars.

The PRESIDING OFFICER. That measure has been referred to the Committee on Foreign Relations.

Mr. CLEMENTS. Are not the House bills at the desk?

The PRESIDING OFFICER. Two of them have been referred to the Committee on Post Office and Civil Service.

Mr. CLEMENTS. Do I understand that only the executive pay bill and the legislative conference report are at the desk at the present time?

The PRESIDING OFFICER. That is correct.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. CARLSON. I appreciate the comments between the acting majority leader and the minority leader in regard to the executive pay bill. I assure the acting majority leader that so far as I am concerned, as one of the authors of the Senate bill, together with the chairman of the Committee on Post Office and Civil Service, the distinguished senior Senator from South Carolina [Mr. JOHNSTON], we shall be glad, I am certain, to cooperate with the acting majority leader and accept the House bill and have it acted on at the earliest possible time. I sincerely hope it may be called up early this evening.

Mr. CLEMENTS. Do I understand correctly that although the Senate Committee on Post Office and Civil Service gave some study and consideration to the Senate bill, there is considerable difference between the House and the Senate versions, and the Senate committee is now in a position to accept the House bill without an amendment?

Mr. CARLSON. I should much prefer the Senate bill. In fact, I think it contains several provisions which are better than those of the House bill. But, under the circumstances of the legislative situation, I shall suggest and recommend to the Senate that the House bill be accepted, in order to have action taken at this session.

Mr. THYE. Mr. President, when does the acting majority leader expect the conference report on the legislative bill and also on the executive pay bill to be taken up?

Mr. CLEMENTS. Just as soon as some of the staff complete a table which involves the resolution about which the Senator from California [Mr. KNOWLAND] and I had a colloquy a few minutes ago.

Mr. THYE. Is that the matter which the Senator from Kentucky said would require 30 or 40 minutes?

Mr. CLEMENTS. I said about 10 minutes ago that it would require 30 or 40 minutes.

Mr. KNOWLAND. Mr. President, in fairness to the junior Senator from Louisiana, my recollection is that I asked him to yield the floor for a quorum call, so as to develop a quorum, at least to notify Senators prior to taking up the resolution which the Senator from Louisiana wishes to submit. He yielded, as I understood, with that understanding; but then a colloquy developed between the acting majority leader and the minority leader, and I fear that in the shuffle the junior Senator from Louisiana lost the floor, which he had been so gracious to yield for the purpose of a quorum call.

I do not wish to foreclose the senior Senator from Utah [Mr. WATKINS]; he will have ample opportunity to obtain the floor. I did not want to take the junior Senator from Louisiana off his feet precipitately, since obviously he had the floor at the time he yielded to me for the purpose of suggesting the absence of a quorum, with the understanding that he would not lose the floor.

Mr. WATKINS. Mr. President, I am interested in the same matter in which the junor Senator from Louisiana is interested. I am perfectly willing to yield, that he may proceed with his resolution, provided I do not lose my right to the floor.

PURCHASE OF SUGAR IN CONTINENTAL UNITED STATES BY COMMODITY CREDIT CORPORATION

Mr. LONG (for himself, Mr. ELLENDER, Mr. HOLLAND, Mr. SMATHERS, and Mr. DWORSHAK) submitted the following resolution (S. Res. 147):

Whereas H. R. 7030, entitled "An act to amend and extend the Sugar Act of 1948, as amended, and for other purposes," now pending in the Senate, contains provisions added by section 19 thereof, directing the Commodity Credit Corporation to carry out loans, purchases, or other operations with respect to 100,000 short tons of sugar produced from the 1955 or previous crops in the continental United States sugar-producing areas, in order to alleviate the conditions which exist in such areas by reason of the quantities of surplus over quota sugar produced therein; and

Whereas it appears that H. R. 7030 may not be enacted during the current session of the Congress: Therefore, be it

Resolved, That it is the sense of the Senate that the Commodity Credit Corporation should take the action referred to in section 19 of H. R. 7030, so far as practicable in accordance with the procedures therein set forth during the calendar year 1955 in order to help alleviate the inventory situation in the continental United States sugar-producing areas.

Mr. LONG. I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LONG. Mr. President, for the information of the Senate, I shall read section 19 of H. R. 7030, which has been before the Senate this evening. Senate Resolution 147 urges certain stopgap relief for the sugar industry:

SEC. 19. A new section 414 is added to such act as follows:

"SEC. 414. (a) To alleviate the conditions which exist in the continental United States sugar-producing areas by reason of the quantities of surplus overquota sugar produced in such areas, the Commodity Credit Corporation shall carry out loans, purchases, or other operations with respect to 100,000 short tons of sugar produced from the 1955 or previous crops in such areas.

"(b) Sugar acquired hereunder shall be disposed of outside the continental United States in such manner as the Corporation determines will not unduly interfere with normal marketings of sugar, including dispositions under the Agriculture Trade Development and Assistance Act of 1954, as amended.

"(c) No borrower shall be personally liable for any deficiency arising from the sale of the sugar securing any loan made under authority of this section, unless such loan was obtained through fraudulent representations by the borrower. This provision shall not, however, be construed to prevent Commodity Credit Corporation from requiring the borrower to assume liability for deficiencies in the quality or quantity of sugar delivered under the loan, for failure to properly care for and preserve such sugar, or for failure or refusal to deliver the sugar in accordance with the requirements of the program.

"(d) Sugar acquired hereunder shall not be subject to the provisions of title II of this act."

Title II is, of course, the Sugar Act of 1948.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. FULBRIGHT. Does the Senator from Louisiana know whether or not the Secretary of Agriculture approves the resolution?

Mr. LONG. The Secretary of Agriculture has testified that he has no objection to this provision of H. R. 7030. He states that he believes he has the authority to carry out the provisions of the section; however, he has never told us that he would do so. The resolution

would urge him to take stopgap action during 1955, after Congress has adjourned.

The PRESIDING OFFICER. The question is on agreeing to the resolution offered by the Senator from Louisiana, for himself and on behalf of other Senators.

The resolution (S. Res. 147) was agreed to.

AMENDMENT OF THE BOULDER CANYON PROJECT READJUSTMENT ACT

Mr. WATKINS. Mr. President, I introduce a bill for appropriate reference. I realize that it is late in the session to introduce the bill, but this is the type of bill which should be studied a long time before action is taken upon it. Also, notice should be given to the States which are interested that such legislation will be sought at the next session of Congress. That is my reason for introducing the bill tonight. Rather than read the bill, I shall make a brief statement discussing it. Then I shall proceed to discuss another matter which is of interest to the entire Senate: the subject of the problem of immigration and the refugees.

Mr. President, back in 1922 the four States of the upper basin of the Colorado River entered into a solemn interstate agreement, the Colorado River compact. This agreement allocated the flow of the Colorado equally between the upper and lower basins, on the basis of stream flow estimates at that time.

This compact, entered into by the four upper basin States whose watersheds gather 90 percent of the water which flows down the Colorado, permitted the authorization of the Boulder Project Act, under which Hoover Dam was built in the early thirties. The construction of Hoover Dam saved the Imperial Valley and set in motion the extensive development of the lower river's water and hydropower resources.

Since that time, southern California has benefited tremendously from the almost complete development of its interests in the lower river. Low-cost power has been produced for years in large hydropower plants at Hoover Dam, Davis Dam, and Parker Dam. A fourth hydropower unit also is nearing completion at Pilot Knob, near the Mexican border. These powerplants utilize not only the water allocated to the lower basin in 1922, but also two-thirds of the water allocated to the upper basin at that time, but which the four States upstream have not been able to put to use, largely because of the delays associated with the planning and legislative consideration of the Colorado River storage project.

In addition to its unobstructed use of this allocated upper basin hydropower resource—estimated to be worth at least $5,500,000 annually in terms of fuel costs for replacement of steam-power generation in Los Angeles—California is the only State of the seven Colorado Basin States that has been able to make full utilization of its basic apportionment of water from the river.

At the present time, the four States of the upper basin, where 90 percent of the Colorado River's water originates, are able to put to beneficial consumptive use only 2,500,000 acre-feet of the basic apportionment of 7,500,000 acre-feet made to that basin in the 1922 compact.

Southern California, on the other hand, is now using, or preparing to use, 5,362,000 acre-feet of water, an amount which is 962,000 acre-feet more than its share of the basic apportionment of 7,500,000 acre-feet to the lower basin.

In other words, southern California has fared unusually well from the water resources of the Colorado River since the upper basin States entered into the Colorado River compact of 1922 and supported the Boulder Canyon Project Act of 1928, which permitted the construction of Hoover Dam.

But in spite of this extremely advantageous position occupied by southern California in this water-division agreement, southern California water and power interests have supported, and continue to support, a rich and powerful lobby in Washington, which has been working strenuously against the development of the upper basin. Three of these southern California lobbying organizations have reported receipts of nearly $1 million since the Colorado River storage project was reported by the Department of the Interior in 1950. Details on this lobby and southern California interests in the upper basin's water are set forth in my statement in the RECORD of July 30.

I earnestly urge the Members of this body to read that statement. It will be found to be an illuminating and somewhat startling one.

In view of those lobbying activities to defeat the intent of the Boulder Canyon Project Act with respect to development of the upper basin, I am proposing, in a bill which I am introducing today, that the Boulder Canyon Project Adjustment Act of 1940 be amended to provide that investigation and development funds from Hoover Dam power revenues be utilized only for the six States which have not been able to participate in the development of their interests in the river to the extent that southern California has. All seven of the Colorado River Basin States were to participate in this annual allocation between 1956 and 1987. This proposed change restricting this participation to six States—Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming—should not be any significant penalty to southern California, because her interests in the river are almost completely developed, and because that area already has benefited to the extent of millions of dollars from the lag in upstream development.

The bill also proposes another change in the Boulder Canyon Project Adjustment Act to equalize development of the two basins.

The Boulder Canyon Project Act makes this provision to safeguard the interests of Arizona and Nevada in downstream development:

> If during the period of amortization (of Hoover Dam construction) the Secretary of the Interior shall receive revenues in excess of the amount necessary to meet the periodical payments to the United States as provided in the contract, or contracts, executed under this act, then, immediately after the settlement of such periodical payments, he shall pay to the State of Arizona 18¾ percent of such excess revenues and to the State of Nevada 18¾ percent of such excess revenues.

The Boulder Canyon Project Adjustment Act of 1940 converted this percentage distribution of excess revenues into an annual payment from project revenues of $300,000 to each of the 2 States, retroactive to 1938.

This means that Arizona and Nevada each have realized $5,400,000 in revenues from Hoover Dam, in addition to the low-cost power provided to those States from the project. That amount was provided in commutation for the interest those States have in the lower basin water supply, and will continue to be paid to them every year until the Hoover Dam contract is paid out in 1987. In addition, the States of Nevada and Arizona will benefit in appropriations from those power revenues for the investigation and construction of projects within those States. This annual development allocation amounts to $500,000 each year, divided among the States participating.

In addition to these benefits for lower basin States, southern California has benefited from tremendous quantities of extremely low cost power, and, as I have indicated, has actually contracted to use more than its basic apportionment of 4,400,000 acre-feet of water.

Furthermore, the Hoover Commission reports that power allottees have repaid 10 percent of the total Hoover Dam power investment, and, in addition, had, by May 1953, made "advance payments" of $5,255,988 on future obligations for amortization and replacement of investment in generating facilities.

Water allocated to the upper basin in 1922 and presently unused by those upper basin States undoubtedly is a large factor in this very favorable repayment picture, which was painted nearly 15 years after Hoover Dam power rates had been adjusted downward, to the benefit of the lower basin States, in the Boulder Canyon Project Adjustment Act of 1940.

Beyond these admitted benefits, the southern California power users have been able to effect savings of more than $2 million a year through use of upper basin water which they never expected to be able to utilize. Existing power contracts provide for an annual reduction of firm energy because of expected upstream depletion. Since those programed depletions have not occurred, this windfall of "pure gravy" for the southern California power users will continue so long as their rich and powerful lobby is able to delay development of the upper basin's water.

In view of these facts, and in view of the expenditure of hundreds of thou-

sands of dollars by the southern California water and power lobby to defeat or delay upstream development, I am proposing in the bill that the Boulder Canyon Project Adjustment Act be amended to give the upper basin States some Hoover Dam power revenues in commutation for their interests in the water now being utilized for the benefit of southern California interests who are financing the lobby which seeks to make these windfall revenues from water allocated to the upper basin a permanent asset for southern California.

The basis for the proposed payment from Hoover Dam power revenue is the estimated excess revenues as reflected in the payments to Arizona and Nevada from Hoover Dam power receipts. If their combined payments of $600,000 annually represent 37½ percent of the excess revenues from these Hoover Dam power revenues, then I feel that the upper basin States are entitled to the remaining 62½ percent of those excess revenues, or $1,013,500 annually. The bill provides that this amount will be paid to the upper basin States and divided among them on the basis of their percentage rights to water allocated to them by compact, but remaining unused in the river. It is not made retroactive to 1938, as were the commutation payments to Arizona and Nevada, and it represents only half of the actual savings Los Angeles spokesmen have estimated they were enjoying from present water uses—water, by the way, belonging to the upper basin States.

Furthermore, these compensatory payments will end as soon as the upper basin States are able to achieve the level of development as contemplated in the power contracts based upon the Boulder Project Act and the Adjustment Act of 1940. We are not interested in being cut in on lower basin development; we would far prefer to develop our allocated water ourselves and begin the long-delayed development of the upper river, if the southern California lobby will permit us to do so. Meanwhile, in view of the extraordinary obstructionist efforts of that lobby, we feel that we should at least have a token payment in commutation for our interests in two-thirds of our share of a river that we are unable to utilize, and which is being utilized to produce very low-cost hydropower for southern California.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2759) to amend the Boulder Canyon Project Adjustment Act, introduced by Mr. WATKINS, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

REFUGEE AND IMMIGRATION POLICY OF PRESENT ADMINISTRATION

Mr. WATKINS. Mr. President, I now wish to proceed with a discussion of the refugee and immigration policy of the present administration.

I do not wish at this time to engage in a running battle with the chairman of the Committee on the Judiciary, the honorable Senator from West Virginia [Mr. KILGORE]. However, if his remarks which appeared in the RECORD of Saturday of last week are left unexplained or unanswered, they would tend to throw the full burden on the administration for the lack of accomplishment in the field of immigration legislation in the 84th Congress.

To this date I have refrained from making any statement in this body on that subject, but I feel compelled to make a few short remarks to set the record straight.

The Eisenhower administration takes the very definite position that amendments to the Refugee Relief Act of 1953 are both necessary and proper and are urgently needed at this first session of the 84th Congress if the peoples of the world who are seeking to qualify under the act are ever to be admitted—as was the intention of the administration and the Congress, I am sure. I refer to action in this first session—although, of course, that is beyond our power at this time.

But I wish to set the record straight regarding the policy of the administration, so far as I understand it.

The Senator from West Virginia placed in the RECORD a long statement which had been prepared; it was in reference to the President and the policy of the administration on the McCarran Act, and also regarding refugees, as I recall.

Let me review some of the history of the matter, for just a moment.

The McCarran Act became effective in December 1953, a little over 1 month before Mr. Eisenhower was sworn in as President of the United States.

In his state of the Union message, the President referred to the immigration problem, and said something would have to be done—as I recall the message—to liberalize the act.

Sometime later I wrote the President a letter, in which I urged him, if he had in mind any specific legislation, to call it to the attention of Congress as soon as possible, so that Congress could get to work on it. In the letter I called attention to the fact that the McCarran Act had then been in operation only about 1 month, and that at that time it was entirely too soon to be able to determine how it would operate in the field—that is to say, when persons would apply to our consular offices for permission to come to the United States as immigrants.

I thought we should have more experience with the act before any revision of it was undertaken. I took that position for the reason that the act was carefully studied by the Congress; it had been considered for approximately 6 years by committees of the two Houses; and also had been passed over the veto of President Truman by the two-thirds vote. So, under the circumstances, I felt that it was not wise to start tinkering with the act immediately.

In answer to my letter, the President wrote that some study should be made of the act, and he pointed out 10 different items which he thought could be improved, or about which he thought a study should be made. At this time I do not intend to review those items, but I merely point out that the President urged that we study them.

The McCarran Act provided for a Joint Committee on Immigration and Naturalization, which should have for its purpose the overall study of the operation of the act. I became chairman of that committee—as I had previously been made chairman of the subcommittee on immigration of the Senate Judiciary Committee. In that committee it was my purpose to make that study. However, I encountered the opposition of the late Senator McCarran to such an extent that we could not obtain any funds for the committee, and therefore we could not employ a staff to assist in studying the operation of the act. That situation continued for 2 years.

In 1953, after the Emergency Refugee Act which I sponsored was passed, I made a trip to Europe—under the auspices, by the way, of the subcommittee on refugees, not the subcommittee on immigration. I made that trip for the purpose of studying the Refugee Act and what it might be able to accomplish, and to acquaint our consular officers and others with the spirit of the act and the congressional purpose, and also to study the operation of the McCarran Act. I spent 3 months of rather intensive work in connection with that investigation in 16 countries in Europe and the Near East. I had staff members with me, and we tried to make as thorough a study as we could in that period of time. I reached the conclusion that the consular agents in whose hands administration of the act was placed were doing a good job. Nearly all of them said they thought the act was an improvement over previous legislation on the subject, and that only one or two improvements should be made in it.

In 1953, the President sent a special message to the Vice President and to the Speaker of the House, urging the enactment of an act that would permit the admission of approximately 240,000 refugees to the United States. He urged the enactment of such a measure on an emergency basis.

We had a long series of hearings and a rather vigorous contest in the Judiciary Committee on a bill which I and some 19 other Senators sponsored. Before we could bring such a bill to the floor we had to accept some amendments which were very restrictive.

The act went into operation, as I recall, in August 1953; and it took a considerable period of time to write the regulations and get the cooperation of all the departments of the Government which had been designated to operate under it. Under the circumstances, it took quite a period of time to get the act underway.

There has been much criticism of the act. It did not operate as efficiently as we thought it would. As I have said, it included provisions which restricted its operations—provisions which in the committee I resisted. Nevertheless, we

got the best law we could under the circumstances.

In connection with this matter it must be remembered that only a short time before, the Congress had approved by two-thirds vote the McCarran Act—passing it over the veto of President Truman; that act is regarded as our basic immigration policy. But the President wanted the emergency measure enacted, for the purpose of setting an example to the rest of the world in helping solve the refugee problem; and also as an instrument of our foreign policy and as a humanitarian measure. Congress agreed with him; and we got that measure passed.

This year, in April or May, as I recall, the President sent to Congress a special letter in which he urged that amendments be drafted and enacted, so as to make the act much easier to operate, and so as to remove some of the very decided obstacles and roadblocks to the admission of persons who ordinarily could or should qualify under the act for admission to the United States. Hearings were immediately begun by the Senator from North Dakota [Mr. LANGER], the chairman of the Refugee Subcommittee, of which I am also a member.

At the conclusion of the hearings, a special subcommittee was set up by the Senator from North Dakota, for the purpose of marking up the bill and getting it ready for full committee consideration. Time passed on. We had what seemed to me to be a split in the subcommittee at least—of the 6 members of the subcommittee, 3 were in favor of the measure. We decided that even though we could not get a majority report in favor of the bill to present to the full committee, we should report the bill to the full committee, for action by it. It then came before the full committee, and we tried to get consideration of it there.

Finally, the chairman of the subcommittee was asked for a recommendation; and the matter went over until he could make the recommendation. I know that on four different occasions the Senator from North Dakota [Mr. LANGER] set subcommittee meetings; but each time only 2 members of the 6 appeared—namely, the Senator from North Dakota [Mr. LANGER] and I. It was impossible to get a quorum of the subcommittee.

The bill has remained in the Judiciary Committee ever since. It was reported to the full committee without recommendation, but that did not preclude the committee from considering the measure.

As to who has the responsibility for legislation of that kind, I leave that question to the general usages and customs of the Congress. The party in power has control of the committees. It, the Democratic Party, did have control of that committee, and undertook half-heartedly to bring the bill out, as it should have done, but the move was unsuccessful. I do not place any personal blame on the distinguished chairman of the committee, but he certainly was not supported by a majority of his Democratic colleagues. A poll showed that only 2 Republican members of 7 were opposed to the bill.

The point is that the President of the United States had done everything he could to obtain action to amend the Emergency Refugee Act of 1953. We did not get a bill on the Senate calendar, although personally I tried in every way I could to have the bill reported.

Under those circumstances, it seems to me that the President of the United States has made perfectly clear his views with respect to immigration. He has not hesitated a moment. I think he realized the practical situation which existed as a result of the enactment of the McCarran Act, with a large majority in its favor. He was willing to allow it to operate for a time. Then he came forth with an emergency recommendation affecting refugees which would have taken off the pressures in countries where population pressures were greatest. Those countries are Greece, Italy, Holland, Germany, and the NATO countries generally to which the refugees had fled from behind the Iron Curtain.

So, on the whole, I think no blame can be attached to President Eisenhower and his administration for any failure to amend the Emergency Relief Act so as to make it easier of operation, and remove some of the roadblocks.

Mr. SALTONSTALL. Mr. President, has the Senator completed his statement?

Mr. WATKINS. I have completed, in a general way, what I had intended to say.

Mr. SALTONSTALL. I should like to say two things. First, I wish to commend the Senator from Utah for his activities with relation to displaced persons and refugees over the past few years.

I agree with him that President Eisenhower has done everything he could legitimately to accelerate the movement of displaced persons who should come in under the emergency legislation. As one who voted to sustain the veto of President Truman of the McCarran Act, and as one who believes the quotas should be revamped and modernized, I hope and trust that the Senator from Utah will continue his efforts in the Committee on the Judiciary on this important subject. He has done as much as he could. I know how much effort and time he has put into the task. I hope he will continue his efforts, because I certainly believe that we should get some legislation at the next session of Congress.

Mr. WATKINS. I thank the Senator for his statement and for the support he gave during 1953 and this year, with respect to the emergency relief legislation.

Mr. SALTONSTALL. I shall continue to do all in my power to help.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. BUSH. I wish to associate myself with the remarks of the Senator from Massachusetts, and heartily to commend my good friend, the distinguished Senator from Utah, for his efforts in connection with the refugee relief problem. It is a source of regret to me that the humanitarian purposes of the Refugee Relief Act of 1953 were to some degree thwarted by what have been called the built-in booby traps of which most Members of Congress were unaware when the act was passed.

The purpose of the amendments introduced by the Senator from Utah was to remove those defects in the law. I am happy to have had the privilege of being a cosponsor with him of the bill providing for such amendments.

The Watkins bill was based upon recommendations of the President of the United States who, in a message to the Congress on May 27, 1955, pointed out the difficulties encountered in the administration of the law.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the message of the President in that connection.

Mr. WATKINS. I shall be very glad to have it incorporated in the RECORD.

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

To the Congress of the United States:

The Refugee Relief Act of 1953 has now been in effect for almost 2 years.

It was enacted to enable the United States to participate with other nations in a great humanitarian effort for the relief of tragic victims of the postwar world, and for the reduction, in a measure, of overpopulation stresses in friendly nations. Thus we would promote friendly relations with the nations of the world. Beyond this, it was our purpose to further the interests of the United States by bringing to our shores an eminently desirable immigration within the absorptive capacity of this country. The immigrant has brought greatness to our land and a tremendous love for his adopted country. The foreign-born and their descendants—which include all of us—have given devoted allegiance to the United States, in war and in peace, and have helped give to America a unique position of leadership among the nations.

During the last year and a half, substantial progress has been made in setting up the complex organization required to administer the technical requirements of the act. The necessary cooperation of the various governmental agencies, including those related to medical and security matters, have been enlisted. Over 30,000 visas have actually been issued. Nearly 85,000 applicants are in various stages of processing.

Nevertheless, the purposes of the act are not being achieved as swiftly as we had all hoped. As a result of the experience gained in administering the act to date, important administrative instructions designed to expedite the procedures under it have already been issued. The men and women handling the program are fully aware of the urgency of their mission. I am assured by the Secretary of State that further administrative improvements can and will be made.

Experience has demonstrated, however, that administrative improvements are not enough. A number of the provisions of the act require amendment if the act's objectives are to be fully achieved. I urge upon the Congress the following:

(1) The act, at present, contains specific categories of eligibility with specific numbers allotted to each category. It now appears that because of some of the technical requirements of the act, and the growing prosperity in Western Europe, there may not be

enough applicants to fill the quotas in some categories. I recommend that there be a provision for the use of unused numbers. Such unused numbers might well be used, for example, for orphans on a worldwide basis.

(2) The act limits the term "refugee" to those who have not been firmly resettled. Experience has shown that this provision tends to exclude the hard-working and the adjustable, the very people we want most as new citizens. Moreover, it appears that "resettlement" is such a vague term as to create conflicts in interpretation and delays in clearing applications.

I recommend that this limitation be withdrawn so that, where the refugee otherwise qualifies on a selective basis, he will not be barred because he is diligent and competent.

(3) A similar difficulty is presented by the terms of the act which require that an "escapee" or "expellee" also be a "refugee." Under the act this unduly limits the escapees and expellees who may be admitted. This, again, serves to exclude some of the most desirable people who have, at great sacrifice, at least temporarily resettled themselves. I am sure it is enough that a person be a qualified "escapee" or "expellee" to meet the standards on which we all agree. They should not also be required to be "refugees" within the narrow definition of the act.

(4) The requirement that a "refugee" be living away from his traditional home has excluded many tragic victims of disaster whom I am sure the Congress intended to admit. This includes Netherlands farmers whose land has been ruined by floods of salt water, Greek mountain people whose herds have been despoiled by Communist invaders and many similar victims of catastrophe. The restriction should be relaxed.

(5) The act contains a salutary provision enacted by the Congress for the benefit of aliens who are here in the United States and who fear persecution if required to return abroad. There is a limitation, however, within this section which has caused undue hardship in some cases. It requires that the person show "lawful entry as a bona fide nonimmigrant," before he is eligible for this humanitarian relief.

I recommend to the Congress that the section be amended to permit the Attorney General to waive this requirement in meritorious cases where the person is otherwise qualified under the act. It is estimated that this would not involve more than a few hundred cases, but in the case of each individual human being such an amendment would satisfy the beneficent purposes of the Congress.

(6) Obviously people who have risked their lives to escape from totalitarian nations often have no passports. The Refugee Relief Act, however, requires passports and in many cases this has served to defeat the very purpose of the Congress. I recommend amendment to permit waiver of the need for passports and similar documents in the discretion of the Secretary of State and the Attorney General as is already provided in the basic immigration and nationality laws.

(7) Under the act, no escapee or refugee is entitled to a visa unless there is available complete information regarding his history for 2 years past, except on waiver by the Secretaries of State and Defense, if it is determined to be in the national interest.

No such requirement is applicable in the case of regular immigrants under the Immigration and Nationality Act of 1952.

This 2-year history, in the case of recent escapees, is often impossible to obtain. Yet these are the very people who have been actively stimulated to risk the perils of escape by our own information program broadcast through the Iron Curtain.

I have faith in the competence of our security personnel, and I recommend that this inflexible requirement be eliminated from the law, leaving it to the sound discretion of the security officer to make his recommendation on the basis of all the facts available. If he is in doubt, he will not certify the refugee or escapee as a proper security risk.

(8) Another obstacle to the achievement of the purposes of the act is the requirement of individual sponsorship and guaranties of each application for admission. Where responsible, voluntary welfare organizations are prepared to give assurances with respect to applicants by name, it is unnecessary to add the burdensome requirement that individual sponsorship of each such applicant also be provided. I recommend that where such agency assurances are given, individual assurances not be required in addition.

(9) At present, special visas may not be issued to wives, husbands, or children of persons admitted under the act unless they all come to the United States together. If the members of the person's family are following at a later time, and are otherwise admissible, then the special visas should be equally available to them.

(10) There are many refugee families in Western Europe whose members would make useful and productive citizens of the United States, but who would face separation if they should avail themselves of the provisions of the Refugee Relief Act. This they are unwilling to do. They would face separation because of the fact that one of their members is ineligible for admission to the United States under the health standards of our general immigration laws, particularly as respects tuberculosis.

We in the United States no longer regard tuberculosis with dread. Our treatment standards are high, and modern treatment is increasingly effective. The United States, to its own benefit, could permit many of these families, within the existing numerical limitations, to enter under safeguards provided by the Attorney General and the Surgeon General of the United States assuring protection of the public health and adequate treatment of the afflicted individual and also assuring that such individual will not become a public charge. I urge that the Congress give consideration to amendments that would enable this to be done.

It is my earnest hope that the changes in the Refugee Relief Act that I have above outlined can be accomplished during the present session of the Congress.

The enactment of these changes will permit effective administration of the act by the executive branch of the Government and greatly aid the success of the program. The persons permitted to enter the country under the program will make a fine contribution to the body of our citizens. And we shall again reaffirm that the great tradition of sanctuary lives on in America.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *May 27, 1955.*

Mr. BUSH. Despite the articles in the law which the Senator has discussed, and which are mentioned in the President's message, progress has been made. The first shipload of refugees entered New York harbor recently.

At this point in my remarks I should like to insert in the RECORD an article from Time magazine of July 25, 1955, describing the arrival of the first shipload, and speaking of the administration of the act.

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

IMMIGRATION: NEW CHANCE IN LIFE

Into New York Harbor last week sailed the first entire shipload of refugees to enter the United States under the Refugee Relief Act of 1953. "We come with gratitude," said Hans Freer, 34, one of the 1,243 refugees aboard the chartered United States Navy transport *General Langfitt*. Freer's arrival with his family amounted to a near miracle of deliverance; his wife had been a Soviet slave laborer, he was buffeted about Europe by Nazis and Communists for 15 years, and for a time it seemed unlikely that many refugees would ever reach the United States under the 1953 relief act. Last week, after a slow start, the program was rolling.

Built-in booby traps: The refugee program was disjointed originally by a Senate tug of war. At first the bill, called the Emergency Migration Act, was intended largely for people from southern Europe barred by the low quotas of the McCarran-Walter Act, the basic United States immigration law. Nevada's late Senator Pat McCarran managed to change much of the content, as well as the title. As passed, the act was an administrative monstrosity which Congress assigned to the State Department's security chief, Scott McLeod. There was no staff, no office space, not even a desk for the program, but McLeod came under a barrage of criticism because of delays.

State's ousted Immigration Consultant Edward Corsi called the program a national scandal (Time, May 2). Cried Corsi: "Refugees are investigated to death" by McLeod's security gang. Actually the security check has barred very few refugees. Out of 2,199 applicants in Germany and Austria, only 51 have been rejected on grounds of security.

Most of the program's delays were built in by Congress, which booby-trapped the bill with unworkable provisions. Visas were arbitrarily allotted to various areas on the basis of pressure in Congress. Some of the quotas could be filled several times over; others cannot be met at all.

Help wanted: One major problem is the act's strict definition of refugees as people who lack the essentials of life. Most refugees in Europe have settled down—which automatically disqualifies them. In Germany, once jammed with nearly 10 million refugees, the camps now hold only 29,000 people.

Many waiting refugees are held back because each must be guaranteed a home and job by a United States resident. Group guaranties from charitable agencies would be much easier to obtain. In the Netherlands at least 6,000 assurances are needed, but only 466 have been given so far.

Italian and Greek relatives of United States residents are filling up the quotas from those countries—because Congress permitted the relatives of constituents to preempt the refugee quotas. But no action has yet been taken on the amendments proposed by President Eisenhower to liberalize the act.

Modest success: The 30,000th person to land under the Refugee Act arrived last week aboard the *General Langfitt*. From now on the ship will ferry in 1,200 refugees every 26 days. Of the 214,000 visas authorized by the act, 38,583 have been granted. Administrator McLeod confidently predicts that a total of some 160,000 visas will be issued. In Germany and Austria, more than 3,000 visas are now being granted monthly. In Italy, United States consular officials are issuing 124 visas every working day, enough to fill Italy's quota 2 months ahead of the act's deadline, December 31, 1956.

The United States refugee program is at least a modest success, despite its homemade obstacles. It is, as President Eisenhower said when he signed the act, providing

a new chance in life for human beings ill-treated in other lands.

Mr. BUSH. I express satisfaction that a Connecticut resident, Mr. Pierce Gerety, is playing a major role in the administration of this program. He recently went to Europe to supervise arrangements for the departure of the ship mentioned in this article, and he greeted it upon its arrival in the United States.

Mr. WATKINS. I might interrupt the Senator at this point to observe that I went to New York the day the ship arrived, and met many of the refugees who came in under this act. I wish to say to the Senate and to the entire country that they were very fine people. It was really thrilling and touching to see the tears of gratitude that came into their eyes as they were able to disembark upon the shores of this land of liberty.

Mr. BUSH. I commend the Senator for going to New York for that purpose. It is exactly like him to do such a kind and generous thing. It shows his very deep sympathy with the purposes of the act. That is why we have so much confidence in the Senator from Utah and why we so gladly support him in matters of this kind—and, in fact, in all matters.

In conclusion, let me say that I am disappointed that the Judiciary Committee has not acted in this session, but I hope that the amendments which the Senator sponsors, and with respect to which we join him in sponsorship, will be given priority when the Congress convenes in January.

Mr. WATKINS. Mr. President, I should like to comment upon a press release issued by the chairman of the Committee on the Judiciary, the Senator from West Virginia [Mr. KILGORE]. In a part of the statement he said:

And the Senator from Utah was unsuccessful in arousing enthusiasm among Republican members of the committee.

I wish to say that I had canvassed a considerable number of members of that committee. I canvassed all Republican members, and found only two Republican members against the bill. They were all ready, with those two exceptions, to vote for the measure.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WATKINS. I know that a considerable number of Democrats favored the bill, and some Democrats who had opposed the original measure were still opposed to the amendment.

Mr. SALTONSTALL. Did not the Senator find many Republicans on the floor of the Senate who would support it?

Mr. WATKINS. In the beginning I had no cosponsors. I left the bill at the desk, stating that I would be very happy to leave it there for 48 hours, and I invited any and all Members of the Senate to join with me in its sponsorship. A number of other Senators joined with me. However, they were all Republicans.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. WATKINS. Just a moment.

There were a number of measures introduced by Democratic Members of this body covering the same subject. They were all before the Langer Refugee Subcommittee for consideration. The bill which was finally drafted and reported to the full committee without recommendation contained provisions from each of those bills.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. WATKINS. I yield to the Senator from New Jersey.

Mr. CASE of New Jersey. Let me say two things.

First, let me tell the Senator how very much the Members of this body and the people of the country are indebted to him for the leadership he has taken in this program. I know that I speak the views of every Senator present when I say that we feel especially strong on this subject because the Senator from Utah speaks his mind not because of any pressure from his constituents. He takes an interest in the subject because of the urging of his own heart.

This is not the first time he has acted in this fashion. The fact that he has taken such a very close personal interest in the subject makes us all very proud to be associated with him in this body.

In the second place, I should like to say that the time has come for us to stop kicking back and forth responsibility for the delay and to start working as men of good will toward a real accomplishment. I hope in January we will be able to rally such support that we will be able to get action on this important matter, which has for so long needed action, and for which action the people of the country and the people of the world are looking toward Congress.

Mr. WATKINS. In conclusion, I should like to report to the Senate that the administrator of the act, Mr. Scott McLeod, of the State Department, reports that in the last week 1,400 new visas were issued. It shows that the operation of the act was in full swing and a substantial number of the visas which are available will be issued before the act expires in 1956.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. SALTONSTALL. Does not the Senator agree that if our hopes are fulfilled the whole number of persons permitted to come in under the act will come in long before the act runs out?

Mr. WATKINS. That is the hope we have—that the full number will be brought in. We have run into roadblocks and obstacles through the very strict terms of the act. This proposed legislation was an attempt to alleviate that situation. However, the present administration of the act, under Mr. Scott McLeod and Mr. Gerety, who has taken over the deputyship, is doing all it can to bring in everyone who is qualified up to the number permitted by the act. I hope that will be accomplished. At the present rate, we will come very near accomplishing the purpose of the act.

The PRESIDING OFFICER. The Chair would observe that the hands of the clock are moving toward tomorrow.

REQUEST FOR PRESIDENT TO RETURN ENROLLMENT OF HOUSE BILL 7684

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 196) requesting the return by the President of the enrollment of H. R. 7684, which was read.

(For text of concurrent resolution, see House proceedings of today.)

Mr. CLEMENTS. It is my understanding that all the resolution does is correct an error which was made in the bill, where it referred to the first sentence, instead of referring to the fifth sentence. I move the adoption of the concurrent resolution.

The motion was agreed to.

LEGISLATIVE APPROPRIATION BILL OF 1956—CONFERENCE REPORT

Mr. CLEMENTS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7117) making appropriations for the legislative branch for the fiscal year ending June 30, 1956, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mrs. SMITH of Maine. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Is there objection to the present consideration of the conference report?

Mrs. SMITH of Maine. Mr. President, will the Senator from Kentucky yield?

Mr. CLEMENTS. I am happy to yield.

Mrs. SMITH of Maine. The Senator from Maine suggested the absence of a quorum because she had 2 or 3 questions she wished to ask and which she felt Senators should hear and to which they should have answers. I wonder whether the distinguished acting majority leader, the chairman of the conference committee on the legislative appropriation bill, would give us a comparison of the pay ceilings for professional staff members of House committees and of Senate committees.

Mr. CLEMENTS. That part of the bill which came to the Senate carries a ceiling of $14,800 gross for one member, a ceiling of $14,300 for a second member, and a ceiling of $13,617 for the next four. The House has only one ceiling in its bill, and that is $14,800.

Mrs. SMITH of Maine. Will the distinguished Senator explain why the conferees accepted this disparity?

Mr. CLEMENTS. It is my understanding that it has been traditional in the Congress for each body to establish its own pay scale and for each body to determine its own housekeeping needs. The Senate acted in what it thought was the best interests in the operation of the committee staffs when it wrote the language contained in the Senate bill.

Mrs. SMITH of Maine. Will the distinguished Senator advise the Senate that he and the conferees approved of the discrepancies between the House and the Senate committees as to professional staff members?

Mr. CLEMENTS. I would not say that there has been any approval of any discrepancies, but I say that, first, the subcommittee dealing with legislative appropriations, then the full Committee on Appropriations, and then the Senate, approved that part of the bill which affects the Senate. The Senate is called upon tonight—not the Senate conferees, but the Senate itself—to pass upon the House version of the bill.

Let me say to my friend from Maine that the matter pertaining to the House is now before this body, or before a committee of this body, for the first time. The section which establishes pay scales for the House has not been acted upon by the conferees, and has not been acted upon by any other Senate group save and except the ones to give approval or disapproval to it.

Mrs. SMITH of Maine. Will the distinguished acting majority leader tell the Senate whether it is true that under the conference report which the Senate is now considering the House Parliamentarian receives $20,500, while the Senate Parliamentarian receives $14,800, or nearly $6,000 less than the House Parliamentarian receives?

Mr. CLEMENTS. I will say to my friend from Maine—and if I am wrong I will ask a staff member to correct me—that the Senate Parliamentarian, under the Senate version, will receive $14,800, and the House Parliamentarian will receive the same pay he received in the year 1955. It is my understanding that he is not covered by this bill.

Mrs. SMITH of Maine. Is it true that under this conference report which the Senate is now considering the House Parliamentarian receives $20,500?

Mr. CLEMENTS. All I can say to the Senator from Maine is that if the House Parliamentarian is now receiving $20,000, in 1956 he will, according to my understanding, receive $20,000. There is not anything in the bill that I recall which reflects the pay of the House Parliamentarian.

Mrs. SMITH of Maine. Mr. President, I did not get the answer. I wanted to know what the House Parliamentarian's pay is. Apparently the Senator does not know.

Mr. CLEMENTS. I do not know. But I understand the Parliamentarian receives the same pay that he received when my friend from Maine was on the legislative committee.

Mrs. SMITH of Maine. Would the distinguished acting majority leader advise the Senate whether it is true that the House Assistant Parliamentarian is receiving $16,000, while the Senate Parliamentarian is receiving $14,800, or $100 a month less?

Mr. CLEMENTS. I am not informed on that matter.

Mrs. SMITH of Maine. Is the Senator informed as to what the conference report provides in that respect?

Mr. CLEMENTS. I can assure the Senator that it does not include the Parliamentarian, and it does not include the Chief Clerk.

Mrs. SMITH of Maine. The Senator advises the Senate that the Parliamentarians are not included in the legislative appropriation bill. If I should say to the Senator that the news ticker in the Senate corridor reports that the House Parliamentarian receives $20,500, would the acting majority leader challenge that statement?

Mr. CLEMENTS. I would neither challenge it nor agree with it. I will say it is not included in the bill that is now under consideration.

Mrs. SMITH of Maine. Mr. President, I hope Members of the Senate will give due consideration to this conference report before we accept anything as to which we do not know the facts.

Mr. CLEMENTS. Mr. President, I should like to say in response to the Senator from Maine that, as she knows, the House and Senate were in disagreement, but not on the basis of each body, not understanding they were responsible for establishing their own salary scales. They were in dispute on the parliamentary or technical ground, that the amendment which was offered in conference last Friday had not been before the House. When the committee met today, all the matters which were in conference—matters which were proper items for the conferees to take up, because they had been before either the House or the Senate—were agreed upon save one. That one amendment was in disagreement, and the bill went back to the House with that item in disagreement. The House placed its own salary schedule in the bill. The House pay scale in the bill has never been officially before the conferees. It has come to the Senate tonight as an orignal matter with the Senate; but it is my understanding from the staff, as well as those at the desk, that in accordance with the traditional comity between the two bodies each House arranges its own pay scale and each provides for its own housekeeping as it sees fit. Certainly, that is what is being done in the instant case.

I recognize, as I know the Senator from Maine does, for she is now, and has been for several years, a member of the Appropriations Committee, that final decisions on appropriations are not the result of the thinking of one person. They are the result of the thinking of a group of persons. Just as in other legislative measures, I assure Senators that many compromises are involved in the legislative appropriation bill. There are some disparities. The Senator from Maine [Mrs. SMITH] has mentioned some which are not in this bill. I can assure her there are some disparities among the positions for which provisions are made in the bill.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CLEMENTS. I am glad to yield.

Mr. SALTONSTALL. I have sat as a member of the Subcommittee on Legislative Appropriations of the Committee on Appropriations for 6 or 7 years. During that time it has been the custom, a custom which has come down through the years, as the Senator has so well said, that the House attends to its own knitting, and the Senate attends to its own knitting.

The only matters which are really in conference are those relating to joint committees or the Library of Congress or the Architect of the Capitol. As to those items, the Senate and House has a conference on the bill and finally agree on the provisions.

This year, I believe, the Senate made 53 amendments, if my memory serves me correctly, and the House receded on all of them.

Mr. CLEMENTS. There were more than 80 amendments.

Mr. SALTONSTALL. There were more than 80 amendments of the Senate and House combined. The House had a number. Then we disagreed. There was a little difference of opinion——

Mr. CLEMENTS. When the Senator says there was a difference of opinion, it was a difference of opinion with respect to procedure.

Mr. SALTONSTALL. That is correct.

During the colloquy with the Senator from Maine, I requested information with respect to the salaries of the Parliamentarian and the Assistant Parliamentarian of the House. It is my understanding that the House Parliamentarian receives $20,500 and the Assistant Parliamentarian $16,500, as a result of a special resolution passed at 7:30 tonight.

The House pays its Parliamentarian out of the contingent fund of the House. The Senate, under its rules, cannot make such payments out of its contingent fund.

The Senate Parliamentarian is paid through the legislative appropriation bill. The House Parliamentarian, as I understand, is not.

Mr. CLEMENTS. I thank the Senator from Massachusetts for his contribution to the discussion.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table showing the amounts estimated for each item, the amounts which were added in the bill as it passed the House and the Senate, and the amounts provided for in the conference report.

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

Legislative branch appropriation bill for the fiscal year ending June 30, 1956

Item	Appropriations, 1955	Estimates, 1956	House allowance	Senate allowance	Conference allowance
SENATE					
Senators:					
Compensation of Senators	$1,520,001	$2,166,240		$2,166,240	$2,166,240
Expense allowance of Senators	240,000				
Mileage of the President of the Senate and of Senators	51,000	51,000		51,000	51,000
Expense allowance for majority and minority leaders				4,000	4,000
Compensation of the Vice President	31,667	35,070		35,070	35,070
Expense allowance of the Vice President	10,000	10,000		10,000	10,000
Beneficiaries of deceased Senators	62,500				
Total Senators	1,915,168	2,262,310		2,266,310	2,266,310
Salaries of officers and employees:					
Office of the Vice President	55,410	55,410		64,745	64,745
Chaplain	2,936	2,946		5,000	5,000
Office of the Secretary of the Senate	417,560	437,105		521,345	521,345
Joint recording facility	46,935	46,935		47,430	47,430
Committee employees	1,767,045	1,767,045		1,767,045	1,767,045
Conference committees:					
Majority, clerical salaries	33,310	33,310		40,000	40,000
Minority, clerical salaries	33,310	33,310		40,000	40,000
Administrative and clerical assistants to Senators	6,207,625	6,222,120		6,247,555	6,247,555
Office of Sergeant at Arms and Doorkeeper, salaries	1,298,940	1,300,600		1,436,230	1,436,230
Office of secretaries for the majority and minority, salaries	63,570	63,690		87,100	87,100
Office of the majority and minority whips	9,140	9,140		16,405	16,405
Total salaries of officers and employees	9,935,791	9,971,611		10,272,855	10,272,855
Contingent expenses:					
Legislative reorganization	125,000	125,000		100,000	100,000
Senate policy committees	149,780	149,870		190,000	190,000
Joint Committee on the Economic Report	124,575	138,275		124,575	124,575
Joint Committee on Atomic Energy	188,060	258,060		258,060	258,060
Joint Committee on Printing	47,700	48,500		57,595	57,595
Vice President's automobile	5,835	5,855		8,460	8,460
Automobile for the President pro tempore	5,835	5,855		8,460	8,460
Automobiles for majority and minority leaders	11,670	11,710		16,920	16,920
Reporting Senate proceedings	139,785	140,545		146,210	146,210
Furniture:					
For services in cleaning, etc	3,190	3,190		3,190	3,190
Materials, repairs, etc	24,000	19,000		19,000	19,000
Inquiries and investigations	2,019,120	1,224,120		1,224,120	1,224,120
Folding documents	27,000	27,000		27,000	27,000
Materials for folding	1,500	1,500		1,500	1,500
Fuel, etc	2,000	2,000		2,000	2,000
Senate restaurants	55,000	55,000		55,000	55,000
Motor vehicles	9,560	9,560		9,560	9,560
Miscellaneous items	1,033,037	981,087		1,290,680	1,290,680
Packing boxes	3,500	4,000		4,000	4,000
Postage stamps	940	975		1,975	1,975
Airmail and special-delivery stamps	19,400	19,400		29,100	29,100
Stationery	129,950	126,400		184,600	184,600
Communications	14,550	14,550		14,550	14,550
Total, contingent expenses	4,140,987	3,371,452		3,776,555	3,776,555
Total, Senate	15,991,946	15,605,373		16,315,720	16,315,720
HOUSE OF REPRESENTATIVES					
Members and Delegates:					
Salaries	[1] 6,960,500	[2] 9,896,000	$9,896,000	9,896,000	9,896,000
Mileage and expenses	1,273,500	[2] 200,000	200,000	200,000	200,000
Total, Members and Delegates	8,234,000	10,096,000	10,096,000	10,096,000	10,096,000
Salaries, officers and employees:					
Speaker's office	47,285	47,285	47,285	47,285	47,285
Parliamentarian's office	43,885	44,920	44,920	44,920	44,920
Office of the Chaplain	4,200	4,200	4,200	4,200	4,200
Clerk's office	737,530	[2] 772,865	767,500	767,500	767,500
Committee employees	1,820,000	1,950,510	1,950,510	1,950,510	1,950,510
Sergeant at Arms office	384,045	384,045	384,045	384,045	384,045
Doorkeeper's office	657,915	[2] 704,275	704,275	704,275	704,275
Special and minority employees (several items)	191,485	[2] 194,765	194,765	194,765	194,765
Postmaster's office	189,880	[2] 198,775	198,775	198,775	198,775
Official reporters	124,435	124,435	124,435	124,435	124,435
Committee reporters	133,855	133,855	133,855	133,855	133,855
Studies and investigations, Committee on Appropriations	450,000	500,000	500,000	500,000	500,000
Total, salaries, officers and employees	4,784,515	5,059,930	5,054,565	5,054,565	5,054,565
Members' clerk hire	11,500,000	11,600,000	11,500,000	11,500,000	11,500,000
Contingent expenses:					
Furniture	220,500	225,500	245,000	245,000	245,000
Miscellaneous items	898,800	916,300	865,000	865,000	865,000
Reporting hearings	125,000	125,000	125,000	125,000	125,000
Special and select committees	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000
Joint Committee on Internal Revenue Taxation	200,000	200,000	200,000	200,000	200,000
Joint Committee on Immigration and Nationality Policy	20,000	30,000	20,000	20,000	20,000
Coordinator of Information, salaries and expenses	[1] 75,750	82,825	82,825	82,825	82,825
Telegraph and telephone	800,000	900,000	800,000	800,000	800,000
Stationery (revolving fund)	525,600	525,600	525,600	525,600	525,600
Attending physician's office	8,985	8,985	8,985	8,985	8,985
Postage stamps	94,050	92,760	92,760	92,760	92,760
Folding documents	[1] 135,000	125,000	125,000	125,000	125,000
Revision of laws	13,700	13,700	13,700	13,700	13,700
Speaker's automobile	7,200	7,200	7,200	7,200	7,200
Majority leader's automobile	[1] 11,235	5,835	5,835	5,835	5,835
Minority leader's automobile	5,835	5,835	5,835	5,835	5,835
New edition, United States Code		[2] 100,000	100,000	100,000	100,000
Total, contingent expenses	4,391,655	4,614,540	4,472,740	4,472,740	4,472,740
Total, House of Representatives	28,910,170	31,370,470	31,123,305	31,123,305	31,123,305

See footnotes at end of table.

Legislative branch appropriation bill for the fiscal year ending June 30, 1956—Continued

Item	Appropriations, 1955	Estimates, 1956	House allowance	Senate allowance	Conference allowance
CAPITOL POLICE					
General expenses	$17,900	$17,900	$17,900	$17,900	$17,900
Capitol Police Board	[1] 61,317	[2] 75,690	75,690	76,940	76,940
Total, Capitol Police	79,217	93,590	93,590	94,840	94,840
LEGISLATIVE COUNSEL					
Salaries and expenses	259,000	[2] 274,000	274,000	290,000	290,000
JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES					
Salaries and expenses	20,000			22,500	22,500
EDUCATION OF HOUSE AND SENATE PAGES					
Expenses	47,280	47,280	47,280	47,280	47,280
MISCELLANEOUS					
Penalty mail costs	1,169,700	1,978,000	1,978,000	1,978,000	1,978,000
Statement of appropriations	6,000	6,000	6,000	8,000	8,000
Total, miscellaneous	1,175,700	1,984,000	1,984,000	1,986,000	1,986,000
ARCHITECT OF THE CAPITOL					
Salaries	138,000	[2] 179,000	179,000	186,260	186,200
Contingent expenses		[2] 50,000	25,000	50,000	50,000
Capitol Buildings	[1] 646,000	[2] 875,100	825,000	1,160,100	1,140,000
Extension of Capitol		[3] 5,000,000	5,000,000	5,000,000	5,000,000
Capitol Grounds	342,500	280,000	280,000	280,000	280,000
Reconstruction, repair, alteration, and improvement, Capitol Grounds	[1] 611,000				
Subway transportation	3,500	3,500		3,500	3,500
Senate Office Building	853,500	960,400		960,690	960,690
Additional Senate Office Building	6,000,000	8,500,000		8,500,000	8,500,000
Legislative garage	34,200	38,500	38,500	38,500	38,500
House Office Buildings	984,200	[2] 1,150,200	1,125,000	1,125,000	1,125,000
Acquisition of property, construction and equipment, additional House Office Building	[1] 5,000,000				
Capitol Power Plant (operation)	1,237,000	1,279,500	1,279,500	1,279,500	1,279,500
Capitol Power Plant, changes and improvements	1,500,000	1,800,000	1,800,000	1,800,000	1,800,000
Library buildings and grounds:					
Structural and mechanical care	400,000	[2] 880,000	600,000	865,000	732,500
Furniture and furnishings	50,000	68,000	68,000	68,000	68,000
Total, Architect of the Capitol	17,799,900	21,064,200	11,220,000	21,316,490	21,163,890
BOTANIC GARDEN					
Salaries and expenses	223,100	246,000	246,000	246,000	246,000
LIBRARY OF CONGRESS					
Salaries and expenses	4,717,636	[4] 4,891,396	4,850,000	4,880,895	4,860,000
Copyright Office, salaries and expenses	1,100,000	[4] 1,195,284	1,140,000	1,176,120	1,158,060
Legislative Reference Service, salaries and expenses	875,000	[4] 984,877	925,000	984,877	984,877
Catalog cards, distribution of	1,332,000	[4] 1,379,541	1,350,000	1,375,000	1,350,000
Increase of the Library:					
General	260,000	[4] 300,000	280,000	300,000	300,000
Law library	90,000	90,000	90,000	90,000	90,000
Books for Supreme Court	25,000	25,000	25,000	25,000	25,000
Books for the blind	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Total, Library of Congress	9,399,636	9,866,098	9,660,000	9,831,892	9,767,937
GOVERNMENT PRINTING OFFICE					
Printing and binding for Congress	[1] 9,200,000	9,200,000	8,800,000	8,800,000	8,800,000
Superintendent of Documents, salaries and expenses	2,825,000	2,890,400	2,850,000	2,850,000	2,850,000
Total, Government Printing Office	12,025,000	12,090,400	11,650,000	11,650,000	11,650,000
Theodore Roosevelt Centennial Commission		10,000		10,000	10,000
Commission on Government Security				50,000	50,000
Woodrow Wilson Centennial Celebration		41,500		41,500	41,500
Grand total	85,930,949	92,692,911	66,298,175	93,025,527	92,808,972

[1] Includes amounts contained in 2d Supplemental Appropriation Act, 1955.
[2] Includes amounts contained in H. Doc. 163.
[3] Contained in H. Doc. 153.
[4] Includes amounts contained in H. Doc. 123.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. MORSE. I am very much interested in the discrepancy between the salaries of the Parliamentarians and the Assistant Parliamentarians of the two bodies. I do not know of two more able public servants in the Capitol than the Senate Parliamentarian and the Assistant Senate Parliamentarian. I should be very much surprised if my colleagues in the Senate do not regret any such discrepancies because it would seem to me to be a discrimination in the salaries for public servants which is not justified on the merits.

I suppose it is too late at this hour to correct the discrimination.

I am certain that the House Parliamentarians are worth every dollar which the House has decided to pay them. I am also confident that the Senate Parliamentarians are worth every dollar which the House pays its Parliamentarians.

Mr. CLEMENTS. I could not agree more with my friend from Oregon.

Mr. MORSE. I raise the question in view of the fact that there has been a long practice of each House's doing its own housekeeping. If it would not be in order for the Senate at this time to increase the salaries of our Parliamentarians to the figures which the House Parliamentarians receive, I may say that, come January, I shall propose such a resolution and attach a retroactive clause thereto. But I should like to know if I am correct in my impression that there is nothing that the Senate can do about the situation at this late hour to have the matter corrected before we adjourn.

Mr. CLEMENTS. There is nothing that could be done about it at this late hour which would not take a great amount of time and the bringing together of a considerable number of persons. To take such action would require the recommittal of the conference report.

I have the same high regard as has the Senator from Oregon for our distinguished Parliamentarian, Mr. Watkins, and I have also the same respect and regard for his able assistant, Dr. Riddick. But I think it would certainly be unwise at the moment to attempt to change the figures in the pay scale in the bill.

I can understand my friend's suggestion that he intends to offer a resolution next January to revise upward the salaries of the Senate Parliamentarians.

Mr. MORSE. I recognize that probably, in the parliamentary situation which the Senator from Kentucky has suggested, if a further delay in adjournment were proposed, although I think the adjournment should be delayed for several weeks in view of other business which the Senate should transact and about which I shall have something to say later, the present tempo or will of the Senate is not conducive to such action. But I serve notice now that I shall introduce such a measure next January, and the line can form on the right for cosponsors.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. HUMPHREY. Mr. President, may I ask if the Senate amendment to the appropriation bill to provide $50,000 for the Commission on Government Security survived the conference?

Mr. CLEMENTS. It survived. Also, the Woodrow Wilson Commission and the Theodore Roosevelt Commission appropriations survived.

Mr. HUMPHREY. I congratulate the doctors upon the survival rate. These are about the best results we have had to date on Senate amendments.

Mr. CLEMENTS. In the position in which the Senate conferees found themselves, there was no opportunity and no effort made to make any change in the bill in any shape, form, or fashion from the way in which it passed the Senate last Friday.

Mrs. SMITH of Maine. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mrs. SMITH of Maine. I have only one final word to say. I think we are according disgraceful treatment to one of the most loyal members of the staff of the Senate, Mr. Charles Watkins. I think this is a sorry reward for a man who has given so much of his life in service to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. CLEMENTS. Mr. President, if there are no further remarks on the legislative appropriation conference report, I ask that the Chair lay before the Senate a message from the House announcing its action on certain amendments of the Senate to H. R. 7117.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7117, which was read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52 to the bill (H. R. 7117) making appropriations for the Legislative Branch for the fiscal year ending June 30, 1956, and for other purposes, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"The basic compensation of any employee of any joint committee of the Senate and House of Representatives whose basic compensation is paid from the contingent fund of the Senate, of any select committee of the Senate (including the conference majority and conference minority of the Senate), or of any subcommittee of a standing or select committee of the Senate, shall not exceed $8,000 per annum. Notwithstanding the foregoing provisions of this paragraph and the provisions of section 202 (e) of the Legislative Reorganization Act of 1946, as amended (2 U. S. C. 72 a (e)), the joint resolution entitled "Joint resolution providing for a more effective staff organization for standing committees of the Senate," approved February 19, 1947, as amended (2 U. S. C. 72 a–1), and the paragraph under the heading "Senate Policy Committee" in the First Supplemental Appropriation Act, 1947, the basic compensation of one employee of each standing or select committee of the Senate (including the majority and minority policy committees and the majority conference of the Senate and the minority conference of the Senate), and each joint committee of the two Houses, the expenses of which are paid from the contingent fund of the Senate, whose basic compensation may be fixed under such provisions at a rate of $8,000 per annum, may be fixed at any rate not in excess of $8,820 per annum and, the basic compensation of one employee of each such committee may be fixed at any rate not in excess of $8,460 per annum. For the purpose of this paragraph, an employee of a subcommittee shall be considered to be an employee of the full committee."

HOUSE OF REPRESENTATIVES

The following changes are made with respect to positions under the Clerk of the House of Representatives:

(1) The title of each position shown below in the first column shall be that shown in the second column and, notwithstanding any other provision of law, the basic per annum salary of such position shall be the amount shown in the third column.

Former title	Title	Basic salary
Assistant reading clerk	Reading clerk No. 3	$6,000
Stenographer to the Clerk.	Secretary to the Clerk	3,000
Chief bill clerk	Bill clerk	5,000
1 Assistant to chief bill clerk.	Assistant to bill clerk	2,100
2 Assistant to chief bill clerk.	Assistant to enrolling clerk.	2,500
3 Assistant to chief bill clerk.	Assistant to bill clerk	2,100
Retirement expert House disbursing office.	Assistant in disbursing office (retirement).	5,000
1 Administrative assistant to Clerk.	Administrative assistant to Clerk (retirement).	5,000
1 Assistant to disbursing clerk.	Personnel clerk	3,600
Bookkeeper in disbursing office.	Assistant in disbursing office.	3,000
Bookkeeper and cashier.	Bookkeeper and billing clerk (stationery room).	3,000
Bookkeeper and voucher clerk.	Bookkeeper and voucher clerk (stationery room).	2,800
2 Assistant property custodian.	Assistant to property custodian (electrical and mechanical office equipment).	3,360
3 Assistant property custodian.	Assistant to property custodian (manual typewriter equipment).	2,800
Locksmith and typewriter repairer.	do	2,700
Messenger and clock repairer.	Assistant to property custodian (electrical and mechanical office equipment).	2,700
Assistant in stationery room.	Clerk-typist	2,160
Messenger in stationery room.	Clerk (stationery room)	2,160
4 Laborer	do	2,160
7 Laborer	do	2,160
Assistant property custodian.	Administrative assistant.	3,800

(2) The position of "reading clerk No. 3" set forth in the table in paragraph (1) of this section shall terminate whenever a vacancy occurs in a position of "reading clerk."

(3) Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
1 clerk	$3,000
2 clerk	3,200
File clerk	4,000
Assistant file clerk	3,000
Librarian	3,000
2 assistant in disbursing office	3,000
3 assistant in disbursing office	3,000
Stationery clerk	4,000
Assistant stationery clerk	3,000
Secretary (joint recording facility)	2,250
Messenger (payroll Nos. 1, 2, and 3)	1,740
Laborer (payroll Nos. 1, 2, 3, and 1 through 10)	1,650

(4) The title of one position of "assistant clerk, House administration" is changed to "assistant in disbursing office" and the basic salary for such position shall be $3,000 per annum. Such position shall be under the Clerk of the House of Representatives on and after the effective date of this section.

(5) The position of "administrative assistant (joint recording facility)" is created at the basic salary of $4,800 per annum.

SEC. 2. The following changes are made with respect to positions under the Sergeant at Arms:

(1) The title of each position shown below in the first column shall be that shown in the second column and, notwithstanding any other provision of law, the basic per annum salary of such position shall be the amount shown in the third column.

Former title	Title	Basic salary
Pair clerk and messenger.	Stenographer	$2,820
1 Bookkeeper	Assistant bookkeeper	3,480
2 Bookkeeper	do	3,480
Stenographer	Bookkeeper	4,000
Skilled laborer	Clerk-messenger	2,160

(2) Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
Deputy Sergeant at Arms in charge of pairs	$5,000
Deputy Sergeant at Arms (charge of mace)	4,000
Special assistant Sergeant at Arms	3,500
1 Assistant cashier	5,000
2 Assistant cashier	5,000

SEC. 3. The following changes are made with respect to positions under the Doorkeeper:

(1) The title of each position shown below in the first column shall be that shown in the second column and, notwithstanding any other provision of law, the basic per annum salary of such position shall be the amount shown in the third column.

Former title	Title	Basic salary
Stenographer	Secretary to Doorkeeper.	$3,000
Chief messenger	Chief doorman, House gallery.	2,500
Messenger (payroll numbers 1 through 5 and 7 through 16).	Doorman	1,900
Messenger (soldiers' roll) (payroll numbers 1 through 14).	do	1,900
Chief clerk (folding room).	Assistant superintendent, folding room.	3,500
2 Laborer (folding room).	Baling machine operator, folding room.	1,650
20 Folder	Janitor-messenger	1,650
6 Messenger	Chief doorman, House floor.	2,500
12 Folder	Checkroom attendant, House gallery.	1,650

Former title	Title	Basic salary
15 Folder	Supervisor, speech section, folding room.	$2,460
27 Folder	Speech clerk. folding room.	2,460
Shipping clerk	Supervisor of mail, folding room.	2,160
11 Folder	Secretary, folding room	1,800
7 Folder	Maintenance mechanic (folding room).	2,160
22 Folder	Messenger, folding room.	1,740

(2) The title of 4 positions of "laborer (cloakroom)" (payroll Nos. 1 through 4), at the basic per annum salary for each such position of $1,380, is changed to "cloakroom attendant." The title of the position of "1 laborer" is changed to "chief barber, Capitol" and the basic salary of such position shall be $1,500 per annum. The title of the position of "laborer (cloakroom)" is changed to "chief barber, Old House Office Building" and the basic salary of such position shall be $1,500 per annum. The title of 6 positions of "laborer (cloakroom)" (payroll Nos. 1 through 6) is changed to "barber" and the basic salary for each such position shall be $1,400 per annum. The title of 3 positions of "clerk" (folding room) (payroll Nos. 1 through 3) is changed to "ledger clerk, folding room" and the basic salary for each such position shall be $2,460 per annum.

(3) Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
1 floor manager of telephones, majority	$5,500
2 floor manager of telephones, minority	5,500
1 chief page (majority)	5,000
2 chief page (minority)	5,000
Assistant superintendent (document room)	3,700
Clerk (document room)	3,100
Assistant clerk (document room)	2,660
Assistant (document room) (payroll Nos. 1 through 7)	2,200
Janitor (document room)	1,650
Chief janitor	4,000
Foreman of laborers	2,000
Laborer (janitor's force) (payroll Nos. 1 through 24)	1,650
Superintendent (folding room)	4,000
Foreman (folding room)	3,100
Assistant foreman (folding room)	2,600
Folder (24 positions)	1,740
Driver (folding room) (payroll Nos. 1 and 2)	1,650
1 laborer (folding room)	1,650
Janitor (folding room)	1,650

(4) The title of the position of "8 assistant" (document room) under the Doorkeeper of the House of Representatives, is changed to "clerk, clerk's document room" and the basic salary of such position shall be $2,400 per annum. Such position shall be under the Clerk of the House of Representatives, on and after the effective date of this section.

SEC. 4. The following changes are made with respect to positions under the Postmaster:

(1) The title of the position of "clerk in charge (b. p. o. C.) is changed to "registry and money order clerk (Capitol)" and the basic salary of such position shall be $2,300 per annum. The title of one position of "messenger" is changed to "registry and money order clerk (Library of Congress)" and the basic salary of such position shall be $2,300 per annum. The title of one position of "messenger" is changed to "superintendent of day mail" and the basic salary of such position shall be $2,200 per annum. The title of one position of "messenger" is changed to "superintendent of night mail" and the basic salary of such position shall be $2,200 per annum. The title of forty-one positions of "messenger" is changed to "mail clerk" and the basic salary for each such position shall be $2,100 per annum.

(2) Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
Assistant postmaster	$3,380
Laborer	1,650
Secretary to postmaster	2,300

SEC. 5. Notwithstanding any other provision of law, the annual rate of compensation of the Postmaster of the House of Representatives shall be $12,150.

SEC. 6. Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
Chaplain	$4,000
Technical assistant (attending physician)	4,200
Expert transcriber (official committee reporters) (payroll numbers 1 through 8)	2,500
Expert transcriber (official reporters of debates) (payroll numbers 1 through 7)	2,500
Clerk (official committee reporters)	4,500
Printing clerk (majority)	2,500
Printing clerk (minority)	2,500
5 minority employee (pair clerk)	5,000
6 minority employee	4,500

SEC. 7. Notwithstanding any other provision of law, the monthly allowance for each enlisted man of the United States Navy assigned to the attending physician shall be $75.

SEC. 8. The following changes are made with respect to positions in the House press, radio press, and periodical press galleries:

(1) House press gallery:

(A) Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
Superintendent	$5,300
First assistant superintendent	4,700
Second assistant superintendent	3,800
Third assistant superintendent	3,300
Fourth assistant superintendent	2,580

(2) Radio press gallery:

(A) Notwithstanding any other provision of law, the basic salary for the position shown below in the first column shall be the amount shown in the second column.

	Basic salary
Superintendent	$5,200
First assistant superintendent	4,000
Second assistant superintendent	3,500

(3) Periodical press gallery:

(A) Notwithstanding any other provision of law, the basic salary of the position of "superintendent of the periodical press gallery" shall be $4,300 per annum.

SEC. 9. Notwithstanding any other provision of law, the annual rate of compensation of the Legislative Counsel of the House of Representatives and of the chief of staff of the Joint Committee on Internal Revenue Taxation shall be an amount which is equal to $15,000, increased by an amount which is the same percentage of $15,000 as the percentage set forth in section 4 (c) of the Federal Employees Salary Increase Act of 1955.

SEC. 10. Whenever a section under this heading refers to a position by its existing title (for example, stenographer to the clerk), or by its existing title and a number (for example, 1 assistant to chief bill clerk), the reference is to the position having that title, or that title and that number, on the payroll in the various offices of the House of Representatives, as prepared by the Clerk of the House of Representatives for the month of June 1955.

SEC. 11. (a) Notwithstanding any other provision of law, the clerk hire of each Member of the House of Representatives, Delegate from a Territory, and the Resident Commissioner from Puerto Rico shall be at the basic rate of $17,500 per annum. No person shall be paid from such clerk hire at a basic rate in excess of $7,000 per annum, and not more than 1 person shall be paid at a basic rate of $7,000 per annum from such clerk hire at any 1 time.

(b) The joint resolution entitled "Joint resolution providing for pay to clerks to Members of Congress and Delegates," approved January 25, 1923, as amended (2 U. S. C., sec. 92), is amended by striking out "to 1, 2, or 3 persons" and inserting in lieu thereof "to those persons, not to exceed 8 in number.".

SEC. 12. Subsection (e) of section 202 of the Legislative Reorganization Act of 1946, as amended (2 U. S. C., sec. 72a (e)), is amended (1) by striking out "$8,000" where it first appears in such subsection and inserting in lieu thereof "$8,820," and (2) by striking out "$8,000" at the second place where it appears in such subsection and inserting in lieu thereof "$8,820."

SEC. 13. (a) This section is enacted as an exercise of the rule-making power of the House of Representatives with full recognition of the constitutional right of the House of Representatives to change the rule amended by this section at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(b) Clause 27 (c) of the Rules of the House of Representatives is amended (1) by striking out "$8,000" where it first appears in such clause and inserting in lieu thereof "$8,820", and (2) by striking out "$8,000" at the second place where it appears in such clause and inserting in lieu thereof "$8,820".

SEC. 14. The foregoing provisions under "House of Representatives" shall take effect August 1, 1955.

GENERAL PROVISIONS

The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1955, unless otherwise provided, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1955, and the date of enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof.

Mr. CLEMENTS. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate No. 52.

The motion was agreed to.

Mrs. SMITH of Maine. Mr. President, I wish the RECORD to show that I object to both the conference report and the amendment.

APPROPRIATIONS FOR LEGISLATIVE BRANCH — RECONSIDERATION — INDEFINITE POSTPONEMENT OF JOINT RESOLUTION

On motion of Mr. CLEMENTS, and by unanimous consent, the vote by which the joint resolution (H. J. Res. 434) to provide appropriations for the legislative branch for the fiscal year ending June 30, 1956, was read the third time and passed, was reconsidered, and the

joint resolution was indefinitely postponed.

Mr. CLEMENTS. Mr. President, the reason for the indefinite postponement of House Joint Resolution 434 is that since the legislative appropriation bill has been passed, there is no need for the continuing resolution.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 57. Concurrent resolution providing for sine die adjournment of the first session of the 84th Congress on August 2, 1955; and

S. Con. Res. 58. Concurrent resolution authorizing the signing of enrolled bills and joint resolutions after sine die adjournment.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7618) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 4508) for the relief of Henry T. Quisenberry.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 7117) making appropriations for the legislative branch for the fiscal year ending June 30, 1956, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 52 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 7746) to provide tax relief to a charitable foundation and the contributors thereto.

The message also announced that the House had passed a bill (H. R. 7855) to amend the Federal Property and Administrative Services Act of 1949, as amended, to extend until June 30, 1956, the period during which disposals of surplus property may be made by negotiation, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 196) requesting the return by the President of the enrollment of H. R. 7684, in which it requested the concurrence of the Senate.

(For House Concurrent Resolution 196, see House proceedings of today.)

The message also announced that the House had passed a joint resolution (H. J. Res. 110) placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED

The bill (H. R. 7855) to amend the Federal Property and Administrative Services Act of 1949, as amended, to extend until June 30, 1956, the period during which disposals of surplus property may be made by negotiation, was read twice by its title and referred to the Committee on Government Operations.

The bill (H. R. 7030) to amend and extend the Sugar Act of 1948, as amended, and for other purposes, was read the second time by its title, and referred to the Committee on Finance.

The bill (H. R. 7619) to adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes, was read twice by its title, and placed on the calendar.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 110) placing certain individuals who served in the Armed Forces of the United States in the Moro Province, including Mindanao, and in the islands of Leyte and Samar after July 4, 1902, and their survivors, in the same status as those who served in the Armed Forces during the Philippine Insurrection and their survivors, was read twice by its title, and referred to the Committee on Finance.

MERGER OF STREET-RAILWAY CORPORATIONS IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. NEELY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2576) to amend the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ALLOTT. Mr. President, may I ask the distinguished senior Senator from West Virginia to explain briefly what is contained in the conference report?

Mr. NEELY. Mr. President, the distinguished Senator from Oregon [Mr. MORSE], the distinguished Senator from Michigan [Mr. MCNAMARA], and the distinguished Senator from New Jersey [Mr. CASE] constituted the subcommittee which conducted exhaustive hearings on this matter, and I ask them to explain the changes which were made by the conferees.

Mr. MCNAMARA. Mr. President, the House and Senate conferees reached unanimous agreement on the conference report which is now before the Senate for action.

Briefly, the bill, as agreed to in the report, would cancel the franchise of the Capital Transit Co. at the end of 1 year, would terminate the charter, and would authorize the District Commissioners to enter into an agreement with the Capital Transit Co. or other companies to provide mass transportation for the District of Columbia.

The bill would further authorize the District Commissioners to enter into an agreement with the State and municipal authorities of Maryland in the areas now serviced by the Capital Transit Co.

The bill agreed to by the conferees includes the amendment passed by the Senate, the Allott amendment, allowing the continuation of the existing agreement with a small spur railroad which handles freight.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MCNAMARA. I yield.

Mr. ALLOTT. Does the bill as agreed to by the conferees authorize the Commissioners to bring suits for receivership?

Mr. MCNAMARA. While the bill does not spell that out, that is the understanding, and, from the discussion which took place, there was an indication that was not precluded. The bill is silent on that point.

Mr. President, if there are further questions to be asked, we shall be glad to try to answer them.

I am sure the Senator from Oregon would like to say something about the conference report.

Mr. MORSE. Mr. President, what I wish to do first is commend highly the chairman of the subcommittee, the Senator from Michigan [Mr. MCNAMARA], and the chairman of the full committee, the Senator from West Virginia [Mr. NEELY], for what I think was a grand job which was done in this transit matter.

I want to say also that the Senator from New Jersey [Mr. CASE] made so many fine contributions to a very troublesome problem that I am satisfied we would not be presenting the conference report tonight were it not for the statesmanship he exhibited throughout our very difficult negotiations on this matter.

With regard to the receivership point raised by my friend the Senator from Colorado [Mr. ALLOTT], I wish to say I am satisfied, now that we have given the District Commissioners the power of home rule over transportation problems in the District of Columbia, that they clearly have the right to go into court and seek whatever action they may think the legal facts warrant. If they think there is a basis for receivership, they certainly have the power, in my judg-

ment, under the bill, to seek the appointment of a receiver by the court.

We have provided for the cancellation of the charter and the franchise. It was of great importance to give the District Commissioners the freedom of action to which the city fathers are entitled to receive from the Congress.

Secondly, we eliminated the section of the bill originally recommended by the Commissioners with respect to seizure, and we adopted two proposals which were made by Members of the Senate in this matter—cancellation of the franchise and the empowering of the Commissioners to enter into contractual relationships with the Capital Transit Co. or other companies to provide transportation in the year which remains before the final liquidation of the franchise.

In the third place, the conferees covered the Allott amendment, which protects the railroad company's contract with the Capital Transit Co., to which the Senator from Colorado referred in his amendment.

I think what we have done—and I want to stress this above all else—has been to prevent the Capital Transit Co. from collecting another dime for the system, which, in my judgment in effect they have already sold three times to the taxpayers of the District of Columbia.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MORSE. Yes; I yield.

Mr. ALLOTT. I asked the question concerning receivership because I am sure that a great many Senators are interested in the fact that it was the opinion of the committee of conference and their advice that under the bill, as agreed to, the Commissioners would have that power if they decided to exercise it. That was the point which I made a few days ago, and I think it may well turn out to be a very vital point in the proceedings which are going on between the company and the Commissioners and the union.

Mr. MORSE. The Senator will recall he and I agreed that if the bill were passed in the form in which it was being passed, the Commissioners would have that power by implication, anyway.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. MORSE. I was going to yield the floor, and the Senator could then speak in his own right.

Mr. CASE of New Jersey. I shall detain the Senate but for a moment. I should like to thank the Senator from Oregon and my other colleagues on the subcommittee and the chairman of the subcommittee for what to me was a most enjoyable experience. There is now a bill before the Senate which I think the Senator from Oregon summed up correctly when he stated that, if enacted into law it will at long last give the District Commissioners the power they ought to have to run the show by themselves. They will have adequate power. They will have adequate power which will affect the sensibilities of no one with regard to very controversial matters.

I believe, too, that the managers on the part of the House should be commended for the very excellent cooperation they gave us, once they understood we were in agreement on the basic objective, namely, the cancellation of the charter and the franchise, and then providing effectively, though not in a controversial manner, for furnishing public transportation service to the people of this city, who have so long been deprived of it through no fault of their own.

Mr. NEELY. Mr. President, every man, woman, and child in the District of Columbia owes a debt of gratitude to the Senator from Michigan [Mr. MCNAMARA], the Senator from Oregon [Mr. MORSE], and the Senator from New Jersey [Mr. CASE] for the outstanding service they have rendered in trying to solve the traffic problems, including the strike, which have caused distress to so many persons in this area. These three Senators have my heartfelt thanks, as chairman of the Committee on the District of Columbia, for their outstanding service.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

TRIBUTE TO SENATE LEADERS

Mr. MORSE obtained the floor.

The VICE PRESIDENT. The Senator from Oregon.

Mr. FULBRIGHT. Mr. President, will the Senator from Oregon yield me 1 minute?

Mr. MORSE. I yield to the Senator from Arkansas for 1 minute, without losing the floor.

Mr. FULBRIGHT. Before the Senate adjourns, I wish to take this opportunity to express my appreciation to Senator LYNDON JOHNSON, the distinguished majority leader, Senator EARLE CLEMENTS, Senator KNOWLAND, and Senator SALTONSTALL, for the outstanding record they have made in managing this legislative body during this session.

The leadership of the Senate has, I believe, created and maintained a sense of responsibility in the Senate, and has contributed to the traditions and prestige of this body.

I believe there has been less partisanship and more statesmanship in this session than there has been in any session I have seen. This probably is not good politics for the Democrats, but I am nevertheless proud that they have followed this course.

In closing, Mr. President, I am sure that all Senators join me in wishing our leader a speedy recovery. LYNDON JOHNSON has wrought magnificently as leader, and we look forward to his early and complete recovery and return to the Senate.

JOSEPH C. DUKE

Mr. MORSE. Mr. President, before I turn to the subject matter of my principal address, I wish to say that I am sure I bespeak the feelings and views of all my colleagues when I say that in the closing hours of this session, all of us miss the presence of our exceedingly able Sergeant at Arms, Mr. Joe Duke. I think most Members of the Senate know for the past few days he has been in Emergency Hospital, as the result of an emergency appendicitis operation, but is "up and at 'em" again.

Too frequently, Mr. President, I think we overlook the many courtesies and services which are extended to us during the session by the very able staff members of the Senate. I do not know of anyone who has exceeded Mr. Duke in willingness at all times to be cooperative and to extend to us every possible courtesy and service we need. I know that all my colleagues in the Senate wish him a very speedy and complete recovery from his operation.

Mr. President——

The VICE PRESIDENT. The Senator from Oregon has the floor.

THE IMPORTANCE OF MEETING THE CRISIS IN AMERICAN EDUCATION—ORDER OF BUSINESS

Mr. MORSE. Mr. President, I wish to address myself to a subject which I believe needs more attention at this session than it has received, namely, the importance of meeting the crisis in American education.

As I have always done, without a known exception, Mr. President, whenever I have a speech to make on a subject not related to the immediate business before the Senate, I am always willing to yield for the transaction of Senate business, with the understanding that I shall not thereby lose my right to the floor.

I understand that the executive pay bill is ready for consideration by the Senate. I certainly would not cause my colleagues to wait for the consideration of that bill while I made what I regard as a very much needed plea for the school-children of the United States whose welfare in my judgment the Congress has almost completely overlooked, and in regard to whose problems I believe a record needs to be made in the closing hours of this session of Congress.

But I shall be very happy to yield for the transaction of business on the executive pay bill and for the transaction of any other legislative business the Senate may desire to consider before adjournment, if the Senate is ready to consider it before I complete my speech; but I shall yield for that purpose with the understanding that I shall not thereby lose my right to the floor.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senator from Oregon may be privileged to yield with that understanding.

Mr. RUSSELL. Mr. President, what is the understanding?

The VICE PRESIDENT. The Senator from Kentucky has requested unanimous consent that the Senator from Oregon [Mr. MORSE] may yield the floor, for the purpose of consideration of the executive pay bill or any other business of the Senate, but with the understanding that thereby he will not lose the floor.

Is there objection? Without objection——

Mr. RUSSELL. Mr. President, I do not feel warranted in agreeing to unanimous consent for the consideration of

the executive pay bill, at the present time, if that is proposed to be done by unanimous consent. Of course, by motion, the bill can be brought up. But under the circumstances, I shall object.

Mr. MORSE. Mr. President, under those circumstances, I certainly will not be placed in the position of having my speech come ahead of any legislative business of the Senate.

The hour is still early, for me. So I shall yield the floor. I am sure the acting majority leader will protect my rights, insofar as concerns enabling me to obtain the floor at a later hour.

Therefore, Mr. President, I yield the floor.

PERSONAL STATEMENT BY SENATOR SMITH OF MAINE

Mrs. SMITH of Maine. Mr. President, I have just received a message that because of the stand I took on the cases of the Parliamentarian and others, the resolution to equalize pay raises between the House and Senate press, radio, and periodical galleries will not be brought up. I wish to assure the acting majority leader that I will support this resolution, and hope it will be brought to a vote, as promised.

MESSAGE FROM SENATOR JOHNSON OF TEXAS

Mr. CLEMENTS. Mr. President, I hold in my hand a statement from the majority leader, the distinguished senior Senator from Texas [Mr. JOHNSON], which I should like to read to the Senate:

MY COLLEAGUES: On this closing day of the session, I want to express to each and every one of you my deep gratitude and my warm appreciation for the cooperation you have extended to me, and for your friendship.

Everyone of us can be proud of the record of this Congress. It has unified the country during one of the most critical periods of our history. It has brought Americans together in a common effort to preserve and promote the security and the freedoms of our Nation. It has cast aside mean and narrow partisanship, so the United States could speak at the very summit of world leadership with a strong and unified voice. This achievement alone would be enough to justify a special place in history for this session.

There have also been far-reaching steps in domestic legislation, which I intend to review at a later time.

During the past few weeks, I have been confined to a hospital room, with little to occupy my mind, other than reflection. During this period, it has been brought home to me with increasing intensity how generous and kind all of my colleagues and all of the Senate employees have been to me, not only during my illness, but during the entire session.

In a very real sense, the record of this session is a cooperative record. It represents the collective wisdom of all 96 Senators; the collective desire to cooperate with the majority leader in a difficult and exacting situation; and the collective willingness of the Senate employees to spend long, arduous hours.

I shall never be able to find adequate words that will fully express my deep sense of gratitude and affection to all those who have been so wonderful. I can merely say that I thank you all from the bottom of my heart.

LYNDON B. JOHNSON.

[Applause.]

Mr. SALTONSTALL. Mr. President, will the Senator from Kentucky yield to me?

Mr. CLEMENTS. I am pleased to yield.

Mr. SALTONSTALL. It seems to me that it would be appropriate to request the acting majority leader, on behalf of all Members of the Senate, to wish our distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON], a speedy recovery, and to express for all of us the hope that he will be back with us in January. I ask the acting majority leader to convey that message to him.

Mr. CLEMENTS. I assure my friend, the Senator from Massachusetts, that it will be an honor to convey the message; and I know the distinguished majority leader will be happy to receive it.

ACCOMPLISHMENTS OF THE FIRST SESSION OF THE 84TH CONGRESS, AND PERSONAL TRIBUTES

Mr. CLEMENTS. Mr. President, we are rapidly approaching the final hour of the 1st session of the 84th Congress, a session resulting in new legislative achievements for our country. Here, in this historic Chamber, we have transacted more of the Nation's legislative business in less time than has any other session in my memory. This is the 104th day of the session. As of this morning, we had met a total of 544 hours and 41 minutes. We used this time well, as these few statistics will indicate: We passed 618 general bills and 535 private bills, and we confirmed 40,779 Presidential nominations.

In the 7 months we have been in session, we have enacted legislation that will affect—and profoundly so—the peace and security of the world, and the economic well-being of our country. In this session we concerned ourselves with large questions—with the defenses of our country; with her military might; with her natural resources. We have enacted legislation that will further her business dealings with other nations, and we have passed measures that are important to America's present, and to her successful future.

This session was notable for the cooperative spirit that narrowed the aisle of partisanship and bridged the distance between the Capitol and the White House. We have dealt fairly with the President at all times. When we opposed his recommendations, that opposition was made in the name of conscience—not of party. Our concern, our sole concern at all times has been to serve our country.

We have accomplished many things of which we can be justly proud.

We have established a fine record on foreign policy. We extended the Reciprocal Trade Act, the enlightened concept of the late Cordell Hull.

We have, in this session, brought the minimum wage to a realistic level that is compatible with the needs of the worker.

We enacted the mutual-security program providing economic and military programs to aid our friends and allies. The quick action in this Chamber on the Formosa resolution told the world that the American people were united in their opposition to communism and aggression and that partisanship would not interfere with that unity. We ratified several treaties—the Austrian Treaty for one, which cleared the way for the summit meeting. We approved funds to hold the Marine Corps at the present level, and we enacted a military Reserve program. As part of the overall program we passed legislation which provided incentive pay raises for our armed services, and we enacted several measures which were of assistance to the farmer, including the extension of a loan program for farmers and stockmen hit by the recent drought; and the revision of the formula for REA loans. Other measures were meaningful to small-business men, to veterans, and to housewives.

In the Senate we passed a highway bill that represents a huge step forward, and I believe the 84th Congress will take affirmative action on this matter before the 2d session of the 84th Congress passes into history.

While I believe the accomplishments of this session of the 84th Congress highly creditable, there is, in addition to a highway bill, a substantial amount of other important legislation to be acted upon next year. We shall have farm legislation, with a careful reexamination of our price-support structure. We have a veterans' survivorship benefits bill, a customs simplification bill, and a life-insurance tax bill in our Finance Committee which should be acted upon next year. There will be legislation on school construction; in the field of atomic energy peacetime development, as well as legislation to improve and further develop our medical sciences. I anticipate action on health legislation and, as I have stated on the floor today, consideration by the Congress of sugar legislation which has but recently come to this Chamber from the House.

We have this session devoted careful thought and thorough deliberation to the Nation's need for a housing bill that would be reflective of the forward-looking views of this body. Next year it is quite likely that the Congress will take another look at this important legislative matter.

I have mentioned some of the work we have done. Now let me mention the men who made it possible for us to get the work done and to the credit of the country. This session has been blessed with two fine leaders—the distinguished majority leader, LYNDON B. JOHNSON, of Texas, and WILLIAM F. KNOWLAND, the distinguished minority leader. In a few moments I should like to speak further of Senator JOHNSON, my friend and colleague, and of Senator KNOWLAND. I salute all the committee chairmen. Their work made the achievements of this session possible. The laws we have enacted reflect the experience, wisdom, and abilities of these men.

I have mentioned the cooperative spirit that has characterized this Congress. It is an inspiring thing that here—in this Chamber—men can disagree on details, on concepts, but work so effectively together on the fundamentals. I am aware that at times my colleagues on the minority side of the aisle have been in opposition to some of the legislation I have mentioned, but they opposed it in a constructive spirit, based on principle. The result of the cooperative spirit in this session has been a Congress free of bitterness, devoid of rancor, barren of petty strife.

I am not ashamed to stand before you and tell you how deeply fond I am of the Senate, and of the affection I have for my colleagues. I have particular reason to know their generosity, their kindness, and their good will. During the past few weeks, I have served as stand-in for LYNDON JOHNSON. All of you know the responsibilities of his position which I endeavored to fill in his absence. I want you to know how grateful I am for your tolerance, your forbearance, and your sincere cooperation.

As this session nears its close I should like to pay tribute to some of the men to whom we all owe so much. No Senate could have a finer secretary than Felton M. Johnston. No majority could have a secretary who works harder or who is more capable than Bobby Baker.

I can look around this Chamber and see many others without whom our job would be so much more complex, our tasks so much heavier. I should like to name our wise and experienced Parliamentarian, Charles L. Watkins, and his scholarly assistant, Floyd M. Riddick. Our beloved Chief Clerk—and my college classmate—Emery L. Frazier, and our journal clerk, Edward J. Hickey; our experienced executive clerk, Lewis W. Bailey, and our legislative clerk, Edward E. Mansur, Jr.; the assistant journal clerk, Bernard V. Somers, and the registration clerk, James L. Johnson. Without exception these men are public servants of the highest caliber.

I should like to mention Gerald W. Siegel, general counsel for the Majority Policy Committee, who has been of such help to the majority leader and to me. His counsel has been invaluable these last weeks.

Permit me to name a few others: Joseph C. Duke, our respected and capable Sergeant at Arms, who is now in the hospital. I know we want him to know how much we all appreciate the efficient way he has managed the Senate wing of the Capitol. He is a man to whom detail is important, and he sees to it that all the details are swiftly and efficiently disposed of.

There are scores of other men who have been helpful to us, including William H. Wannall, our printing clerk, who took over the reins so capably when our beloved Guy Ives passed away. I would also mention the official reporters who possess the highest degree of skill attainable in this difficult and exacting profession.

I wish I could properly thank the scores of hard-working men and women, both of the majority and of the minority, who work for us. They all are deserving of the appreciation of the country, and its warmest regards.

In closing, I should like to pay special tribute to two men.

WILLIAM KNOWLAND, whom I am proud to number among those I call friend, has been outstandingly cooperative and helpful to me in my role as the acting majority leader. His help was freely given and of the same high sort that he gave the majority leader. I have never been one to wish for the growth of the Republican Party, but if there must be Republicans, they can have no finer leader than BILL KNOWLAND. [Applause.]

Now, I want to talk about the man who personifies the highest traditions of the Senate—Senator LYNDON B. JOHNSON of Texas.

LYNDON JOHNSON is to a great extent the architect of the achievements of this session.

LYNDON JOHNSON is a man of high purpose—and this session has been a session of high purpose. LYNDON JOHNSON is a man who believes that cooperation is the cornerstone of progress—and this belief gave this session strength.

All have felt his absence during these closing, climactic weeks. As his substitute, as his pinchhitter, I have felt his absence most keenly. We all regret that he cannot be with us today. But we know that in January he will return, and that once again, at this desk, he will be the leader of the majority party in the Senate. His return will be applauded, not only by the Senate, but by the Nation as well.

I have asked the authorities at the Bethesda Naval Medical Center to prepare for me the latest report on his condition. I know Senators will be interested in it, and I should like to read it now:

Senator LYNDON B. JOHNSON's condition continues to be satisfactory. He will be discharged from the hospital in the very near future for his home in Washington. He will rest at his Washington home for a few weeks before returning to his home in Texas.

We note from this report that he will be discharged in the very near future. We note that the doctors are already planning his trip to Texas, and all of us can rejoice in these encouraging signs.

But those of us who have seen him at the hospital know of even more encouraging signs. We have found him a man serene and confident, facing the future with quiet courage and with the determination that has characterized every act of his life and which will bring him back to the Senate as energetic and as strong as ever.

The medical men tell us that the heart is an organ composed of fiber and tissue. But we know the heart is also made of courage and moral fibers; of love and affection; of all the qualities that make a man. Those parts are as sound in the heart of LYNDON JOHNSON as they ever were. They are the factors which have made him a good man, a beloved man, and a great leader.

As an individual I am thankful that I can partake of the friendship of this man. As an American, I am thankful that he is a part of this great body, to serve us in these crucial times.

I look forward to his return in January and the beginning of the 2d session of the 84th Congress, which will complete the work initiated this year and which will deal with other responsibilities that will be ours in that session.

As we go down the road these last few hours—and perhaps I am optimistic in saying they are the last few hours—I wish to express my deep gratitude and appreciation to all. I want to say that I will miss you and that I am looking forward to next January, when we can once again assemble in this Chamber and do the job that is expected of us by a great country. [Applause.]

Mr. KNOWLAND. Mr. President, first, I wish to join with the acting majority leader in wishing an early return and a complete recovery to the majority leader, LYNDON JOHNSON.

As I pointed out earlier in the day, the Senator from Kentucky [Mr. CLEMENTS], the acting majority leader, and I visited Senator JOHNSON on Sunday last. We found him in excellent spirits and looking forward, first, to a rest in his native State of Texas and then to a return to the Senate.

I also join my colleague across the aisle in paying tribute to the very outstanding and excellent group of men who serve us at the desk and those who represent both the majority and minority parties. Then I would pay tribute to our own Mark Trice, the former Secretary of the Senate and now the secretary for the minority; our own Bill Brownrigg, his able assistant; and Bill Reed, and others, who assist us; and the Democratic and Republican pages, who serve us so ably and so well.

I also wish to pay tribute to the official reporters of debates, without whose efforts we would not be able each day to review the proceedings of the preceding day. They work diligently for long hours, as long as the Senate is in session, with a high sense of obligation and duty in keeping a verbatim record of the Senate proceedings.

I would not wish this moment to pass without also paying tribute to what I believe has been a very able job done by my colleague, EARLE CLEMENTS, who was precipitated into the job of majority leader. I believe I know something of the problems which he faced in coming unexpectedly into that position of great responsibility. He has discharged his obligation ably and well. I have had the same pleasant working relationships with him that I had with the majority leader, LYNDON JOHNSON, and I know they will continue.

We have faced many problems dealing with foreign relations, on which the center aisle does not divide us, and which we face as Americans, not as bitter partisans.

This session of Congress has had a substantial record of accomplishment, although there are many things we would like to have accomplished which have not been accomplished. We hope they will be taken care of at the next session.

The Senate must still pass on some pending business before the Senate, and I do not intend to prolong my remarks.

I also wish to express my appreciation to the Members on this side of the

aisle for their very fine and cordial cooperation we had in the difficult and trying days that have passed, and to the Members of the Senate on the other side of the aisle, who have also been thoughtful and considerate in the many day-to-day problems which those who occupy the two front seats on the aisle must face.

I wish all a most successful vacation, and I hope all will return to the Senate refreshed and able to carry on the great work of the Senate. [Applause.]

Mr. KERR. Mr. President, like the other Members of the Senate, I have been delighted and charmed by the eloquence and warmth and spirit of good fellowship which have emanated from the two distinguished leaders of this body. I beg the indulgence of the Senate for my limited remarks. There will be no lack of affection in what I have to say to my friends on the other side of the aisle.

However, my keen sense of duty to my State and to the Nation impels me to say a few words which may not be so kind as some of the words the two leaders have said to each other. The words of each to the other were fully justified. The Republicans have had no greater leadership. Certainly no man in the Senate to my knowledge has ever stepped into the very important position of acting leader of the Democratic Party in the Senate and filled it with more ability, more dignity and greater effectiveness than has the great senior Senator from Kentucky [Mr. CLEMENTS].

When we started the session, Mr. President, we did so under the slight cloud of the intimation by the President of the United States that the Democratic Party might wage a cold political war upon his administration. I wish the RECORD to show that the history of this Congress does not bear out that charge. Rather, Mr. President, the Democratic Party in this Congress has lived up to the highest traditions of its concept of responsibility and statesmanship in high office.

Mr. President, our hearts have been thrilled during the past weeks by the belief that much good has come to our country and to the free world from the meeting at the summit at Geneva.

Mr. President, had it not been for the Democratic leadership of this Congress the President of the United States would not have been there, nor would he have been as strong as he was when he went there. I do not take from the credit due him, Mr. President, nor will this Nation ever forget the voice of the great Senator from Georgia [Mr. GEORGE] as he continued to sound the declaration of need and the challenge to the President of the United States to bring about a meeting at the summit with the leadership of our two great allies and Soviet Russia. The leadership of this party in the Senate, with the great GEORGE of Georgia calling the signals, in many ways demonstrated the solidarity of the Congress of the United States on the question of foreign policy and national defense, presenting conclusive evidence of a united people and a united Congress behind their President.

Mr. President, there has been more accomplished and less said in this Congress under the leadership of the Democratic Party, than in any Congress I can remember; and, certainly, there has never been anything like it in the history of our country when the White House was controlled by one party and the Congress by the other party.

Mr. President, as we go home we have much for which to be thankful. Our people know that there have been mistakes and blunders and failures in the administration, at the White House. The American people will long remember and never condone the terrible blunder of the Dixon-Yates fiasco, and the attempted cover up in connection with it. The country will long remember the cut-rate, penny-pinching policies of the Defense Department with reference to the Air Force, until, nudged, urged, and challenged by the Democratic leadership in the Congress, they were compelled by necessity to move expeditiously to solve the problem.

As we go home, Mr. President, there will be ringing in our ears the echo of the lonesome wail of unethical businessmen in high places. Over and above all else, Mr. President, the American people will never forgive the Republican administration for the blundering committed and for the continued impoverishment of the American farmer. Only last month, after the income of farm families had steadily gone down for 30 months, farm income decreased another 2 percent. I care not how high stocks go on the stock market; I care not how many millions of dollars are earned after taxes by American industry; I care not what progress is shown in accelerated payment of dividends by prosperous business, the economy of this country will never be in a sound condition until the Government of the United States improves the economic environment of the American farmer.

I hope, Mr. President, when we return in January, the meeting of that need and the solving of that problem will be No. 1 on the agenda of the Congress.

Mr. President, one of the strongest weapons our President had at Geneva was his knowledge and the world's knowledge that this country had a vast surplus of food, feed, and fiber.

No race of people on this earth can carry tyrants on their backs when their bellies are empty. Tonight stark famine stalks many of the areas in Red China and threatens in Red Russia. One day the people of this country will be thrilled by the knowledge that because of the great productivity of American farms and the outstanding ability of American farmers, we and we alone on this earth possess an abundant reserve and surplus of food and feed and fiber.

Mr. President, I wish to pay a tribute to the distinguished Senator from Kentucky [Mr. CLEMENTS] for his ability, his generalship, his friendliness, his forthrightness, and his energy. The only way in the world in which he has impaired his standing with me has been by his behavior which at times approached the attitude of a slave driver. He has exacted work when leisure would have been more desirable—and I am not quite sure but what it might have been just as effective. But he has driven and striven to carry out the policies of our distinguished leader from Texas, and he has certainly done it in a matchless way.

Mr. President, now that I have performed my duty with respect to some of the blunders of the Republican administration, I wish to pay a compliment to their distinguished leader in the Senate. If we should meet our Republican friends in a land where there was no politics, we would fall in love with most of them. It is only when they devote themselves to partisan politics that their defects become apparent, and they are like a blazing July or August sun in Washington in a summer when new heat records are being made and old ones broken. They are a delightful group; and, since we have to have an opposition party, one could not go around the world and find a better one. [Laughter.]

I wish to express my appreciation to them because at times when, in their rare lucid political intervals, they gave evidence of moving forward toward some worthy objective, and created concern and worry on this side of the aisle, then, lo and behold, out of the gratitude of their hearts, or because of some other element, to which in my genial mood I will not refer, they committed this blunder or these blunders, which demonstrated their political mortality and lack.

I, too, look forward to the return of the distinguished senior Senator from Texas, LYNDON JOHNSON; he who gave to America a new concept of responsibility in political leadership; he who accomplished more, shall I say, without a majority; he who maintained the status and posture of a majority leader without having a majority.

I say now, Mr. President, that if we make it through the next year, maintaining this slim majority, and come back in 1957 with the majority I visualize, we will have who knows what accomplishments under the leadership of the great LYNDON JOHNSON and all who have contributed toward aiding him.

I ask unanimous consent to have printed at this point in the RECORD a few sample editorials and newspaper tributes to the great LYNDON JOHNSON.

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

[From the London Times of July 28, 1955]

A TRANQUIL SESSION

President Eisenhower has returned from Geneva just as Congress is preparing to go home. In so hot a summer, the legislators are not likely to prolong their stay in Washington beyond next week. The end is thus in sight of the 1st session of divided party responsibility which the President, in a flash of campaign exaggeration last autumn, suggested would lead to a domestic "cold war" between the Republican Executive and a Democratic Congress. In this respect the President has, no doubt to his own satisfaction, proved a poor prophet. Congressional business has gone more smoothly with the Democrats in control than it has for many years, certainly more smoothly than it went during the preceding 2 years when the Republicans were in charge. This is not quite as remarkable as it seems on the surface, for the President in foreign affairs is pur-

suing the general lines laid down by his Democratic predecessors and at home has accepted the broad outlines of the Fair Deal. But for a session of considerable accomplishment and little hard feeling much of the credit must go to the skillful leadership, tact, and responsibility of Mr. LYNDON JOHNSON, the Democratic leader in the Senate, now unfortunately laid low with a severe heart attack.

Constructive opposition has been Mr. JOHNSON's watchword, and in this spirit Congress has accepted, even if it may have altered in detail, the major proposals of the White House. This has been particularly true of international matters. The Reciprocal Trade Agreements Act has been extended; the Paris pacts and the Austrian treaty were ratified without demur; and the full amount requested for foreign aid—$3.5 billion—has been authorized. The final appropriation will not be quite so generous, but it was accounted an administration victory when the Senate approved expenditure of $3.2 billion. The House voted only $2.6 billion, but this cut was due more to pique with the Department of Defense than to dissatisfaction with the aid program, in which the United States has invested $51 billion since the war. The compromise figure of $2.7 billion which emerged from conference yesterday may not be far from the President's expectations. Two other bills affecting the outside world are less certain of action in this last rushed week: the customs simplification bill, which is still bogged down in a Senate committee, and the amendments to the Refugee Relief Act.

Congress has, however, accepted the administration's view that in defense, increasing emphasis should be placed upon air power and nuclear weapons, despite the disquiet of some Democrats and the obstinate insistence of successive Army Chiefs that the effect is to create unbalanced forces which may be unable to cope with localized conflicts. Where Congress has fallen down sadly is in the provision of Reserve training. The administration proposed a reduction in manpower in the Regular forces on the understanding that Congress would so reorganize the defective Reserve system that by 1960 nearly 3 million trained men would be available in an emergency. Unfortunately, neither left-wing Democrats nor right-wing Republicans have been willing to accept fully the element of compulsion which this would require, and the measure which Congress passed last week is regarded as rather less than half a loaf.

Agreement and action have been harder to achieve on the domestic front. This is not because the congressional Democrats disagree with the President on the need for Federal aid for schools, or for more help for housing, highways, and the health programs. Very often the Democrats are prepared to go further than the President; for example, he asked for the minimum wage to be raised from 75 to 90 cents, but Congress has fixed it at a dollar an hour. The Senate approved a much larger program of Federal housing than the President had proposed, although this has run into trouble with the conservative Rules Committee of the House. The disagreement is more over ways and means. Many Democrats consider the scheme for Federal reinsurance of private health insurance plans to be inadequate. The White House proposal to finance new roadbuilding outside the Federal debt by creating a new corporation able to issue its own bonds has been turned down. A similar scheme for stimulating the construction of schools without direct Federal outlay (by Federal support for local school bond issues) has been much criticized and it is unlikely that anything will be done at this time to meet the mounting needs of education, which in the United States has always been a local not a Federal responsibility.

In a tranquil session of Congress, and with the country enjoying unprecedented prosperity, none of these issues has caused much bitterness or controversy; none looks like becoming a promising election theme for the Democrats. Such an era of good feeling, pleasant in itself, arouses disquiet among some Democrats, who see very little that they can set, next year, against the massive Republican assets, which include not only peace and prosperity, but—if he chooses to run again—the immense personal popularity of President Eisenhower. It is not surprising, therefore, that the Democrats are determined to make the most of the administration's blunders and evasions over the now cancelled Dixon-Yates contract for electric power and the Talbott affair.

[From the Louisville Times of July 7, 1955]

AN ABLE HAND AT THE SENATE SHIP'S HELM

Washington has no more perceptive reporter of the activities and attitudes of the United States Senate than William S. White, of the New York Times bureau, Pulitzer prize biographer of Robert A. Taft.

After Majority Leader JOHNSON was stricken ill last weekend, Mr. White noted: "All significant wings of the Democratic Party long have acknowledged that the Johnsonian leadership has been almost matchless in terms of tactical skill and in giving the Democrats a new and almost monolithic unity on nearly every high occasion."

This is the truth, and we think it worth adding that neither Mr. White nor anyone else doubts that the course set by Mr. JOHNSON will be steadfastly maintained during the remaining month of the session.

[From the Waukesha (Wis.) Freeman of July 9, 1955]

JOHNSON'S AILMENT UNDERLINES PRESSURE

The heart ailment which has forced Senator LYNDON JOHNSON to temporarily surrender his Democratic leadership in the Senate stresses once again the pressures of public life.

JOHNSON has represented Texas in Washington as a Member of either the House or Senate since 1936. He became a Senator in 1948 by the margin of 87 votes. His most recent victory in 1954 was by a majority of more than 400,000 votes.

As leader of the Democratic Party in the upper House, JOHNSON'S duties lay in both supporting and opposing a Republican President. He had to contend with Members of the opposition and mavericks in his own ranks. He had to enforce party discipline in close votes. His position called for almost 24-hour duty while Congress was in session.

Besides performing the necessary duties as a Senator, JOHNSON had to function as a political leader. This required speeches to various Democratic gatherings, meetings with newspaper and radio personnel, and attendance at required Washington social functions.

Too often in this country, the politician has been the butt of snide and critical remarks. In too many cases, the Senator or Representative is pictured as having a "soft" job. But no position is easy where dissenting factions must be satisfied in addition to caring for the needs of constituents.

JOHNSON had been expected to play a prominent role in next year's presidential picture. He had been mentioned as a possible choice for second place on the Democratic ticket. The present state of his health may curtail these ambitions.

[From the Salisbury (N. C.) Post of July 20, 1955]

GESTURE OF FAITH

Although press wires, burdened with news about flickering relations between man and man, could mention the incident only briefly, the Members of the United States Senate rose the other day for a minute of silent prayer for the recovery of Senator LYNDON B. JOHNSON of Texas, then lying at death's door with a heart ailment.

This brought at least for the moment the relations between man and his God to the fore, and temporarily made man-to-man dealings seem rather incidental.

It is historical, of course, that the Senate has a Chaplain, currently the Reverend Dr. Frederick Brown Harris, until recently pastor of the wealthy and socialite Foundry Methodist Church in Washington, who opens each Senate session at noon with a carefully composed prayer. It is just as traditional that various men's and women's clubs and other organizations here in Salisbury have chaplains and initiate meetings by listening to a prayer.

Yet it is valid to presume that when all the Senators stood the other day, men of varied religious faiths and fealties, each voiced silently in his own heart his own individual prayer to his own individual concept of a Supreme Being. This was a precedent for the Senate, and the incident merits attention by other groups of people. It merits recording in some foreign capitals which know America's splendid claims to religiosity and moral leadership but often have cause, when reading of nonreligious actions by some of our people, to wonder how validly we practice our precepts. It has been a long time since George Washington prayed at Valley Forge and added that appealing demonstration to our rather meager historical chronicles of divine supplication by our country's leaders. The Senate has now provided another, and it should not pass unnoticed.

[From the Daytona Beach (Fla.) Journal of July 8, 1955]

WHEN A LEADER IS STRICKEN

The Democratic majority under the leadership of Senator LYNDON JOHNSON put the interests of country ahead of party considerations in passing on recommendations submitted by President Eisenhower. Especially was this the guiding motive in proposals affecting our foreign relations. The high ground on which the Democrats stood brought increased stature to the tall Texan on whose shoulders rested the responsibility for uniting Democratic Senators into a smooth, effective, working organization.

The Democratic majority in the House showed an equal record of patriotic approach to the issues favored by the President. By their votes Democrats effectively answered the fallacious election prediction of Eisenhower last year. Appealing then for a Republican Congress, the President said if Democrats took control it would mean a "cold war" between the Legislative and Executive branches of the Government. Democratic candidates denounced this statement as a reflection on their patriotism. The voters took them at their word for they returned Democratic majorities in both the Senate and House.

When the Republicans dominated the 83d Congress major parts of the President's foreign program would have failed if Democrats hadn't come to his aid. The Republicans were so torn by internal dissension they were unable to present any effective party organization in either branch. Democrats put through the worthwhile parts of the President's recommendations.

Senator JOHNSON accomplished party harmony by his tactful work behind the scenes. It wasn't an easy task he faced when the present session began. Democrats had a 49-to-47 margin over the Republicans. This two-vote lead was due to Senator WAYNE MORSE, of Oregon, voting with the Democrats and later changing his party affiliation

to conform. STROM THURMOND, of South Carolina, won in the general election as a write-in candidate over the regular Democratic nominee. JOHNSON had to walk a tight rope but he did it without apparent effort. One defection and Vice President NIXON would break the deadlock with his Republican vote.

JOHNSON first won election to the House from Texas as a follower of the late Franklin D. Roosevelt. Later he was appointed assistant party leader of the Senate and then assured the majority post with the approval of the northern liberals and southern conservatives. In making up committee selections JOHNSON influenced several southern Senators to relinquish some of their important posts to make way for northerners. The result was every Senator drew at least one important committee assignment. JOHNSON's diplomatic talents in the meantime had undergone a successful test.

The country was shocked last Saturday at the news Senator JOHNSON had suffered a severe heart attack. His condition has improved but doctors say his hospitalization will be prolonged and his absence from the Senate will be indefinite. Expressions of regret at his illness and hopes for his recovery have come from men and women in all walks of life without regard to party. The Senate paid him an unusual and moving tribute by standing 1 minute in prayer for his recovery. It was done on motion of Senator LEHMAN, Democrat, of New York.

Some JOHNSON admirers were boosting him for President on the Democratic ticket just before he was stricken. But more experienced observers tagged JOHNSON as a more likely favorite for Vice President on a ticket with Adlai Stevenson. It's generally admitted Stevenson can have the Democratic presidential nomination if he wants it next year. While JOHNSON and Stevenson don't see eye to eye on all issues, party leaders favoring them say it wouldn't be difficult to draft a platform mutually agreeable to them. Although generally affiliated with the conservatives in Texas, JOHNSON's political rise came through his support and advocacy of New Deal principles, none of which he has publicly repudiated.

Now politics must be laid aside while the country hopes and prays for the recovery of the Texan. His age, 46, is in his favor. He has the best medical care and attention. We join millions of other Americans in the hope JOHNSON may be spared to give the Nation more of the type of public service which made him one of the outstanding Members of the United States Senate.

W. F. C.

[From the Nashville Tennessean of July 13, 1955]

SENATOR LYNDON JOHNSON

For the Democratic Party and, in fact, the American people, there is encouragement in news that Senate Majority Leader LYNDON JOHNSON is on the way to recovery from a coronary attack.

For it does not require a partisan viewpoint to acknowledge that this hard-working and even-tempered Texan strove prodigiously to steer the "loyal opposition" along its sensible course at the present session. That he was a middle-roader with a sense of restraint was not always pleasing to some colleagues. But he managed to maintain a remarkable cohesion in the ranks and, when the achievements are added up, the sum total reflects credit on his policies.

Like others in the Senate, Mr. JOHNSON did not spare himself and the result is that he must face a long period of convalescence. He is not only immobilized as a lawmaker but the blow also has fallen at a time when he was being mentioned as a candidate for the Presidency. And even though the nomination may not have been attainable at the next party convention when the Democrats of Texas will be split wide open he has reason to feel doubly disappointed by the untimeliness of his seizure.

Cut off from the political activities in which he found so much satisfaction, Mr. JOHNSON can rest assured that the leadership, passing to Senator EARL C. CLEMENTS, of Kentucky, rests in good hands.

The hope is widespread that the popular Texan will be restored to full health and so enabled to resume his important duties in due time.

[From the New Orleans States of July 28, 1955]

POPULAR SENATOR

Felled by a heart attack early this month, Senate majority leader LYNDON B. JOHNSON, of Texas, has been receiving get-well messages at the rate of nearly 2,000 a week. Forty percent of them have been from other than Texans.

That is an unusual testimonial to the popularity and quality of leadership of the man who has kept this Democratic Congress in line and reasonably productive.

A young man as Senators run, JOHNSON has assurances from his physicians that his recovery will be complete and his heart will not be permanently impaired. Despite his illness, there is still talk which would see him in the running at the 1956 Chicago convention.

If doctors do not cut short his political career, the 46-year-old Democratic floor leader will have to change his method of operation from mastery of detail to concentration on overall strategy and policy. And that, say some who know him well, could groom him better for Chicago.

[From the South Bend (Ind.) Record of July 8, 1955]

COLLABORATION, SO-CALLED

The heart attack suffered by Senator LYNDON JOHNSON, of Texas, majority leader in the Democratic United States Senate, would seem to remove him from all possibility of his being a Vice Presidential nominee of his party next year.

As majority leader his policy of recommending for passage bills that seemed to have merit even though they were recommended by the executive department under the leadership of a Republican President, makes him worthy to be called a statesman as distinguished from being just a politician, though there is no reason why one cannot be both a good politician and statesman. But statesmanship in our dictionary means wisely espousing measures which appear best for the whole country, regardless of party.

This a Member of the great Senate of the United States is called to do; whether it is always done or not is another question. It was clearly the policy of Senator JOHNSON to insist on passage measures he thought good for the whole country regardless of whether they were sponsored by the Republican President or not. Since Ike does not have much of a set policy of his own, but seems to pull many of his measures out of a political grabbag, he could not always be wrong.

Senator JOHNSON as a legislative leader responded to the larger call of duty and avoided expediency and opportunism. In doing so he furthered his party's record as one of construction and not just criticism. This is proper for the great Democratic Party, oldest in the Nation, and that has come down to us from the days of the Founding Fathers. No matter how his present illness may affect his future ability to serve, he has already been of great service to his country and party. His misfortune accentuates this.

[From the High Point (N. C.) Enterprise of July 15, 1955]

SPARE HIM THAT

Senator ERVIN's suggestion that LYNDON B. JOHNSON become the Democratic nominee for President next year would appear to discount seriousness of his recent heart attack.

Hospitalization of Senator JOHNSON following a heart attack points up again the stress public service imposes upon those to whom the Nation entrusts high office and responsibility. At 46 Senator JOHNSON appeared robust enough to carry the load, but the drain of his post as majority leader was too much for his strength and he faltered under that load.

It is a fearsome price this country pays for imposition upon its public figures. Senator Robert A. Taft succumbed soon after taking over majority leadership, and earlier Senators Joseph T. Robinson and Kenneth Wherry died while shouldering that responsibility. On the House side, where strain is greatest upon the Speaker, there was a succession of deaths among presiding officers as the Roosevelt administration was getting underway with its overload of congressional work. These undue burdens upon party leaders in both Houses of Congress are frightening, but the suggestion that would project Senator JOHNSON into the Presidency calls for the observation that's no place for anyone without the strongest heart and constitution.

We need to find a way for protecting our leaders, but advancing a man to the Presidency is hardly relief from pressure as we can see it.

[From the Gibson City (Ill.) Courier of July 14, 1955]

SENATE WILL MISS JOHNSON

The absence of Senator LYNDON JOHNSON, Democratic leader in the Senate, will be felt keenly during the remainder of the session. Many observers believe him to be the most effective leader in the history of the Senate. A Democrat who won his first Senate nomination in Texas by only a few score votes, he has matured remarkably.

His work has been largely to bring together the two wings of his party. On a great many questions he has supported President Eisenhower, although not to the extent Mr. Eisenhower wishes.

In the Republican leadership there is much to be desired. Actually, Mr. Eisenhower is getting more from the Democrats than he did last session from the Republicans. The reason is that most Republican chairmen were of the old conservative wing—antagonistic to the President. They bottled up much of his legislation.

While Senator JOHNSON and his Democrats have used every trick of the trade to give the political advantage to their party, yet the President has not had to fight the reactionaries of his own party. Senator KNOWLAND, the Republican leader, has disagreed with a good bit of the President's program. It made one wonder at times if he were the leader for or against the President.

Senator JOHNSON is a reasonable and able man.

[From the Camden (S. C.) Chronicle of July 12, 1955]

SENATOR LYNDON JOHNSON

There is general regret over the illness of Senator LYNDON JOHNSON, the Democratic leader in the Senate. As majority leader in the Senate he has managed to keep the leftwingers in the party from running wild and has kept away from the civil-rights legislation and other hotly controversial legislation which the leftwingers would promote.

We are glad to see from Edward Sims column in the Orangeburg Times and Demo-

crat that the acting majority leader, Senator EARLE CLEMENTS is expected to pursue the same policy.

Said Mr. Sims:

"There is no reason to believe that JOHNSON's successor will do anything differently. Kentucky's EARLE CLEMENTS is from a border State and has said he will follow JOHNSON's program. It might have been quite different, however, had a radical leftwinger become majority leader. The session might suddenly have become hotly controversial and might have extended far beyond August."

The whole country will join in the hope that Senator JOHNSON will recover from this attack and may be able to resume his duties on the floor of the Senate.

[From the Artesia (N. Mex.) Daily Press, Las Vegas (N. Mex.) Optic, Carlsbad Current-Argus, and the Gallup (N. Mex.) Independent of July 15, 1955]

THEY'LL MISS HIM

It is a measure of Senator LYNDON JOHNSON's prestige acquired actually only in the last few months that the Nation was shocked at news that he had been laid low by a heart attack. Both the Democrats of his own party and the Republicans of the opposition party were taken aback by the sudden illness of the Senate's Democratic majority leader.

Once called "Lying Down" JOHNSON for his policy of cooperating with President Eisenhower while minority leader of the Senate, the Texas Senator has done a masterful job since Democrats took over control of the Senate. He has not only been responsible for an effective working relationship with Mr. Eisenhower, but at the same time has managed to knit Democrats in Congress into a harmonious party with a program on which most can agree. He was drawing an increasing amount of comment in Washington as a potential candidate for President or Vice President in 1956 when stricken with his heart ailment. It is doubtful, now, that he could be selected for either post, and even possible that he may have to step down as majority leader which is a man-killing job the way he worked it. He is said to have been putting in 18-hour days as a matter of course for months.

Whatever his political future, the Nation's Democrats can be grateful to this Texan for establishing a point around which most members of the party could rally, and yet doing a job of lawmaking to the best interests of the Nation. The Nation will miss JOHNSON's intelligent leadership in Congress.

CONTRIBUTIONS TO THE DEMOCRATIC PARTY NO LONGER TAX EXEMPT

Mr. MORSE obtained the floor.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. MORSE. Only for a question.

Mr. WILLIAMS. I ask unanimous consent that I be permitted to proceed for 5 minutes, without the Senator from Oregon losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article written by Clark Mollenhoff, as it appeared in today's Des Moines Register, which article is entitled "Contributions to the Democratic Party No Longer Tax Exempt."

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

CONTRIBUTIONS TO DEMOCRATIC PARTY NO LONGER TAX EXEMPT

WASHINGTON, D. C.—Welburn S. Mayock, former attorney for the Democratic National Committee, was in a $69,000 tax jam with the Republican administration Monday.

The 63-year-old Washington lawyer is charged with having failed to report more than $115,000 income over a period of 6 years.

Among other things, the dispute involves Mayock's handling of a $65,000 cash fee he received in 1948 to get the cooperation of John W. Snyder, former Secretary of the Treasury, on "a questionable tax ruling" for a New York firm.

Mayock has testified that he regarded $35,000 of the money he collected from the William S. Lasdon tax case as a legal fee for his work before the Treasury Department. He said that it was understood with Lasdon that $30,000 of the money was to be regarded as a contribution to the near empty Democratic campaign fund in September 1948.

The tax dispute became public Monday after Mayock filed 3 petitions in the United States Tax Court disputing the Internal Revenue Service claim that he owes $69,396.10 in Federal taxes and fraud penalties for the years 1948 through 1953.

In May, Commissioner of Internal Revenue T. Coleman Andrews notified Mayock that the additional tax and penalties would be assessed if he did not file a contest in the United States Tax Court.

Mayock stated in his petition that his tax returns were "not false, were not fraudulent and were not made * * * with the intent to evade tax."

Tax officials contend that Mayock and his wife paid $10,000 in taxes in the 6-year period involved in the dispute. Tax officials contend that if he had reported all of his income their correct tax would have been more than $50,000 in this period.

The greatest single item in the dispute covered the year 1948. Tax officials have increased Mayock's business income by $58,944.19 for that year.

Since Mayock, and his wife, Barbara, then residents of California, filed separate tax returns that year the tax officials added $29,472.10 to the income of Mayock and his wife.

Mayock has been under fire since early in 1953 when the House Ways and Means Subcommittee made an investigation of how the Bureau of Internal Revenue had abandoned precedent to make a tax ruling that would save Lasdon several million dollars.

Other attorneys were unsuccessful in getting the Internal Revenue Service to give Lasdon a favorable ruling, but when Mayock called on Secretary Snyder it set the wheels in motion for the ruling.

Senator JOHN J. WILLIAMS, Republican, of Delaware, has been extremely critical of the role that Mayock played in that case and has urged that the Internal Revenue Service tax Mayock on the entire $30,000.

"Mayock without any power of attorney to represent this taxpayer, but solely in his capacity as chief counsel for the Democratic National Committee, * * * contacted John Snyder, the Secretary of Treasury, and promptly obtained the favorable ruling of Mr. Lasdon's tax question," WILLIAMS told the Senate earlier this year.

"In return for obtaining this favorable ruling which would save nearly $7 million for Mr. Lasdon, Mr. Mayock was to receive a $65,000 cash fee with the understanding that $30,000 of this amount was to go to the Democratic National Committee," WILLIAMS said.

WILLIAMS said that Mayock then took the $30,000 "hot money" and put it in the Democratic campaign by arranging for his friends to write their personal checks payable to the Democratic National Committee in exchange for an equivalent amount of cash.

The Delaware Senator had attacked the "callousness of the political regime" of the Truman administration, in then allowing Mayock "to get away with reporting on his 1948 Federal income tax return only $17,500 of this $65,000 fee."

"Before computing his taxes he was permitted to deduct from the fee the $30,000 set aside for the Democratic National Committee," WILLIAMS said.

Lasdon also deducted from the gross fee another $17,500 which he said he gave to New York men, William Solom and Louis Markus, who had contacted him on the case. Both of these men denied that they had been paid any money.

The petitions filed in the United States Tax Court show that the Republican controlled Internal Revenue Service is now following WILLIAMS' suggestion, and is ruling that the entire $65,000 is taxable to Mayock.

Here is a breakdown on income reported by Mayock and his wife and the figures that tax officials say they should have reported:

	Mayock reported—	Tax officials' figures on corrected income
1948	$17,777.38	$77,136.66
1949	8,865.50	14,874.28
1950	11,411.11	25,489.55
1951	6,474.06	23,797.36
1952	7,190.92	19,037.67
1953	4,886.15	8,706.36

Mr. WILLIAMS. Mr. President, on February 8, 1955, I called attention to how Mr. Welburn Mayock, former attorney for the Democratic National Committee, had, during the 1948 campaign, accepted $65,000 as a fee from a New York businessman, with the understanding that he could get a favorable ruling from the Treasury Department.

The record showed that at that time he took $35,000 of that fee paid into the Democratic National Committee, and did not pay any tax on it, on the basis that such a fee to the Democratic Party was not taxable. Therefore, for the first time in history, we had a situation where a political campaign was being financed indirectly out of the Treasury of the United States.

That ruling was obviously granted at that time by top officials in the Treasury Department on the basis that it was a party matter, in the same way in which other rulings were made involving Mr. Reynolds and Mr. Field, to which attention has been called.

The whole country was shocked at the low state of morals which existed at that time in the departments which would stoop to issue rulings on a favorable basis, that could be purchased by contributions to the Democratic Party.

Mr. President, I ask unanimous consent to have the statement on this subject which I made in the Senate Chamber on February 8 of this year printed at this point in the body of the RECORD.

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

Mr. WILLIAMS. Mr. President, on August 4, 1953, Mr. Welburn Mayock, an attorney in Washington, D. C., was testifying before the Kean subcommittee. At that time the Kean committee was investigating the scandal-ridden Bureau of Internal Revenue.

In his testimony of that date Mr. Mayock explained how in 1948, while serving as the

chief counsel of the Democratic National Committee, he had entered into an agreement with Mr. William S. Lasdon, Katonah, New York, whereby he was to obtain for Mr. Lasdon a favorable ruling from the Treasury Department on his then pending tax case.

In return for obtaining this favorable ruling which would save nearly $7 million for Mr. Lasdon, Mr. Mayock was to receive a $65,000 cash fee with the understanding that $30,000 of this amount was to go to the Democratic National Committee.

Mr. Mayock, without any power of attorney to represent this taxpayer but solely in his capacity as chief counsel of the Democratic National Committee, then contacted Mr. John W. Snyder, the Secretary of the Treasury, and promptly obtained the favorable ruling on Mr. Lasdon's tax question.

Mr. Lasdon previously had been denied a favorable decision upon this same question by the Treasury Department.

After this tax-fix scheme had been arranged and after Mr. Mayock had collected his $65,000 fee, he was confronted with the problem of how to get the $30,000 into the Democratic campaign fund without obviously violating the Hatch Act. (The Hatch Act prohibits contributions to a political campaign in excess of $5,000 by any one individual.)

However, once having agreed to fix a tax case for $65,000 the question of violating the Hatch Act apparently was not bothersome to Mr. Mayock and his associates.

Accordingly, as Mr. Mayock explained it, he merely arranged to have some of his friends write their personal checks payable to the Democratic National Committee in exchange for an equivalent amount of cash. In this manner he siphoned this $30,000 of "hot money" into the treasury of the Democratic National Committee.

While freely admitting all of the above transactions during his testimony before the Kean subcommittee under date of August 4, 1953, Mr. Mayock flatly refused to tell that committee the names of the individuals who cooperated in this underhanded method of financing a political campaign. Each time the committee pressed him for the names of these individuals Mr. Mayock replied, "That I am going to refuse to answer."

Since Mr. Mayock was reluctant to publish the names of the individuals who exchanged their personal checks payable to the National Committee for an equivalent amount of this "tax-fix fee," I shall read that list to the Senate along with a breakdown of the amount handled by each individual plus the dates of the transactions.

Date	Name and address	Amount
Oct. 13, 1948	Democratic County Central Committee, William H. Malone, Chairman, 955 Mills Tower, San Francisco	$10,000
Oct. 14, 1948	Harold A. Berliner, 10 Crown Ter., San Francisco	5,000
Do	William J. Mahaney, 2412 Russ Bldg., San Francisco	5,000
Oct. 18, 1948	Roy G. Owens, 1204 South Hill St., Los Angeles	2,500
Do	Willis Allen, 634 North Cherokee Ave., Los Angeles	2,500
Do	William B. Peeler, 7133 Sunset Blvd., Hollywood	2,500
Do	Lawrence W. Allen, 2104 North Highland Ave., Hollywood	2,500
	Total	30,000

This was not the only time that the Treasury Department, under the New Deal administration, resorted to the issuance of questionable rulings for the purpose of financing the 1948 political campaign.

On April 29, 1952, I incorporated in the CONGRESSIONAL RECORD copies of a series of political rulings which had been issued by the Treasury Department while Mr. John W. Snyder was Secretary of the Treasury, wherein Mr. Richard J. Reynolds, Winston-Salem, N. C., Mr. Marshall Field and Mr. David A. Schulte, both of New York City, were permitted to charge off as bad business debts their approximately $400,000 contributions to the 1948 Democratic campaign.

Since incorporating those rulings in the CONGRESSIONAL RECORD I have discovered that this same Mr. Welburn Mayock was one of the prime factors behind those rulings.

On December 17, 1948, Mr. Mayock, without any power of attorney to represent Mr. Reynolds or the others involved but solely in his official capacity as chief counsel of the Democratic National Committee, held a conference with Mr. Edward H. Foley, Under Secretary of the Treasury, and Mr. Thomas J. Lynch, General Counsel of the Treasury Department. At that meeting they discussed the Richard W. Reynolds case, which involved a $300,000 contribution to the Democratic Party, as a party case and arranged for the issuance of a favorable ruling allowing him to write off this contribution as a bad business loan.

As further evidence of the callousness of the political regime then in power we find that the Treasury Department even permitted Mr. Mayock to get away with reporting on his 1948 Federal income-tax returns only $17,500 of this $65,000 fee collected from Mr. Lasdon. Before computing his taxes he was permitted to deduct from the fee the $30,000 which he set aside for the Democratic National Committee. He deducted from the gross fee another $17,500 solely upon his claim that he paid $8,750 each to Mr. William Solomon, 275 Central Park West, New York City, and Mr. Louis Markus, 9445 86th Road, Woodhaven, Long Island, as their share of the tax-fix payoff.

This latter deduction was allowed notwithstanding the fact that when both Mr. Markus and Mr. Solomon testified under oath (August 5, 1953) before the Kean subcommittee, they emphatically denied that they had received any of this fee, and accordingly they had paid no taxes on their alleged share.

But the mere fact that no one was paying any tax on this $17,500 in controversy did not in the least bother the Treasury Department. They merely placed it in the same category as the $30,000 contribution to the Democratic National Committee and allowed everybody to write it off their tax returns.

This procedure of issuing favorable Treasury rulings in exchange for contributions to a political party was extremely costly to the American taxpayers from two angles:

First, the granting of these favorable rulings which apparently would not otherwise have been extended resulted in a substantial loss in revenue.

Second, the issuance of these rulings had the indirect effect of financing a part of the 1948 Democratic campaign out of the Federal Treasury.

The disclosure of these transactions was a shock to the American people and the overwhelming majority of the members of the Democratic Party were just as indignant as were the members of the Republican Party to find that certain high officials in that administration had stooped to such low tactics for the purpose of financing a political campaign.

Even after publishing the additional list of names of those involved in this deal there are still many questions left unanswered in this case, and I suggest that both the Department of Justice and the Treasury Department reexamine the conflicting testimony given before the Kean subcommittee in August 1953.

For instance, the conflict of testimony wherein Mr. Mayock under oath told the committee that he paid $8,750 each to Mr. William Solomon and Mr. Louis Markus and their testimony of the following day emphatically denying this statement obviously is the basis of a perjury charge.

The statute of limitations may have expired on violations of the Corrupt Practices Act in 1948, but it has not expired on any possible perjury charges resulting from testimony given before the Kean subcommittee in 1953, nor has it expired upon the ability of the Treasury Department to collect back taxes due on the erroneous deduction of the $30,000 fee to the Democratic National Committee as well as the controversial $17,500 referred to above.

Grand juries are now in session at both Omaha and St. Louis, and their work should shed additional light upon the scandal-ridden tax bureau of that era.

THE EXECUTIVE PAY BILL

Mr. MORSE. Mr. President, since I had the floor before and yielded it, I have been educated on the executive pay bill—and some education it has been. In fact, I owe a great deal to the Senator from Maine [Mrs. SMITH], to the Senator from Georgia [Mr. RUSSELL], and to others of my colleagues in the Senate for informing me as to what has happened in regard to the executive pay bill.

In the rush of the work of the Senate, I was of the understanding that we had a bill here which was ready to be passed, and I assumed that it would follow the regular parliamentary procedures. But I have discovered that it is a bill which the President sent to Congress only a few days ago. It is a bill on which there have been no hearings. It is a bill, I understand, which is pocked with discriminations and unfairness. It is a bill which, if passed in its present form, will result in the setting of pay scales in certain instances that can never be corrected, so far as the injustice done to others is concerned, unless a whole group of people are subsequently raised to higher pay levels.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield for a question.

Mr. FULBRIGHT. Is the Senator discussing the sugar bill or the pay bill?

Mr. MORSE. I am discussing the pay bill.

Mr. FULBRIGHT. It sounds to me like the sugar bill.

Mr. MORSE. It is simply sugar-coated; that is all.

Again, as is always my practice, I shall deal frankly in what I am about to say. A number of colleagues have said to me, "Wayne, it should not pass." That is up to them; and because we can change it from "It should not pass" into "It shall not pass," if cooperation be extended, and although I have been speaking half jocularly, I now speak in dead earnestness, I think it should not pass. I do not think that in the closing hours of this session we should pass an executive pay bill on which no hearings have been held and about which I have heard so much complaint as I have heard in the last half hour since the Senator from Georgia, and very rightly so, I may say—I take no offense at all; I think he followed a very sound parliamentary procedure—objected to the consideration of the executive pay bill under a unanimous-consent agreement.

Therefore, I think it is more important that I talk about the educational plight of America's children rather than that I should permit the passage of the executive pay bill, on which there have been no hearings, and about which I can find no enthusiasm on this side of the aisle, at least, in regard, particularly, to the procedures which have been adopted.

I did not talk to them, but I understand some representatives of the executive branch of the Government, who might be called Government lobbyists, have been at the Capitol for the last few days, buttonholing and discussing the matter with Senators, urging that the bill be passed in this highly, I think, irregular way.

I do not like it. The only difference is that I think such matters ought to be discussed on the floor of the Senate, and not merely in the cloakroom. If the bill is as bad as I understand it to be, it should be prevented from passing tonight, and certainly it ought to be prevented from passing if the procedures which have been followed or the procedures which the chairman of the Committee on Post Office and Civil Service, the Senator from South Carolina [Mr. JOHNSTON], has stated, namely, that there have been no hearings, and no witnesses have testified, and no opportunity has been afforded to sit down and iron out the unfair discriminations which are contained in the executive pay bill.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MORSE. I merely wish to say that I do not think that we should pass the bill. If the Senator from Georgia will excuse me for a moment longer, I think we can correct any injustice which our failure to pass the bill tonight may create, come January. Then we can pass the bill after hearings have been held, and we can make the terms of the bill retroactive in order to correct any unfairness which any particular individual may suffer as a result of not passing the bill tonight.

But it is not my fault that the administration did not send the bill to us earlier. It is not the fault of the Senator from Georgia that the administration did not send it here earlier, so that hearings could be held.

I am simply opposed to this kind of parliamentary procedure. I am going to talk about the educational needs of America's schoolchildren, whom we have not been taking care of. I think it is more important that we take care of the educational needs of America's schoolchildren than that the administrative assistants on the White House staff should receive $22,500 a year salary.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. No, not at this time. I am going to discuss the plight of America's schoolchildren for a while.

Mr. RUSSELL. The Senator from Oregon mentioned my name. I am certain he will be generous and yield to me.

Mr. MORSE. If the Senator will ask unanimous consent that I may yield to him without losing my right to the floor, I shall be glad to yield.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me without losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Georgia may proceed.

Mr. RUSSELL. I merely wish to say that my objection to the bill was not based on a fundamental objection to an increase in salaries in the executive branch of the Government. I well realize that there may be substantial increases in compensation for some of those in administrative posts. I have glanced at the bill. As I say, there have been no hearings.

I notice, for example, the very important position of the Commissioner of Internal Revenue. The occupant of that office is charged with the responsibility of collecting about $60 billion which is used to pay the salaries of all the employees of the Government. His position was classified with the lowest of the assistant postmasters general. It seems to me that that was a very unfair provision for a man who is charged with the great responsibility of preventing frauds and of keeping tax collections moving. That is one position I happened to observe.

I do not think it would be right to pass a bill that might enforce inequities of that nature into the statutes of the United States, particularly when there have been no hearings, as the Senator from Oregon has pointed out.

I thank the Senator for allowing me to clarify my position.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. I always want to extend courtesy to the Senator from Kansas. If he will protect my right to the floor by asking unanimous consent that I do not lose the floor, I shall be glad to yield to him.

Mr. CARLSON. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me for a few minutes, without losing his right to the floor.

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

Mr. CARLSON. I appreciate the courtesy of the Senator from Oregon.

I sincerely hope that an executive pay bill can be approved at this session of Congress. Congress has voted increases in pay for Members of Congress. We have voted increases in pay for the legislative branch of the Government. We have voted increases totaling $700 million for the salaried employees of the Government. Congress has voted increases of $200 million for the postal employees of the Nation, and $300 million for the classified workers of the Government.

Now we are asked in the closing hours of this session to vote $1,500,000 for increases in pay for the executive branch of the Government. Frankly, I do not think it is fair to ask the executive branch of the Government to operate on their present basis.

I sincerely hope the distinguished Senator from Oregon will permit us to proceed at this time with the bill. I do not think there would be any difficulty in approving the proposed legislation, because the Senate might take the House bill, adopt it with some amendments, send it back to the House, and I am advised the House would accept it.

The distinguished Senator from Oregon and the distinguished Senator from Georgia are absolutely correct when they say there were no hearings. The bill came to the Senate on July 15. It was not the fault of the chairman of the Committee on Post Office and Civil Service, or of the ranking minority member, or of any other member. Frankly, I wish the bill had come to the Senate before that date, but that is the situation.

The President sent a letter to the Committee on Post Office and Civil Service and asked for the proposed legislation. We have tried to comply with that request, and I sincerely hope the Congress will not adjourn without passing the bill. I thank the Senator for yielding.

Mr. MORSE. I thank the Senator, and I wish to make a very brief reply to him. The other salary increases to which he has referred were arrived at as a result of studies of a special commission appointed by the Congress to go into the matter. There were long and substantial hearings on that question. The other increases to which the Senator has referred were all the result of congressional hearings. A thorough record was made. That does not happen to be true in this case.

I do not blame the chairman of the Committee on Post Office and Civil Service or the ranking Republican member of the committee for the fact that hearings were not held, because we did not get the bill in time to have hearings, and the Senator is not responsible for the fact that the bill did not come in time. The executive branch of the Government, which wants the increases, must assume that responsibility, and it should wait until January so Congress can go into the matter and see to it that it tries to protect the taxpayers' interest.

I do not know of any better public service I can render in the closing hours of the session than to do what I can, and I understand I am going to be assisted by other Senators, to prevent a vote on the measure, until Congress can have time, when it convenes in January, to go into the matter.

I am very sorry for the plight in which the schoolchildren find themselves because of the failure of Congress to enact legislation to assist our educational system. I think it is more important for Congress to provide for adequate educational facilities than to provide for higher salaries for certain Government officials.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I yield only if I am protected from losing my right to the floor.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may make a 2-minute statement with reference to the comments of the Senator from Oregon.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Is there objection? The Chair hears none, and the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, I think the Senate ought to know that a number of Senators, as the Senator from Oregon has pointed out, have discussed the executive pay bill, not privately, but collectively. It would be sheer folly to assume that an executive pay bill of these dimensions and proportions would pass the Senate tonight, or even tomorrow.

I think it is only fair to say that when an attempt is being made to revise the entire pay schedule of a branch of the Government, it is rather insulting to that branch not to give it the consideration of polite testimony or hearing.

We have had several experiences in which Congress has legislated in a hurry in this manner. Every time that has been done, Congress has found those matters troublesome and has been involved in difficulty.

I wish to remind the Senate that last year it passed a pay bill for postal workers, after hearings. The bill was vetoed. The Senate passed a postal pay bill this year, after more hearings, and it was vetoed.

I remind my colleagues that the executive branch has had a pay increase. I do not say one is not needed, but one was granted some time ago, in about 1951, I believe it was. Since that time, if it had been thought that there was a great need for pay increases, there have been almost 3 years—some 31 months—in which the practical suggestion of a pay increase could have been made.

Furthermore, I think it should be noted that the executive branch of the Government is spawning like fish in the spawning beds of rivers. There are more and more assistant secretaries, more and more bureau chiefs, more and more everything, with more and more pay. It appears to me that if new titles are to be provided, if salary schedules are to be expanded, if the entire pay schedule is to be expanded, then Congress should have time to study the matter.

I wish to join with the Senator from Oregon, and say that if there is to be an executive pay bill passed, Congress ought to make up its mind to stay in session to see that a legislative job is done properly.

We need roads before we need pay raises. We need schools before we need pay increases in some particular job most of us have not even heard of. We will be needing social security for persons who have not had their pay increased by this Congress, too.

I join with the Senator and say at this hour I always feel better, too. I shall be delighted to join in whatever efforts will be necessary to prevent the passage of this particular measure.

Mr. MORSE. I wish to thank the Senator. Knowing him, I know the volumes he can speak on this subject, and I shall stay with him even after I get through, because I would not want to miss the contributions which I am sure he will make to this record before we get through with the discussion.

I am particularly concerned now about the plight of the American schoolchildren [Laughter in the galleries.]

Mr. HUMPHREY. I join with the Senator in that concern.

Mr. MORSE. I want to make a record with regard to the educational needs of the country, in the hope that between now and January each Member of Congress will resolve to come back to Congress and enact legislation which will help protect one of the greatest sources of America's power, namely, the development of the brains of our children.

I wish to repeat what the Senator from Minnesota heard me say in Minnesota, when he and I appeared on a platform together there not so long ago.

We need always to keep in mind that great statement of Thomas Jefferson, namely, that the strength of our democracy can be no greater than the enlightenment of its people, and the enlightenment of its people depends more on adequate support of the school system of America than on any other one factor.

I think it is time that the Congress and the executive branch of the Government devoted themselves to legislation which will strengthen financial support for the schoolchildren of America. I am going to proceed to discuss that situation.

COMPENSATION OF SUPERINTENDENTS OF SENATE PRESS, RADIO, AND PERIODICAL GALLERIES

Mr. MORSE. Mr. President——

Mr. CLEMENTS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield for a question.

Mr. CLEMENTS. Will the Senator from Oregon yield, to permit the introduction of a joint resolution, if unanimous consent is obtained that he will retain all his rights to the floor?

Mr. MORSE. Yes; if nothing in the joint resolution would result in taking me off the floor.

Mr. CLEMENTS. I assure my friend that the joint resolution does not contain anything of that sort.

Mr. MORSE. Very well; I shall yield for that purpose, if I am amply protected.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me with that understanding and for that purpose.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CLEMENTS. Mr. President, on behalf of myself and the Senator from California [Mr. KNOWLAND], I introduce a joint resolution providing for compensation for the superintendents of the Senate press, radio, and periodical galleries; and I request the immediate consideration of the joint resolution.

The PRESIDING OFFICER laid before the Senate the joint resolution (S. J. Res. 104), equalizing the salaries of employees in the Senate press galleries with those of employees in the House of Representatives press galleries, which was read the first time by its title and the second time at length, as follows:

Resolved, etc., Notwithstanding any other provision of law (including the Legislative Appropriation Act, 1956) effective August 1, 1955, the basic annual compensation of the following positions under the Sergeant at Arms and Doorkeeper of the Senate shall be: Superintendent, press gallery, $5,300; first assistant superintendent, press gallery, $4,700; second assistant superintendent, press gallery, $3,800; third assistant superintendent, press gallery, $3,300; fourth assistant superintendent, press gallery, $2,530; secretary, press gallery, $2,100; superintendent, radio press gallery, $5,200; first assistant superintendent, radio press gallery, $4,000; second assistant superintendent, radio press gallery, $3,500; third assistant superintendent, radio press gallery, $3,000; and superintendent, periodical press gallery, $4,300.

Mr. CLEMENTS. Mr. President, the joint resolution would affect——

Mr. MORSE. Mr. President, just a minute, please. Now that the joint resolution has been introduced and read, I wish to make certain that any ensuing debate or proceedings will be under the terms of the agreement protecting my rights to the floor.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that, with that understanding, I may continue with my remarks on the joint resolution.

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

The question is on agreeing to the request of the Senator from Kentucky for the present consideration of the joint resolution, and without taking the Senator from Oregon off his feet. [Laughter.]

Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. CLEMENTS. Mr. President, 11 employees in the press, radio, and periodical galleries of the Senate are affected by this measure, which would place those employees on the same pay scale that was included in the House measure relating to the employees in the House who do comparable work.

The average increase in wage would be between $500 and $600.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield under the same conditions?

Mr. MORSE. Yes, Mr. President, under the same conditions.

Mr. KNOWLAND. Mr. President, I ask that under the same conditions, the Senator from Oregon may yield to me, without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, the acting majority leader and the minority leader have joined in the introduction of the joint resolution, because we believe it will work out equitable arrangements insofar as the superintendents of our galleries are concerned.

We recognize that there are certain inequities which the Senate will wish to correct when it returns in January.

However, I believe there is validity for giving precedence to this measure, because so far as the representatives of the press and radio and periodical correspondents are concerned, they move from the Senate galleries to the House gal-

leries and back again; and certainly those who are in charge of the Senate galleries have the same heavy responsibilities that those who are in charge of the House galleries have.

In addition, as we know, the superintendents of our galleries have charge of the press arrangements at the two great national conventions, in addition to their work in the Senate.

Mr. President, I strongly urge that this equitable arrangement be handled; and unless we handle it now, and very promptly, it may have to wait until January.

The PRESIDING OFFICER. The question is on the engrossment and the third reading of the joint resolution.

The joint resolution (S. J. Res. 104) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CLEMENTS. Mr. President, I thank my friend, the Senator from Oregon, for his kindness and courtesy in permitting us to have the joint resolution considered and passed at this time.

Mr. MORSE. Mr. President, actually I did not include, in the agreement, the action which has been taken on the joint resolution; but I am glad to have had that done as a part of my remarks.

Mr. President, in turning to the subject I wish to discuss at this time——

COMMUNICATION AND GREETINGS FROM THE PRESIDENT

Mr. CLEMENTS. Mr. President, will the Senator from Oregon yield once more to me?

Mr. MORSE. I yield for a question.

Mr. CLEMENTS. I wish to make an observation, and to do so with the understanding that the Senator from Oregon will not thereby lose his right to the floor.

Mr. MORSE. I yield if there may be that understanding.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me, and later may yield to the Senator from California [Mr. KNOWLAND], who will make a similar statement, and that the Senator from Oregon will not thereby lose his right to the floor.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MORSE. I yield under those circumstances.

Mr. CLEMENTS. Mr. President, within the past 30 minutes the distinguished Senator from California [Mr. KNOWLAND] and the Senator from Kentucky have been in communication with the President of the United States, and have advised him briefly of the happenings today in the Senate and the House of Representatives.

I do not desire to quote the President; but I do not hesitate to say to the Senate that although he may have been disappointed on some matters it is my opinion that he thinks the Congress did a very creditable job during the 1st session of the 84th Congress, in 1955.

His statement was that he had no further message to send to the Senate at this session of the Congress.

Mr. KNOWLAND. Mr. President, I merely wish to join with my colleague, the distinguished acting majority leader, in saying that we did communicate with the President of the United States; and, as the acting majority leader has pointed out, the President said he had no further message to send to the Senate, but he sent his regards to each Member of the Senate, and wished each Member a very pleasant respite between now and the convening of the new session of Congress.

Mr. CLEMENTS. Mr. President, I thank my friend, the Senator from Oregon, for his courtesy.

Mr. MORSE. Mr. President, I wish to say that I am sure that all Members of the Senate appreciate that message from the President.

As one who disagrees with the President on most of his domestic policies and on some of his foreign policies, I wish to state tonight what I discussed the other day in a meeting of the Foreign Relations Committee, namely, that I think the Congress and the Nation owe a great debt to the President for the leadership he extended to the Nation and to the world at the Geneva Conference, because as a result of that conference I think the chances of peace are much greater today than they were before the Conference.

I wish to commend the Senator from Georgia [Mr. GEORGE] for urging, several months before the conference, that such a conference at the summit be held. I think the record is quite clear that if it had not been for the statesmanship of the senior Senator from Georgia and his leadership and his advocacy of that conference, in all probability it never would have occurred. I shall always be pleased that in my record there is evidence that very early I took the position, as a member of the Foreign Relations Committee, that such a conference should be held. It has been held, and I wish to say to the President from this desk tonight that I think the entire Nation is indebted to him for the leadership he extended at that conference.

I am sorry that in his message to the acting majority leader and minority leader the President did not include a request for the withdrawal of the executive pay bill. I am sorry that when his attention was called to the fact—and I am sure someone must have called it to his attention—that no hearings had been held on the bill, he, believing in the legislative process which exists in the Congress, did not request that consideration of the bill be postponed until January. But that is his responsibility, and not mine. I shall leave it to the Senate tonight to make its decision as to the course of action it will take on this matter, after we discuss for a while the plight of America's schoolchildren.

Mr. CLEMENTS. Mr. President, will the Senator from Oregon yield for the submission and immediate consideration of a resolution, with the understanding that he will not lose his right to the floor?

Mr. MORSE. Also with the understanding that the resolution, whatever it may be, will have no effect on my concluding this speech, up until the time of sine die adjournment.

Mr. CLEMENTS. I assure my friend from Oregon that it would not have that effect. It refers to a very distinguished American.

Mr. MORSE. With the understanding I have stated, if my right to the floor can be protected, I yield.

Mr. CLEMENTS. Mr. President, I ask unanimous consent that the Senator from Oregon may yield to me with that understanding.

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

EXPRESSION OF APPRECIATION TO THE VICE PRESIDENT

Mr. CLEMENTS. Mr. President, I submit a resolution which I send to the desk and ask to have read, and for which I ask immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 148) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. RICHARD M. NIXON, Vice President of the United States and the President of the Senate, for the courteous, dignified, and impartial manner with which he has presided over its deliberations during the 1st session of the 84th Congress.

Mr. CLEMENTS. Mr. President, of course the resolution speaks for itself. It speaks the sentiments of the 96 Members of this body.

As a Kentuckian, I can say with rare truth that I know of but one other Presiding Officer this body has had who, in a degree, might have had an advantage over the present Vice President; but in the same breath let me say that I recognize that the distinguished junior Senator from Kentucky [Mr. BARKLEY] who served so ably on the floor for many years, and as Vice President for 4 years, had slightly more experience than my fine friend, the Vice President. No one who occupies the chair of the Vice President could be more gracious, more understanding, and more patient with the 96 Members of the Senate than DICK NIXON has been.

I wish for him, in the period which we Democrats hope will be a period of rest and relaxation, all the happiness and all the good things which can come from such an experience, and that when he returns next year he will be ready for the big drive and the wind-up of the 84th Congress.

My friend has been very generous to me.

Mr. KNOWLAND. Mr. President, I should like to join in the remarks of the distinguished acting majority leader. I join with particular pride and pleasure, because the Presiding Officer of the Senate was formerly my junior colleague. I have had the opportunity of knowing DICK NIXON as well as any other Member of the Senate. I knew him and campaigned with him when he first ran for the House of Representatives, and I was running for the Senate in California. I watched his distinguished career in the House and in the Senate, and I had the pleasure of placing him in nomination for the office of Vice President at the Republican National Convention. I was honored to be able to administer to him the oath of office as Vice President of the

United States at the inaugural ceremony in January of 1953.

He has presided over the Senate with dignity and with ability and with fairness. As the distinguished acting majority leader has said, every Member of the body, both Republican and Democrat, has received at his hands courteous treatment in the performance of his duties as Presiding Officer of the Senate.

Mr. MORSE. I should like to make this very brief comment. I am very happy that a resolution referring to the Vice President has been submitted. I wish to say to the Vice President that I appreciate the many courtesies he has extended to me this year.

I hope these compliments will not do you damage, Mr. Vice President. I know of many occasions when you have done kindnesses for my office and for my constituents, because you believe in serving in your capacity as Presiding Officer of the Senate in a completely impartial manner. I also want you to know that I am satisfied that the Senate appreciates the complete impartiality with which you have wielded the gavel over the Senate of the United States.

WALTER F. GEORGE, PRESIDENT PRO TEMPORE

Mr. KNOWLAND. Mr. President, I submit a resolution and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The resolution (S. Res. 149) was read, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. WALTER F. GEORGE, President pro tempore of the Senate, for the courteous, dignified, and impartial manner with which he has presided over its deliberations during the 1st session of the 84th Congress.

Mr. KNOWLAND. Mr. President, it gives me a great deal of pleasure to submit the resolution regarding our President pro tempore, Senator WALTER F. GEORGE, the senior Senator from the State of Georgia. All of us who had the opportunity of being in the Senate Chamber the other day were very deeply touched by the tributes which were paid to the senior Senator from Georgia and his response. To me it was one of the most touching and significant days of my 10 years in the Senate.

WALTER GEORGE is a great American. Of course, he is a great Democrat and a great Georgian as well. I have been privileged to serve with him on the Committee on Foreign Relations, and I know of his outstanding contribution as a leader of American thought and American policy in trying to keep together the two great political parties in facing whatever common dangers may come from abroad.

It is with a great deal of pleasure that I have the opportunity, as minority leader of the Senate, coming from the opposite political party, to submit this resolution expressing the deep admiration and respect which all Senators have for the senior Senator from Georgia.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

SENATOR LYNDON B. JOHNSON, OF TEXAS

Mr. SYMINGTON. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield under the same conditions.

Mr. SYMINGTON. Mr. President, during the closing days of this session, all of us have felt deeply the absence of our esteemed majority leader, LYNDON B. JOHNSON, of Texas. It is a feeling shared by the entire Nation.

It has been many years since the illness of a public figure has brought such a spontaneous outpouring of anxiety from every corner of the country. People in every walk of life and in every region have prayed for his speedy and complete recovery.

Protestants, Catholics, and Jews have invoked divine intervention in his behalf. Hard-rock miners in the West, seamen on the Great Lakes, cattle ranchers and cottonpickers, steelworkers, and businessmen—all have expressed their deep concern.

Fully as significant has been the editorial comment. Newspapers in every part of the United States, representing every shade of opinion, have expressed their appreciation of his leadership and their hopes for his speedy and complete recovery.

There appears to be one subject upon which the Dallas News and the New York Herald Tribune, the Portland Oregonian, the St. Louis Post-Dispatch, the New York Mirror and the Washington Star can agree. It is that LYNDON JOHNSON is one of the great statesmen of our times—a man that the country needs.

This editorial comment speaks the heart of America.

Mr. President, I ask unanimous consent that a compilation of editorial comments relating to the Senator from Texas [Mr. JOHNSON] be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, the people of Texas have just cause to be proud of this great leader—this Texan who has captured the imagination of the whole Nation. Everybody who voted for him and everybody who voted against him—every citizen of the State—can be proud of the spontaneous tributes that have appeared from every direction.

These are tributes to a man, but they are also tributes to a policy—to a policy of responsibility which has struck a responsive chord in the breasts of all Americans.

LYNDON JOHNSON has placed patriotism above partisanship; country above party. He has sought to reconcile differences, and the objective of his reconciliation has always been to preserve the security and the prosperity of these United States.

In this objective, he has succeeded consistently. But he has succeeded at a high price, in terms of physical exhaustion.

I think it is highly significant that LYNDON JOHNSON opposed night sessions during the last Congress, but we had them anyway—and lost nine Senators. He opposed night sessions during this Congress, and we did not have them—and we did not lose a single Senator.

Every Senator who has stayed to work during the evenings this year did so knowing that he could call the office of the majority leader—no matter how late—and the majority leader would be there to answer the call.

I was with him myself until late in the night on the Friday before he suffered his heart attack on late Saturday afternoon. I happen to know that on the preceding Thursday, he was discussing atomic-energy problems with the senior Senator from Louisiana and the senior Senator from Alabama as late as 11:30 p. m.

These were not unusual nights for LYNDON JOHNSON. In fact, it was a rare evening which found his office doors locked before 10 or 11 p. m.

He applied the policy of shorter working hours to everyone except himself.

Mr. President, we all have been greatly encouraged by the medical reports. It appears that by January—if nothing goes wrong—LYNDON JOHNSON will be as good as new.

This is good news for Texas, and good news for the country. I know that all of us—on both sides of the aisle—will welcome him back as a personal friend who is close to our hearts and as one of the great leaders of our times.

EXHIBIT 1

WHAT MORE THAN 100 NEWSPAPERS SAY ABOUT LYNDON JOHNSON OF TEXAS

The Johnsonian leadership has been almost matchless in terms of tactical skill and in giving the Democrats a new unity on almost every high occasion. (New York Times.)

As Senate Democratic leader, Mr. JOHNSON has won the respect of legislators in both parties as a capable and devoted officer of Congress. (New York Herald Tribune.)

Mr. Eisenhower knows that it has been to Mr. JOHNSON's unfailing tact and political skill that he owes the speedy support given to his foreign policy and many other vital bills. (The Economist, London, England.)

Senator LYNDON B. JOHNSON widely acclaimed for unusual achievements in a most difficult assignment. The Senator's unity policy has been good tonic for the Democratic Party and for the country. (Washington Post and Times Herald.)

Through hard work, commonsense intelligence of the kind one often finds in the Blanco counties of Texas, tolerance and political knowledge of the highest order, Senator JOHNSON has become one of the most influential men in the political life of the Nation. (Dallas News.)

He is the one man who can return the party to the thousands of people who have been explaining in recent years: "I did not leave the Democratic Party; it left me." (Orlando (Fla.) Sentinel.)

It seems as certain as such things can be that JOHNSON will be in inevitable demand by his party for a national nomination in 1956. Holmes Alexander, nationally syndicated political columnist.

One of the ablest members of either branch, the Texan is largely responsible for the dispatch with which the 84th Congress

has been doing its work. (St. Louis Post-Dispatch.)

The Texas Democrat has proved an outstanding leader not only for his party in the Senate, but for the Nation itself. (Salt Lake Tribune.)

The 46-year-old Texan has distinguished himself as an astute and conscientious composer of differences not only between a Democratic Congress and a Republican Executive but among factions of Democrats. (Portland Oregonian.)

LYNDON B. JOHNSON of Texas, majority leader in the Senate, has proved to be one of the born leaders. (Salem (Ohio) News; Canton (Ohio) Repository; and East Liverpool (Ohio) Review.)

The leadership provided by Senator JOHNSON in a Democratic-controlled, though closely divided, Senate in the midst of a Republican administration has been notable for the smoothness of its functioning, the absence of caviling and obstructionist tactics and the harmony which has been induced within his own traditionally wide-split party. (Ohio State Journal, Columbus, Ohio.)

Senator LYNDON B. JOHNSON's tireless work as the Democrat's Senate leader made him the most influential man in Congress, and many considered him the ablest. Lockport (N. Y.) Union-Sun and Journal.)

Close observers of Congress in action had commonly noted that Senator JOHNSON was one of the most zealous and efficient majority leaders his own or the Republican Party had ever assigned to his position. (Waterbury (Conn.) Republican.)

The leadership which Senator JOHNSON and other Democrats have given Congress * * * have provided America sound, conservatice government at a critical stage in its history. (Mobile (Ala.) Press.)

Mr. JOHNSON is known as one of the hardest workers in Congress, and if the current session of the Legislature is operating according to schedule, it is largely due to his efforts and his example. (Rutland (Vt.) Daily Herald.)

A leader of the Democratic Party in Congress Senator JOHNSON pushed through needed legislation in the interest of the Nation rather than of any one party. (Stamford (Conn.) Advocate.)

LYNDON JOHNSON * * * a "natural" as a presidential candidate, if not next year, then in 1960 * * * Senator JOHNSON has been a constructive leader. (Washington Daily News.)

There is greater cohesion among the Democrats in Congress today than at any time in the last 20 years, thanks largely to Mr. JOHNSON's wisdom in steering clear of petty and divisive issues. (Woodland (Calif.) Daily Democrat.)

Senator LYNDON B. JOHNSON * * * has been first of all an American. Secondly, he has served the Democratic Party wisely and well. (Atlanta Constitution.)

Senator JOHNSON deserves praise; and the American people, regardless of place or party, hope for his quick recovery. (Kalamazoo (Mich.) Gazette.)

His advance has been extraordinary, and in the majority leadership he has revealed authentic genius. (Louisville Times.)

JOHNSON has performed prodigious feats as Senate leader this year. (Lewiston (Maine) Sun.)

The record of this congressional session * * * will be largely a JOHNSON record. (Rocky Mountain News, Denver, Colo.)

He is prominently mentioned as being of presidential timber, and his attitude toward the welfare of the Nation, especially in such a major area of legislation as foreign affairs, is of statesmanship caliber. (New Britain (Conn.) Herald.

JOHNSON had made an outstanding record in welding party unity among liberal and conservative Democrats in the Senate. (Labor, Washington, D. C.)

He is recognized as one of the ablest leaders in Congress. (Hickory (N. C.) Record.)

In the 84th Congress, LYNDON JOHNSON has been the leader—one might say—of the Republicans as well as his own party. (New York Daily Mirror.)

He rates ace high with liberals and conservatives alike in the Democratic fold. (Portland (Maine) Express.)

In matters of legislation, LYNDON JOHNSON has been more the President than Eisenhower. (St. Petersburg (Fla.) Times.)

We join with the President and the Senate in wishing Senator JOHNSON a prompt and complete recovery. (Arizona Republic.)

If the country is now traveling on a course of pleasant waters approximating an era of good feeling, a very considerable share of the credit belongs to Senator JOHNSON. (Providence (R. I.) Bulletin.)

Senator JOHNSON has shown that he has the makings of a statesman. (Greenville (S. C.) Piedmont.)

Senator JOHNSON is credited with having shown a great deal of organizing ability and personal leadership in guiding the legislative activities of the upper house. (Akron (Ohio) Beacon-Journal.)

America's best wishes go to Senator JOHNSON, for a speedy and complete recovery. (Nashville Banner.)

LYNDON JOHNSON * * * has proved himself a good partisan by knowing when to rise above partisanship. (Boston Herald.)

Much was expected of the Texan who occupied middle ground between the northern and southern wings of his party. He was getting the factions together for legislative purposes. (Wichita (Kans.) Eagle.)

By tact, good will, and levelheadedness, he has managed to work with the Republican President and to make a creditable record for his party, too. (Washington Star.)

The Texas Senator was accepted as a standard bearer by all wings of the party, including the several factions in his home State. (Atlanta Journal.)

The skilled parliamentary leader is worth his weight in gold to his party and in many cases also to his country. Senator LYNDON B. JOHNSON has clearly established himself as such a leader. (Baltimore Sun.)

The Senator from Texas will be seriously missed in the remainder of the session. (Labor's Daily.)

It is largely due to Senator JOHNSON that the national posture of strength and vigilant firmness toward the Iron Curtain countries exists today. (Waco Herald Tribune.)

Americans everywhere—and especially Southerners—are hoping this brilliant young leader will recover his strength, and return to the political arena. (Montgomery (Ala.) Examiner.)

Senator JOHNSON * * * has rolled up a solid record of accomplishment. (Pittsburgh Post-Gazette.)

Senator JOHNSON has been much in the public eye because he was getting more done as the majority party leader in the Senate than any other leader in recent years. He could be compared only to the best ever to hold that job. (San Angelo Standard-Times.)

Majority Leader JOHNSON * * * is generally conceded to have given his Democratic followers the best Senate leadership they have enjoyed in a quarter century. (Detroit News.)

A nation which needs his kind of leadership in its legislative halls will hope that the strength of heart he has shown in the political arena will serve to pull him through this greatest crisis in his life and restore him to full vigor. (Beaumont Enterprise.)

Senator JOHNSON has done much to help unify the Democratic Party and to restore the dignity of the Senate. (Toledo (Ohio) Blade.)

As majority leader in the Senate, the Texas senior Senator is one of the key men in the National Government. He will be missed every day that he is kept from his office. (Dallas Times Herald.)

The country * * * has observed with approval Senator LYNDON B. JOHNSON's deft management of his Senate majority along a generally constructive path. (Cincinnati Enquirer.)

The National Democratic Party could avoid a lot of dissension in 1956, and possibly come up with a presidential winner, if it would * * * head its ticket with LYNDON JOHNSON of Texas. (Lufkin News.)

Senator LYNDON JOHNSON * * * a sort of loyal oppositionist leader concentrating more on getting sensible things done than on political pyrotechnics. (New Orleans Times-Picayune.)

The Nation needs LYNDON JOHNSON. (Amarillo Daily News.)

Increasingly in recent months JOHNSON has come to be considered presidential material. (Greenville Herald.)

Senator LYNDON B. JOHNSON * * * is one of our few high officeholders with the capacity of serving the Nation and his party, too. (Boston Post.)

Scores of new supporters have been won over by the peerless performance of the tall, determined Texan. (Kilgore News Herald.)

Senator JOHNSON's guidance of his party's policy toward the administration is perhaps the chief factor in the era of relative good feeling in present-day Washington. (Boston Globe.)

Senator JOHNSON has shown remarkable ability in holding together the diverse elements of his party in its work with a Republican administration. (Marshall News-Messenger.)

The cooperation of the Democratic Party * * * as engineered by Senator JOHNSON, has smoothed the way for much of the President's program. It was the brains, the will, and the measured judgment of Senator JOHNSON that were responsible for this situation. (Providence Journal.)

LYNDON JOHNSON has served his State, his country, and his party well; indeed, with brilliance and distinction. (Abilene Reporter-News.)

An urbane, wise, and understanding political leader who sensed the temper of the times. Mr. JOHNSON has been a constructive leader. (Houston Press.)

It is largely due to Senator JOHNSON that the national posture of strength and vigilant firmness toward the Iron Curtain countries exists today. (Waco Herald Tribune.)

Serving in what is undoubtedly the most exacting role on Capitol Hill, he has shown a parliamentary brilliance and a talent both for composing intraparty differences and for expediting the business of the Senate that has rarely been matched in recent years. (Buffalo News.)

As the youngest and one of the best floor leaders ever to serve in Congress, the hard-driving but moderate-minded Senate Democratic majority leader has made legislative history under unprecedentedly difficult conditions. (San Antonio News.)

LYNDON JOHNSON * * * has been an effective peacemaker and has an impressive record of accomplishment. (Deseret News, Salt Lake City.)

JOHNSON's enthusiasm for his job and his desire to do all he can for his constituents have led him to overtax his physical makeup. (Brenham (Texas) Banner-Press.)

LYNDON JOHNSON of Texas has been a leader of Republicans as well as his own party. (Chicago American.)

Senator JOHNSON has been accorded the highest respect for the way in which he has conducted the affairs of the Democratic Party

during this session where he has served as floor leader. (Blanco County (Tex.) News.)

Senator LYNDON B. JOHNSON * * * has displayed great skill in leadership, also a spirit of high statesmanship in his attitude toward administration measures vital to the national interest. (Trenton (N. J.) Times.)

He has been generally recognized as the man most likely to succeed in bringing the badly split Democratic Party back together as a working unit in Government—and more important to many Democrats, as a man who could succeed in returning the party to some semblance of its former faith. (Canadian (Texas) Record.)

There is greater cohesion among the Democrats in Congress today than at any time in the last 20 years, thanks largely to Mr. JOHNSON's wisdom. (Albuquerque Tribune.)

Few if any will disagree with the appraisal that Senator JOHNSON has reflected credit not only on his home State as the Democratic leader in the United States Senate, but has realistically and courageously led the Democratic Party through the difficult years since the 1952 Republican victory. (Robstown (Texas) Record.)

There is nothing small bore about LYNDON JOHNSON. (El Paso Herald-Post).

As majority leader of the upper House in Congress, the tall Texan wields tremendous influence; and for his work to go far beyond and above party lines, means he has the qualities of statesmanship. (Bellville (Texas) Times.)

Senator LYNDON JOHNSON * * * has laid down a solid record of service to the country and to his party. (Charlotte (N. C.) News.)

Johnson, whose political star is in its ascendancy and who is recognized as one of the most powerful figures in Washington, has never lost interest in and regard for the people whom he represents in the Nation's highest legislative body, and Texans have come to recognize him as the man to contact when something needs to be done in Washington. (Gatesville (Texas) Messenger.)

For almost 20 years past, LYNDON B. JOHNSON * * * has exemplified devotion to duty in the service of Nation and State. (San Antonio Express.)

This man definitely is presidential timber and some day may be President of the United States. (Caldwell (Tex.) News.)

The Nation needs dedicated and experienced men like him. (Cleveland Plain Dealer.)

When the history of our immediate area, our State and Nation as well, is written, he will have earned a position that will be second to none. (Fredericksburg (Tex.) Radio Post.)

As majority floor leader, Senator JOHNSON has displayed not only remarkable qualities of leadership but a high sense of responsibility for the welfare of the country. (Wilmington Every-Evening Journal.)

Senator JOHNSON has demonstrated that he is a power in the Senate and the key to much constructive legislation. (Texarkana Gazette.)

But in the overall Democratic outlook there probably is no single individual with more power in shaping events, assuming he quickly recovers, than JOHNSON. (Jay G. Hayden's column in the Detroit News and Nashville Tennessean.)

As majority leader, Senator JOHNSON has shown an efficiency in keeping legislation moving which has seldom been seen in the Senate. (Grand Island (Nebr.) Daily Independent.)

He is liberal enough and conservative enough to be accepted by both wings of the party without alienating either. Day by day he has been growing to presidential size. (Charlotte Observer.)

LYNDON JOHNSON * * * has been a tireless worker, and he has succeeded in buttressing the unity of the Democratic Party. (Winston-Salem (N. C.) Journal.)

Democrats * * * have regarded JOHNSON as a gift from heaven, a Texan with an exceptionally good record in Congress. (San Antonio Light.)

Senator LYNDON B. JOHNSON's tireless work as the Democrats' Senate leader made him the most influential man in Congress. (Youngstown (Ohio) Vindicator.)

The Texas Senator was accepted as a standard bearer by all wings of the party. (Davenport (Iowa) Democrat.)

Senator LYNDON JOHNSON * * * the one man in the Senate who knows all the angles of getting things done. (Erie (Pa.) Dispatch.)

Senator JOHNSON * * * has become a national figure, highly respected and deeply admired by Republicans and Democrats alike. (El Paso Times.)

Senator JOHNSON has shown the ability to organize, coordinate, and persuade when issues have arisen that require such action. (Wilmington (N. C.) News.)

Senator JOHNSON, in the 6 months he has been majority leader, has demonstrated the rare combination of abilities needed for the job. (Memphis Press-Scimitar.)

The Senate has accomplished far more under Senator JOHNSON's adroit leadership than it might have accomplished under a majority leader more partisan-minded. (Daily Oklahoman, Oklahoma City, Okla.)

Mr. JOHNSON earned his popularity by political leadership of the highest quality. (Fort Worth Press.)

LYNDON JOHNSON has already gone a long way toward proving himself one of the best products of a region which traditionally turns out good politicians and statesmen. (Greensboro (N. C.) Daily News).

Senator JOHNSON of late has been increasingly mentioned as a highly qualified potential candidate for the Democratic presidential nomination. (Austin Statesman.)

Much of the credit for the statesmanlike behavior of the Democratic majority goes to Senator JOHNSON. (Dallas Times Herald.)

Mr. JOHNSON earned his popularity by political leadership of the highest quality. (San Francisco News.)

Senator LYNDON B. JOHNSON is big these days even for a Texan. (Newsweek magazine.)

Mr. HUMPHREY. Mr. President, I wish to say to the Senator from Missouri that I would deem it a privilege to associate myself with the words he has just spoken concerning our majority leader. LYNDON JOHNSON has been an inspiration to all of us in the Senate. His leadership has been one that was temperate, moderate, but strong and effective. The very fact that he was taken ill is indicative of the tremendous load he carried as majority leader. He has raised a standard around which all of us can rally.

Mr. President, I wish to thank the acting majority leader for taking on the load and doing such an admirable job. I know of no Senator who is better loved than is the Senator from Kentucky [Mr. CLEMENTS]. He represents the highest type of constructive legislative action. I think the American people ought to know that while we have our political differences on public policy, we treat each other with respect and with a sense of confidence that makes possible legislation in a democratic body such as this.

Mr. MORSE. Mr. President, I wish to associate myself with the remarks of the Senator from Missouri and the Senator from Minnesota in regard to our majority leader. He has extended to me a great many courtesies and has shown a sense of fairness that I want him to know I shall always deeply appreciate.

I know we all share a common hope, namely, that in January he will return to us a completely well man and that we once again will have the privilege of serving under his leadership.

Mr. MAGNUSON. Mr. President, I cannot help but feel that I should be somewhat remiss in my own personal feelings if I did not join with the Senator from Missouri in his tribute to an old friend, LYNDON JOHNSON. I have somewhat more of a personal connection with him than have most Senators, because we were sworn into the House together on the same day; we served on the same committee; we went to war together; we were mustered out at the same time; and now we are both in the Senate together. He once said to me that our friendship was almost akin to brotherhood.

I wish to join in the remarks of the Senator from Missouri and the Senator from Oregon in praise and good wishes for Senator JOHNSON of Texas.

I think I moved in at an appropriate time, when the senior Senator from Oregon, as I understood, said he had a speech he intended to make about the Federal Power Commission. I probably would agree with the Senator's remarks.

Mr. MORSE. I did not know but that we might follow the parliamentary tactic of moving the clock back, as has happened in the past, so I came with adequate speech ammunition for tonight. I have another speech I intended to give, but I cannot give it between now and 12 o'clock.

Therefore, I ask unanimous consent that the speech on the subject of airline subsidies be printed in the RECORD in full.

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

AIRLINE SUBSIDIES—SYNDICATED COLUMN BY DREW PEARSON AND JACK ANDERSON

Mr. President, I should like to comment on the issues raised in the recent syndicated column entitled "The Washington Merry-Go-Round" by Drew Pearson and Jack Anderson concerning the airline subsidies being given to Pan American World Airways, Inc.

Following my remarks, I ask unanimous consent to insert in the RECORD:

First. Syndicated column "The Washington Merry-Go-Round" by Drew Pearson and Jack Anderson as it was printed in the Washington Post and Times Herald of Sunday, July 24, 1955;

Second. Statement by Mr. John A. Creedy, director of public relations of Pan American World Airways, Inc., as printed immediately following the Drew Pearson column in the Washington Post and Times Herald on July 25, 1955, challenging Jack Anderson's column of the previous day.

Third. The text of the point-by-point reply to Pan American made by Jack Anderson; and

Fourth. United Press item appearing in the Washington Post and Times Herald July 28, 1955, stating that Pan American World Airways' hotel subsidiary has just leased the plush Hotel Nacional in Habana, Cuba, for $3,800,000.

Mr. President, I should like to make it clear at the outset that I do not wish to become involved in any way in any discussion of personalities but simply to discuss briefly the basic issues which have been opened up by this debate in the public press.

At the outset, I note that Pan American has not denied the accuracy of the statements and figures made by my distinguished colleague, the senior Senator from Illinois [Mr. DOUGLAS] that "what seems to be happening is that we are subsidizing Pan American, which, in turn, is subsidizing its wholly owned hotel corporation." In the CONGRESSIONAL RECORD of June 14, 1955, page 8132, the senior Senator from Illinois [Mr. DOUGLAS] introduced figures (which Pan American has not challenged) for the most recent year available from indirect Government sources to the effect that in 1953 Pan American spent $2,530,063 more on its wholly owned luxury hotel subsidiary, Intercontinental Hotels Corp., than it received back. It is ridiculous to assume that the $17 million which Pan American claimed from the Government and the taxpayers in the form of subsidies had nothing whatever to do with the subsidies of $2,500,000 which it was passing along in the same year to its hotel subsidiary. Obviously, the airline subsidies given by the Civil Aeronautics Board to Pan American went into the same till at Pan American that its subsidy to its hotel corporation came out of. On June 16, 1955 (CONGRESSIONAL RECORD, p. 8413) the distinguished Senator from Illinois warned with regard to these hotels: "This is only a taste of things to come, provided the subsidies are kept up."

How right he was.

Within less than a month after the subsidy appropriation for Pan American had passed the Congress, the first piece of news that we get is that Pan American's luxury hotel subsidiary, on July 27, 1955, only 2 days after the Pan American attack on Jack Anderson's very accurate column, purchased the lease on the swank Hotel Nacional in Habana, Cuba, for $3,800,000. If Pan American is so well off that it can lease a luxury hotel like the Nacional for $3,800,000, why do they come in here asking for subsidies at the taxpayers' expense on the basis of their supposed need? You know, and I know, that it would be considered a scandal if a man applied for relief at the public expense and it was found that he was able to keep up millions of dollars worth of valuable real estate in hotel properties. He would be thrown off the relief rolls at once. I see no reason why we should make an exception in the case of this favored airline, Pan American. There is no justification whatever to saddling the taxpayers, no matter how indirectly, with no matter how small a portion of the expenses of this airline's adventures into the luxury hotel business. What sort of thing are we subsidizing here, anyway? Look at this Hotel Nacional. The cheapest rooms you can get in the place are about $25 a day. Is this the sort of thing that the Congress should let public money go into? The average taxpayer of this country cannot afford to stay in a hotel as swank and expensive as this Hotel Nacional; but indirectly, whether they like it or not, the taxpayers are being made to pay part of the expense of it.

I see that Pan American says its hotel subsidiary currently makes a profit. Of course, the only Government figures we have show, as the distinguished Senator from Illinois showed, that in the most recent year for which figures are available, Pan American lost $2,500,000 on its hotel subsidiary and this loss inadvertently pulled down the total financial picture of the company and increased its claims for subsidy. Pan American says that the hotel company is now making a profit, but they do not give any figures. We therefore should be very cautious about accepting their statement, particularly as I note that House Report 207 by the House Committee on Appropriations March 17, 1955, quotes the result of its investigation of this whole situation:

"The survey indicates that the Civil Aeronautics Board does not have accurate facts or figures regarding Pan American operations. Most of the subsidiaries have never been properly audited and some not at all, and there has not been insistence that the operations of the entire system be treated as an entity, as required by a recent Supreme Court decision. If corrective action were taken, substantial cuts in subsidy should result."

I note also that on June 27, 1955, the General Accounting Office stated: "Pan Am's affiliates and associates also have never been audited."

Therefore, in the absence of a complete audit on Pan American and its subsidiaries including particularly this hotel subsidiary, we should be very wary of unsubstantiated statements such as the one made by Pan American on July 25, 1955, that the hotel subsidiary is now operating at a profit.

But, even giving Pan American the benefit of the doubt, Mr. President, and assuming that the hotel subsidiary is now operating at a profit, as it has not in the recent past, Pan Am's hotel subsidiary certainly has a long way to go—because by now the accumulated deficits on Pan Am's hotel ventures exceed $4,500,000, according to page 387 of this year's hearings by the House Appropriations Committee on the Civil Aeronautics Board. I have seen no indication from Pan American or anyone else that anything like $4,500,000 has yet been paid back. When that has been done, I would think comments such as those made by Mr. Creedy of Pan American would be more in order than they are at this time.

No answer is given at all by Pan American as to why other certificated United States-flag lines, such as TWA and Seaboard & Western in the Atlantic and Northwest in the Pacific, can fly international routes, facing foreign-flag competition and yet not requiring any subsidy at all. If they can do it, why can't Pan Am?

When pressed on this point occasionally, Pan American has said that it operates certain thin traffic routes to Finland, South Africa, and Hong Kong. This may well be true, but no figures have ever been made available by either Pan American or the Civil Aeronautics Board as to what portion of the enormous total of $17,769,000 of airline subsidy being claimed by Pan American for this coming year is attributable to these 3 thin traffic routes. I believe an honest answer would show that only a small fraction of the $17,769,000 could be justified on these grounds.

No reply at all is made to the well-documented points of Senator DOUGLAS quoted in Jack Anderson's column to the effect that Pan American is trying to get $8 million in subsidies out of the CAB for the purpose of getting their Federal income taxes paid at the public expense. Pan American has made no answer whatsoever to the very justifiable question raised by my distinguished colleagues, the senior Senator from Illinois [Mr. DOUGLAS] and the senior Senator from West Virginia [Mr. KILGORE]:

"Why can't this subsidized airline do what everyone else in the country has to do and pay its own Federal income taxes out of its own pocket?"

Nor is any explanation advanced by either Pan American or the Civil Aeronautics Board as to why even at this present moment the Civil Aeronautics Board is processing for subsidy purposes the Atlantic division of Pan American separately from its other divisions. The Civil Aeronautics Board in 18 months has failed dismally to implement the Supreme Court decisions of February 1, 1954, and to require that all divisions of Pan American be taken up for subsidy purposes in the same case for the same period so that the airline can be considered in its "entirety," to use the key word in the Supreme Court's unanimous opinion.

We come now to the final point at issue in the debate in the press between Jack Anderson and Drew Pearson on one side and Pan American on the other side; and that is whether or not national defense is a genuine and sufficient justification for the $17,769,000 of airline subsidies being claimed by Pan American at the taxpayers' expense. I am advised that on June 14, 1955, the Civil Aeronautics Board transmitted to my good friend the Senator from Illinois [Mr. DOUGLAS] figures compiled by the Department of Defense showing conclusively that in the greatest examples since World War II of how airlines can be useful to the national defense, the Berlin and Korean airlifts, the facts clearly show that nonsubsidized airlines carried more supplies for the military than did the airlines which are asking large subsidies at the public expense, the greediest of which is Pan American. This fact in itself greatly diminishes the defense justification which is whispered in the corridors as being the explanation of the $17 million giveaway to Pan American.

Secondly, Mr. President, it should be noted that of the $17,769,000 in subsidies being claimed by Pan American, not one single dime is going into the installation of defense features required by the military to be put in the Pan American planes to make them suitable for military airlift in the event of war; and, instead, Pan American is getting from another Government agency, the Air Materiel Command of the Air Force, the money for the installation of these defense features. It is therefore clear that if the entire subsidy of $17,769,000 for Pan American were eliminated this elimination would have no effect whatsoever on the program for installing defense features in commercial planes.

Therefore, Mr. President, I feel that Jack Anderson and Drew Pearson have been substantiated by the facts, and that they have performed a valuable public service in bringing to the attention of the public a matter which might easily have been overlooked. It is the public that pays the taxes, and the public is entitled to the full facts on the extravagant and wasteful way in which their money is being lavished upon this giant airline corporation, Pan American.

Mr. President, the waste and extravagance and diversion of funds in this Pan American Airline subsidy program is so bad that I recommend a prompt and thorough investigation by the Congress.

[From the Washington Post and Times Herald of July 24, 1955]

THE WASHINGTON MERRY-GO-ROUND—PAN AM'S DOLE A PERSONAL THING

(By Jack Anderson)

The same Senate-House group that pinches every penny going for schools and hospitals voted Pan American Airways an outright giveaway of $17,769,000 without batting an eye the other day—a startling increase of $12,500,000 over the original House-approved handout. The debate behind closed doors lasted only 12 minutes, costing the taxpayers a million dollars a minute.

Though the press and public were barred, Texas' rawboned Congressman ALBERT THOMAS warned nervously: "Let's not pretend here today. We're being watched. Some of those columnists have gotten interested."

But Florida's Senator SPESSARD HOLLAND waved aside all protests and pleaded for the extra $12,500,000 as a personal thing. Referring to Illinois Senator PAUL DOUGLAS' angry Senate fight against the Pan Am dole, HOLLAND asked the Senate-House conferees to support the increase as a vote of personal confidence in himself.

DOUGLAS had charged on the Senate floor:

1. That Pan Am is using the taxpayers' money to operate nine luxury hotels throughout South America. "What seems to be happening," declared DOUGLAS, "is that we are subsidizing Pan American which, in turn,

is subsidizing its wholly owned hotel corporation. * * * It is very consoling that we are able to afford these high-class accommodations on the coast of Brazil, but it is somewhat disconcerting to find that, apparently, American taxpayers are being asked to pay indirectly for part of the expense of them."

2. That the Pan Am subsidy includes $8 million to pay the airline's Federal income taxes. Pointing out that no other airline gets its Federal taxes paid at public expense, DOUGLAS demanded: "Why can't the subsidized airline do what everyone else in the country has to do and pay its own Federal income taxes out of its own pocket?"

3. That Pan Am deserves no more subsidies until it pays back $6,800,000 that the Supreme Court has ruled Pan Am owes the Government.

4. That Pan Am is the only major airline still drawing Government subsidies. The other big airlines are able to get along on the Post Office pay for flying the mail. Pan Am, too, collects a generous $11 million from the Post Office. But influential friends in Congress insist on presenting Pan Am with an additional $17,769,000 as a public gift.

DOUGLAS' arguments were ignored, however, during the slap-dash, 12-minute debate. The only real argument was whether the tiny, dependent airlines should be given first priority.

"Wouldn't it be a good idea," suggested Congressman SID YATES, Illinois Democrat, "to put the small local service airlines and helicopters first?"

"There's no shortage of money," replied HOLLAND generously. "Everyone can be taken care of."

LITTLE GUYS FIRST?

"I think I can see what the situation is here," piped up Congressman DAN FLOOD, Pennsylvania Democrat. "Unbeknownst to some of us, agreement has already been reached as to how much money shall be taken out of the public Treasury and given to certain airlines. But, surely, gentlemen, there can be no objection to putting the little guys in first, out of a superabundance of caution, against the unforeseen possibility there might be a shortage of funds and the little guys would be squeezed out by the big guy."

At this point, HOLLAND leaned across the table and whispered loudly to Georgia Congressman PRINCE PRESTON, chairman of the House conferees: "This is a personal thing with me, on account of Senator DOUGLAS."

Taking the cue, PRESTON blurted: "We don't want the impression to get out that we are against big airlines."

On the final, secret roll-call, the following voted for Pan Am: Senators HOLLAND, of Florida, ELLENDER, of Louisiana, Congressmen PRESTON, of Georgia, and CANNON, of Missouri, Democrats; and Senators BRIDGES, of New Hampshire, KNOWLAND, of California, SMITH of Maine, Congressmen CLEVENGER and BOW, of Ohio, and MILLER of Maryland, Republicans.

Those voting for the public interest were Congressmen ROONEY, of New York, YATES, of Illinois, FLOOD of Pennsylvania, and THOMAS of Texas, all Democrats.

One significant outcome of the subsidy fight was the emergence of Senator HOLLAND as the new champion of Pan Am, replacing defeated Senator Owen Brewster, Maine Republican, who for years represented Pan Am in the Senate.

[From the Washington Post and Times Herald of July 25, 1955]

COLUMN CHALLENGED BY PAN AMERICAN

Challenging the accuracy of statements in yesterday's Washington Merry-Go-Round, John A. Creedy, director of public relations for Pan American World Airways, issued the following statement:

"Jack Anderson's July 24 column demonstrates that no effort has been made to check or to accurately report the record. His statements attacking Pan American are utterly disproven by Civil Aeronautics Board records, testimony before the Appropriations Committees and by the record of the General Accounting Office.

"Typical misstatements:

"1. No giveaway to Pan American was before the joint conference. What air service gets how much public support is determined by a judicial proceeding laid down by the Civil Aeronautics Act.

"2. No subsidy money goes to Pan American's hotel subsidiary. The hotel company currently makes a profit which the CAB claims in full and applies to reduce public support for air services.

"3. PAA receives no subsidy for operations comparable to any unsubsidized United States competitor. Congress and the CAB have authorized subsidy for certain routes of PAA's thin traffic, national-interest routes, as well as for certain routes of other airlines. Payment is made for services performed after full judicial-type investigations.

"4. PAA provided consistently more airlift than any other civil contractor in the Korean airlift and was among the lowest in cost.

"The familiar tactic of personal attack may be considered as evidence of Anderson's lack of objectivity."

POINT-BY-POINT DISCUSSION

Pan American world airways has raised some objections to the column of Sunday, July 24, by Jack Anderson. In fairness to our editors, we are supplying them with Pan Am's statement, plus Jack Anderson's reply, for such use as they may wish.

The following is the statement released by Pan Am:

"Jack Anderson's July 24 column demonstrates that no effort has been made to check or to accurately report the record. His statements attacking Pan American are utterly disproven by Civil Aeronautics Board records, testimony before the Appropriations Committees and by the record of the General Accounting Office.

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"4. PAA provided consistently more airlift than any other contractor in the Korean airlift and was among the lowest in cost.

"The familiar tactic of personal attack may be considered as evidence of Anderson's lack of objectivity."

Here is Jack Anderson's reply to Pan American:

"The Pan American World Airways statement is as off-beat as the Russian version of who invented the airplane. I am accused of lacking objectivity. I have no ax to grind for or against Pan Am. I have only a reporter's interest in a news story and a taxpayer's interest in preventing a raid on the public treasury. Pan Am, on the other hand, has $17,769,000 at stake. I will leave it to the reader to decide who is likely to be more objective under the circumstances.

"Here is the answer to Pan Am's statement, point for point:

"1. Congress, not the Civil Aeronautics Board, determines how much subsidy shall be granted. On June 16, 1955, the Senate approved a proposal by Senator SPESSARD HOLLAND, Democrat, Florida, to increase the airlines subsidies appropriation for next year from $40 million to $55 million. The Senate-House conference finally set the figure at $52,500,000.

"The total subsidy claims of every domestic airline in the country, including the local service airlines and helicopter companies, add up to only $32 million. Pan Am's two big rivals in the international field, TWA and Northwest, didn't claim a penny's worth of subsidy. In other words, the House figure of $40 million was more than enough to take care of all airlines except Pan American. The $12,500,000 increase, therefore, is of benefit only to Pan American World Airways.

"2. On July 14, 1953, Pan Am advanced in a single day to its wholly owned subsidiary, Intercontinental Hotels Corp., the vast sum of $2 million. Then, as an added touch of generosity, Pan Am stipulated this advance should be interest-free.

"Senator PAUL DOUGLAS, Democrat, of Illinois, stated on the Senate floor:

" 'The foregoing of interest on this single advance of Pan Am to its hotels amounts to $80,000 a year at 4 percent, an item which we are covering through the subsidies.'

"This statement has never been disputed or denied.

"I also note that in 1953, the last year for which Government figures are available, Pan Am advanced $2,530,063 more to its hotels than it received back in profits. At the same time, Pan Am was drawing more than $17 million from the taxpayers in the form of airline subsidies.

"Why, if other Americans can make a profit in the hotel business without benefit of airline subsidies, does not Pan Am make a profit on its hotel chain? Why is more money flowing from Pan Am to Intercontinental Hotels than is coming back the other way? What is this hotel subsidiary doing with the money it gets from Pan Am? These questions have been asked but never answered.

"I note the Pan Am statement claims its hotel subsidiary is currently making a profit. That will be news, and good news, to Government economizers. There is a long way to go, however. By now over $4,500,000 has flowed from Pan Am to its hotel subsidiary and nothing like this amount has yet been paid back. As Senator DOUGLAS stated: 'There is no justification in saddling the taxpayers, directly or indirectly, as appears to have been done through the device of airmail subsidies, with ventures such as luxury hotel chains.'

"3. No answer is given by Pan American as to why other certified American-flag airlines such as TWA and Northwest can fly international routes and face foreign-flag competition without requiring subsidies as Pan American does. The Pan American statement claims it has certain 'thin traffic, national interest routes.' This may be true, but no figures have ever been made available by either Pan American or the CAB as to what portion of the total $17,769,000 Pan American subsidy claim is attributable to these 'thin traffic, national interest routes.'

"4. National defense is advanced as a justification for these subsidies. But figures made available by the Defense Department and the CAB on June 14, 1955, indicate that nonsubsidized airlines carried more supplies for the military in support of the Berlin and Korean airlifts than did the airlines currently claiming subsidies.

"Not a penny of these huge subsidies is going into the installation of defense features in subsidized planes. In my mind,

these facts diminish the so-called defense justification and show these subsidies are not being directed to genuine defense purposes."

[From the Washington Post and Times Herald of July 28, 1955]

PAWA AFFILIATE TO RUN HOTEL

HABANA, July 27.—The Intercontinental Hotels Corp., of New York, will take over the operation and management of the Hotel Nacional here, effective August 1, it was announced officially today.

The IHC is a Pan American World Airways affiliate. The Hotel Nacional, Cuba's leading hostelry, is owned by the Cuban Government. It was built in 1930 at a cost of $6½ million. It was understood that the IHC acquired a 35-year lease on the Nacional from its present operators, the Kirkeby Hotels Corp., of New York, for $3.8 million.

MEETING THE CRISIS IN AMERICAN PUBLIC EDUCATION

Mr. MORSE. Mr. President, I now return to the sad plight of the American schoolchildren and the failure of this Congress to pass legislation for the schoolchildren and the schoolteachers of America.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KNOWLAND. Mr. President, did the Senator want his additional speeches at the end of his current speech, so that they would not come in the midst of his speech?

Mr. MORSE. I think I have a ruling on that point, but I appreciate the help of the Senator from California.

As I was saying, and I speak in great seriousness and with great sadness about it, I think it is a sad thing that the fall term of school will start with this session of Congress having failed to pass Federal aid to education legislation.

I think it is a sad thing that Congress did not pass a school construction bill, because across this Nation there are thousands and thousands of children who can go to school only a half day. They do not have in their communities the school facilities which they need for full-day education. Not only does this work a tremendous hardship upon the children, but it is working a great hardship upon the teachers.

Likewise, I think it is sad that Congress has not passed a teacher salary bill which would provide some Federal aid to the teachers across the country, because it is also true that the education of our children can be no better than the teaching they obtain from their teachers.

So we have a group of public servants who do not receive that compensation which the people of the United States ought to see to it that they do receive.

The teachers are devoting and dedicating their lives to the problem of maintaining an enlightened citizenry, so that democracy and freedom in this country can be strong.

I think that, come January, we ought to hasten to correct the great oversight and dereliction of this session of Congress in respect to education legislation. In fact, I think the President of the United States ought to call Congress into special session, October 1, or sooner, to pass some education legislation.

(At this point the Senate received a message from the House of Representatives.)

Mr. MORSE. Mr. President, if I heard the message stated correctly, I cannot think of a better way in which to end the session than to try to do justice for those patriots who have performed the service for our country, to which the resolution directs itself. I should think it would be possible for the Senate to pass upon this matter under a unanimous-consent agreement whereby I may continue to speak on the educational program and the sad plight of America's schoolchildren immediately following the correcting of what I think is another great injustice, which is covered by the resolution.

Mr. President, in order that I may have continuity in the RECORD, I do not intend to yield further, and I shall start again on the speech which sets forth the historical analysis of Federal aid to education.

HISTORICAL ANALYSIS OF FEDERAL AID TO EDUCATION

One of the criticisms leveled against Federal aid to education, and that is Federal aid in any form, has been the charge that the Federal aid would constitute but the first step in eventual Federal domination of all of our schools. It is my opinion that this charge is not based on fact, and is quite contrary to the experience we have had in this Nation.

Aid to education by the National Government has a history which predates our Constitution. The Congress of the Confederated States adopted the ordinance of 1785, which provided that each new State admitted to the Union should be granted certain lands, or money gained from the sale of such lands, to be applied to school aid. There was no attempt made to direct the States as to how they should spend these funds.

This is but one of the many programs under which the Federal Government aided or is still aiding education in the State public schools.

During the depression of the 1930's the Federal Government participated to a very large degree in school-aid programs. Under the PWA and the WPA hundreds of millions in loans or grants were expended on State education. A great school-construction program produced many fine and much-needed schools.

Without the schools that were built in the depths of the depression the present situation would certainly be much, much worse.

During the Second World War we found the Federal Government extending still more aid to State public schools. Under the Lanham Act the Federal Government was authorized to construct schools and other facilities in those communities which experienced such an influx of service personnel or defense workers that existing community facilities were unable or inadequate to cope with the problems created.

In 1950 Congress enacted Public Law 815, 81st Congress, which recognized the fact that the activities of the Federal Government were still having an effect on the schools of some localities and that the Federal Government had a responsibility to help correct the situation it had created. Without going into further detail, it is fair to say that the Lanham Act principle was carried over into Public Law 815.

If one were to compute the total amount of Federal funds spent on education, that is, the total amount that has been expended over the years, he would come up with a figure in the multi-billion-dollar class. The singular point which I wish to draw from this historical summary is that, although we have long had monetarily extensive Federal aid to education, this aid has been given without one ounce of encroachment on any States rights in the field of education. It is a simple fact that Federal aid to education has proven historically feasible and has been successful beyond a doubt, and that the States, rather than being subjugated by the Federal Government, have maintained and increased their dominant position. This would indicate to me that there is no just cause for fear that any Federal aid program would dominate the States. And let me reiterate that I have always maintained that Federal educational policy should be one of giving the States financial aid without interfering in State educational policy.

THE LEGAL ISSUE

There are some who approach the question of Federal aid to education in any form with an underlying premise that should be brought out into the open. That premise is that Federal participation in education is illegal or, at best, legally questionable, despite the history I have just outlined. It should be made clear that this view is not in conformity with the law.

Article I, section 3, of the Constitution of the United States reads:

> The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

It will be recognized that I am quoting the so-called general welfare clause of the Constitution of the United States.

From the very earliest time in our history there was a sharp difference of opinion as to the exact meaning of this general welfare clause. There were two views. One, the so-called narrow view, which would have restricted the meaning of the general welfare clause to this: That the general welfare clause allowed the Congress to appropriate money only for those purposes specifically enumerated in the Constitution. The other interpretation, the so-called broad interpretation was: That the general welfare clause allowed the Congress to appropriate money for matters that were not specifically enumerated in the Constitution. In other words, the general welfare clause was in and of itself a grant of power to the Congress of the United States.

Without intending to launch into a full analysis of the law on the point, let me

call attention to the decision of the Supreme Court of the United States in the case of *United States* v. *Butler* ((1936) 297 U. S. 1, 65). In that case the Court said:

> The power of the Congress to authorize expenditures of private moneys for public purposes is not limited by the direct grants of legislative power found in the Constitution.

In short, the Supreme Court accepted the broad interpretation of the general welfare clause.

Faced with this very clear interpretation of the general welfare clause, opponents of a broad use of the general welfare clause have turned to another attack upon any Federal aid that might be made under the general welfare clause. Their argument is this: That the 10th amendment to the Constitution reserves to the States the rights not specifically given to the Federal Government. From that step they make the next argument that any Federal grant which tends to affect any of these so-called States rights is unconstitutional.

But the Supreme Court has made it very clear that programs involving Federal grants to the States do not constitute Federal invasion of those powers the 10th amendment reserved to the States, so long as no coercion was used upon the States to force them to accept the aid from the Federal Government. The Court issued this ruling in the case of *Stewart Machine Shop* v. *Davis* ((1937) 301 U. S. 548).

The Supreme Court has gone even further in interpreting the right, and the power, of the Federal Government to make grants under the general welfare clause. In the case of *Oklahoma* v. *Civil Service Commission* ((1947) 330 U. S. 127), the Court stated that the Federal Government would not be invading the States' sphere of competency by placing certain terms and restrictions on money it allots to the States. Let me quote you the words of the Court:

> Even though the action taken by the Congress does have effect upon certain activities within the State, it has never been thought that such effect made the Federal act invalid.

Mr. President, I shall pause long enough to say to the minority leader that he may interrupt me at any time to ask for the consideration of the resolution, which I understand is aimed at correcting injustices to some very deserving patriots in the United States.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KNOWLAND. This is a resolution upon which the leadership, at least, has had no advance notice. It apparently deals with some pension rights.

Since this is the close of the 1st session of the 84th Congress, and is not the final session, the matter will not die, but will be available when Congress reassembles in January. I think that, as a matter of sound public policy, under the circumstances prevailing in the Senate tonight, the resolution should not be passed by unanimous consent in the Senate, but should be properly referred.

Mr. HUMPHREY. Mr. President, will the minority leader withhold his suggestion for a moment?

Mr. KNOWLAND. I am glad to do so.

Mr. HUMPHREY. May we first ascertain whether the resolution relates to 1, 2, or 3 individuals? Its language indicates that it relates only to a very small number. The number may be so limited that we may wish to consider the resolution.

The staff is attempting to get some information on the subject from the House. If we can get the information within the next 3 minutes, it may be possible to make a judicious settlement of the matter.

Mr. KNOWLAND. It may be possible to make a judicious settlement, but I think coming at 2 minutes to midnight on the last day of the session, and being a matter of which we have had no advance notice from the leadership of the other body, and its not having been referred to a Senate committee, I do not believe it would be in the best interest of orderly procedure to take action on it tonight.

Mr. MORSE. Not only that, but is it not true that if there is need for a retroactive clause in order to do justice, a retroactive clause can be attached to the measure in January?

Mr. HUMPHREY. There is no need for retroactivity, so far as I am able to understand the resolution, because it provides "that no pension shall be paid for service after December 31, 1913." So retroactivity would have to go back to 1913.

Mr. MORSE. Therefore, if we pass legislation in January, the only suffering which will be entailed by these people will be a delay in their receiving their money from now until January, unless the President calls Congress into special session, as I think he should, to pass some legislation for the benefit of the schoolchildren of America. Then we can pass on this matter at that time.

Mr. HUMPHREY. If the President shall do that, I shall immediately move that House Joint Resolution 110 be given priority.

Mr. MORSE. And I will join with the Senator from Minnesota.

Going back to the meaning of the general welfare clause, I think it is well that we close this session of Congress tonight by ending on the note of the general welfare clause, rather than on the note of the interest of certain powerful groups in this country, who seem to be getting the aid instead of the schoolchildren of America.

Referring to the general welfare clause in that sense, let me say that the argument of those who have urged a particular interpretation of the general welfare clause is that the 10th amendment to the Constitution reserves to the States the rights not specifically granted to the Federal Government. From that step they make the next argument that any Federal grant which tends to affect any of the so-called States rights is unconstitutional.

I am satisfied they are all wrong. Under the general welfare clause there is no question about the fact that Federal aid to education for the benefit of the boys and girls of America and for the schools is constitutional. Not only is it constitutional, but it is sorely needed.

Mr. President, resuming the thread of my discourse, we can say this much in summary. The Supreme Court has interrupted that general welfare clause as enabling the Congress to appropriate public funds for purposes other than those specifically enumerated in section 8. Education is considered one of those purposes.

Secondly, the Court has refused to make its broad interpretation of the general welfare clause nugatory by construing the 10th amendment in such a manner as to nullify Federal grants made under the general welfare clause. That is, the Court has clearly held that Federal grants are not unconstitutional simply because of the fact that a State in accepting a Federal grant will find that there has been an effect upon activities within the State.

There is another point that I would mention in passing. My record will show that I have consistently stood in opposition to any possible Federal encroachment upon States rights and I will continue to do so. But we should understand that when the Government—the Federal Government—exercises its constitutional power to fulfill its responsibilities to the people that the exercise of this power is not an exercise of power that is an encroachment upon the rights of States. This is a Government of divided powers, and let me make it clear that there are powers in the Federal Government as well as powers in the governments of the States. There will be conflicts between the exercise of the powers of the Federal Government and of the powers of the States; in a dual system such as ours those conflicts cannot be avoided. But to automatically assume that every conflict of power between these two sovereigns must be decided in favor of the States is erroneous. We must not confuse the question of what is wise policy with the question of what is legal under the Constitution. That has been done much too often on the floor of the Senate. The two issues are distinct, even though, at times, a question may arise in which they coincide.

BILLS ON EDUCATION

It would be difficult to name any subject that has been given a more thorough and detailed study by Congress than has the subject of general Federal aid to education.

For example, beginning in 1919 with the 65th Congress and concluding in 1953 with the 83d Congress, some 251 bills on this subject have been introduced. This count includes only those bills providing solely for general Federal assistance to education. Excluded are those bills dealing with special types of educational aid, such as for kindergartens, vocational education, and adult education.

An infinite variety of bills has been introduced. Most of the early bills proposed that aid be given in the form of funds for school construction. Many of

them contained provisions for setting up the Department of Education and for permanent yearly appropriations of $300 million.

Although school construction bills continued to be introduced through the years, in more recent Congresses many bills were introduced that proposed grants be given to States for the purpose of increasing teachers' salaries. The late Senator Pat McCarran, of Nevada, introduced a bill in the 81st Congress which would have made $600 million available for teachers' salaries. There were many other bills along this vein, but asking for smaller amounts.

Neither party has had a monopoly on introducing these bills. There has been bipartisan support for Federal aid to education. In fact, I am sure that many Senators will remember that the late Senator Taft sponsored an aid-to-education bill which was passed by the Senate but never acted on by the House.

Twenty-one of the bills were reported out by one House or the other. Only a few, mainly concerned with federally impacted areas, have passed. Literally thousands of pages of testimony were compiled in the hearings held on various of these bills. I doubt that any question has been studied more thoroughly by the Congress, yet little has been done toward solving the problem we face. The sad truth is that issues totally irrelevant to the merits of the bills have kept Congress from enacting some of them.

WHY THE PROBLEM EXISTS

Before one undertakes to offer a solution for a problem, it is necessary to understand why the problem exists. Intelligent and constructive problem solving presupposes such an approach.

Why, then, do we have the crisis in American education today? I think that there are two cardinal reasons: First, the tremendous increase in school enrollment caused by the high birthrate during and immediately following World War II, and the peak has not yet been reached; second, war caused the dislocation of our economy. But the growth in elementary school enrollment is basically the reason for the existence of the serious situation in education.

During the war years our schools ran down for various reasons and a backlog of obsolescence grew up; we lost teachers to higher paying jobs and to the Armed Forces, we put men into service who would have gone into teacher training, and we created educational crises in defense areas. These problems for the most part could have been overcome but for the tremendous increase in enrollment.

Even a hasty examination of the record will show that our States have greatly increased the amounts that they are spending for education, that the Federal Government has spent millions upon millions to remedy the situation in federally impacted areas and that we are turning out about 90,000 teachers a year today. Yet we continue to fall behind at an ever-increasing rate in supplying classrooms and teachers.

The great increase in enrollment for which we were not prepared has all but overcome our schools. The cold, hard fact that we have to face is that we need to invest more of our gross national product in education, if we hope to attain that standard of educational quality which will give us a fairly well-trained citizenry. Once we reach that goal, we can discuss improving our educational system. We have to catch up before we can think of forging ahead.

There are two general fronts upon which we must meet the crisis in education. One, we must provide capital outlay for buildings and grounds. Two, we must provide money to increase teachers' salaries. We have to have buildings and teachers. One without the other is not enough.

It is really unnecessary to cite data proving that the need for teachers and schools exists. There is a near unanimity of agreement on this subject. We find agreement on this matter at all levels of Government and among all responsible elements of our society. The great majority of our people recognizes the existence of the crisis facing our educational system. The issue has really become one of "How shall we solve the problem?" and not one of "Is there a problem?". Even though most of us readily agree that we do have an emergency situation about which something must be done, agreement that there is a problem does not per se solve the problem.

Today I am addressing myself to the issue of what is the best solution for the difficulty which faces us. Let it be clear, Mr. President, that I speak to those men of good faith who are seriously concerned over what approach we should take. I have neither time for, nor patience with, those who would use this honest difference of opinion on how the problem should be solved as a means of killing any possible Federal aid to education.

It has been my privilege during the 10 years I have been in the Senate to join as a sponsor and work for the passage of a number of bills concerning education. I am presently a sponsor of S. 5 and S. 772. Both of these bills have been introduced by Senator HILL, of Alabama. S. 5 provides for emergency Federal assistance to the States and Territories in the construction of urgently needed public elementary and secondary school facilities. S. 772 provides that revenues from the Outer Continental Shelf lands, the oil lands, shall be used as grants-in-aid of primary, secondary, and higher education. Even though I am a cosponsor of these pieces of legislation, I would be less than frank if I did not say that I consider that the Hill school-construction bill satisfies only part of the need. The bill is only half a loaf at the very best.

It is my opinion, and I think the facts will bear me out, that the need for qualified teachers is really the primary and immediate need. Certainly there is no logical way in which one can separate teachers and education. We are woefully short of teachers. Forty, fifty, and sixty youngsters to a classroom, even though that room be the finest available, will not result in well-trained children. The character and the ability of the teacher are the most important influences in the formal educational process the child goes through. It is during the formative years that the important impressions are made.

Gentlemen of the Senate, is history to record that we refused to make an emergency investment in the one resource which is the key to the development of all others? Is it to show that this body had so little imagination, so little respect for human dignity that it refused to help make it possible for the children of this day to get the best education we could provide for them under the circumstances?

The finest value of education, Mr. President, is not found in the material benefits it may provide, but it is found instead in the opportunity it gives a child to know and appreciate the beauty that there is in life, the opportunity it gives a child to live that fuller life which all the material satisfaction in the world cannot alone supply. Can we deny these youngsters the opportunity to get the most out of life?

We are not dealing with an issue that can be set aside and returned to some other year without irreparable harm having been done. I have sat long hours on the floor of this Senate and heard many noble and ringing words spoken about how important and precious individual rights are. I say, Mr. President, let this matter of aid to schoolchildren, aid which will make it possible for them to more fully enjoy those rights, be the crucible in which we will test the sincerity of those words so often heard on this floor. Let the leadership give us the opportunity to record ourselves so that the people may know which of us is deserving of belief, when he speaks of individual human rights.

TEACHER SHORTAGE

There are over 1,066,000 teachers employed in our elementary and secondary public schools today. This figure includes those teachers who are fully certified, as well as those who hold only temporary certificates. A temporary certificate indicates that the holder of the certificate has only partially fulfilled the requirements that his State asks a teacher of his rank to hold. Although there is some difference of opinion concerning the actual number of teachers we lack, there is unanimous agreement among those making surveys on this subject that the shortage is immense and will continue to increase for the foreseeable future.

The National Education Association estimates that there is an annual turnover of some 90,000 teachers. Of this number, somewhere near 75,000 are leaving the profession each year. The other 15-odd thousands are taking other teaching jobs. Approximately one-quarter of those quitting the teaching field do so to improve their economic status. The others give various reasons for leaving. The NEA estimates that we have a shortage of at least 135,000 teachers. At the close of this speech, Mr. President, I will insert material containing NEA estimates on the teacher shortage and other related problems.

The estimate that we are short 135,000 teachers is based on several factors. First, a 30-pupil maximum per teacher

is assumed. This ratio of one teacher for each 30 pupils is considered the maximum ratio for good teaching. Second, the NEA adds the following figures to arrive at its 135,000 figure. The 75,000 teachers that are dropping out of the profession yearly are added to the at least 40,000 teachers holding temporary certificates, who are not fully qualified to teach, and to the approximately 58,000 teachers needed to bring the size of classes down to the recommended 30 pupils per teacher. From this total of 173,000 teachers are subtracted the 38,000 new teachers a year entering the teaching profession after graduation from our teacher-training institutions. The resulting shortage is 135,000 teachers each year.

More important than this shortage figure itself is the fact that we are falling behind at an ever-increasing rate. Of the 95,000 college graduates with regular teaching certificates, only some 40 percent enter the teaching field. When we consider that 75,000 teachers a year are dropping out, that enrollment in the elementary schools will continue to increase rapidly and that the secondary schools will soon be overflowing with the peak of the war baby crop, we are in trouble. Mr. President, it seems to me as clear as it can possibly be that we have to have more teachers. This is to say nothing of the fact that we ought to have more, better teachers.

We have come a long way in the field of education and there are many things that we ought to be doing in our teacher training to train better teachers, but it is impossible to do so as long as the immediate pressure is to get more teachers right now.

Imagine, Mr. President, what the situation will be when the full tide of the war baby crop hits the secondary schools and the colleges. I tell you, Mr. President, we are in trouble—we are in serious trouble.

It is most discouraging to stand in this body and recite figures that have long been known to all of us. These facts and figures are known to all of us, I repeat, yet Congress has refused year after year to act. It seems that the worse the situation gets the less we want to do about it. I am at a loss to understand this type of thinking, Mr. President. How long will we wallow in lethargy? How long can we shut our eyes to our duty to the people of the United States? We are dealing with the future of our Nation and of many of its individual citizens. Does that not mean anything to us? We have a national emergency in education.

Listen to what this teacher shortage means to the Nation—to our children. I quote from testimony given by the Department of Health, Education, and Welfare before the Subcommittee on Education of the Committee on Labor and Public Welfare, 83d Congress, 2d session, April 2, 1954:

> In the face of a general need for more competently educated citizens, we find an increasing percentage of our children today receiving schooling from teachers who are substandard in their preparation or in overcrowded classrooms or in half-day sessions.
>
> Beginning in 1944, many persons left teaching for other positions or for the armed services. Their places have been filled by persons unable to meet full certification standards, which in some States are still no more than high-school graduation plus the rudiments of teaching elementary-school subjects.
>
> At present we are losing more teachers per year than are entering teaching. Unless conditions change, ahead of us lie more overcrowded classrooms, more one-half or one-third day sessions, more teachers with less than standard preparation, or more children without teachers.

Could it be—must it be—made any more plain to us? Why do we not act?

QUALITATIVE DEFICIENCY

Mr. President, let me discuss what else the figures reveal. They show that we are confronted with a qualitative as well as a quantitative shortage in our teaching picture. We have a teacher shortage and proportionately we have fewer well-trained teachers today than we did in 1939. There is no excuse for this. There is no excuse for this in a Nation with the highest standard of living in the world. There is no excuse for this in a Nation with the greatest productive system in the world. There is no excuse for this in a Nation where the people have always placed great stock in education.

Before examining the declining quality of our teaching profession I would like to pause for a moment to discuss briefly the history of education in America.

This Nation is dedicated to the principle that all men are created equal.

In recent years we find that the principles of freedom and equality and self-government have been challenged by totalitarian systems in which the elite, the ruling class, claims that it knows what is best for the people—that the totalitarian systems are more efficient than our loosely woven democratic process.

I do not claim, nor can anyone claim, that education alone is an answer to the threat of totalitarianism. But, it is a major part of the answer.

Let us look for a moment at what our predecessors in this country thought about the place of education in a free country. In the beginning of our history we had a two-class system in education. That is, there was education for the rich, and the poor scrambled for what they could get in the way of training. The pattern was that followed in England and in Europe. Our people soon realized that this was not in keeping with the new form of government they had created. Through slow development we came up with a purely American creation of the "common schools," and let it be clear that this development is indigenous to America. When we speak of "common schools" we mean schools that are common for all, and not schools for the so-called commoners.

Paying for public schools with tax money was a new thing, too. The taxpayers were thus given the right to oversee what their children were taught. In Europe the picture had been for the ruling class to control educational policy and practices. Tax-supported local schools meant local control by boards of education who were responsible to their neighbors. In order to insure the success of common schools we had to provide teachers. So Americans set up normal schools, a concept borrowed from France, to provide those teachers. These early educators knew that the success or failure of the American experiment in education rested directly on the ability of the teachers that could be provided and we would do well to pay heed to their thinking.

The public education movement in America was attacked at every step of the way. There were those who were afraid to educate the common man because they had no faith in him, because they feared him. There were those who opposed taxation for education on the grounds that it was highway robbery. Today we tend to forget that a great struggle was fought and won in America in the field of public education, and inaction by the Congress of the United States is a discredit to the fine Americans who fought and won this battle for public education. Those were brave and farsighted men and women, and I am not so sure that we have been worthy successors.

The goal of these pioneers of education was to establish a system of public education to teach people the rudiments of taking care of their health, to teach the fundamental processes of communication, to produce individuals worthy of home membership, to prepare people for vocations, to provide effective citizenship, to teach people worthy use of their leisure time and to instill high ethical concepts into the graduates of our public schools. These are goals for which we still strive. In summary, our public educational system is striving to produce free men worthy of a free society. And, Mr. President, let me say that the senior Senator from Oregon stands ready to vote public funds for this purpose. I know of nothing more valuable that our dollars could buy.

Let me return now to the consideration of the quality of teaching in America today. I do not mean to say that we do not have better prepared teachers today than earlier, but I do mean to say that in proportion to the number of our teachers and in proportion to what we have learned about teaching practices and methods, we have fewer good teachers than we did 15 years ago. In the period 1939–40, for example, we had relatively few teachers who did not have regular teaching certificates. Only 1 in each 340 teachers held a temporary certificate. In the period 1946–47, because of the effects of World War II, we found the ratio had risen—rocketed is a better word—to 1 temporary teacher in every 7 people in the teaching profession. It was assumed that this latter situation was temporary and would soon be done away with. But that was a false assumption. The ratio in the period 1953–54 was 1 temporary certificate holder in each 14. In the period immediately preceding, 1952–53, the ratio had been 1 in 15. We are losing ground again. That is not good. We have over 80,000 teachers unqualified for full certification teaching the children of America today. A projection based on presently available data indicates that we will have to hire more teachers holding temporary certificates. I am not critical of, nor ungrateful for, the contri-

bution of these 80,000 uncertified teachers. Under present circumstances we are very fortunate to have them. But I am critical of the fact that we are allowing a bad situation to get worse and not doing anything about it.

It is unforgivable to condone the present teacher shortage—it is criminal to allow it to increase.

What can we do about the teacher shortage? We must do two main things: First, prepare more teachers; and second, get those in teaching to stay there. One of the important factors in getting people to enter the teaching field and to stay there is to provide them with a salary somewhere nearly commensurate with the responsibilities of their positions and somewhere nearly sufficient to pay them the costs of their preparation for the teaching profession. Otherwise, our capable young people will continue to enter other fields in preference to teaching and we will continue to lose those teachers that are now in the field. Simple economics dictates such a result. It is foolish for us to think anything else could or should happen. But we sit on our hands. I am at a loss to understand such inaction.

NEW SCHOOLS NOT ENOUGH

We have to face reality, Mr. President. All the new schools we build cannot produce well-trained citizens unless we have a sufficient supply of good teachers to train our children. We will be several years, assuming that the Congress ever does act to provide funds for school construction—and I am not so sure that that is a permissible assumption—in constructing the needed buildings. It will also take a period of years for any Federal aid in the form of school construction funds to make itself felt on the budgetary situation that our States are now in. It is not realistic to assume that States will be able to immediately take money that they would have put into school construction and provide better pay for teachers. There is a time lag that has to be taken up and only the Federal Government can do that at present.

Why is it important that this time lag be taken up? I will tell you why. We simply cannot afford to let our present group of elementary-school pupils bear the full brunt of inadequate schools and insufficient teachers when it is possible for us to do something about it. I taught for 20 years, Mr. President, and I can say to you from my experience that there is absolutely no more important time in the formal education of a child than that period he spends in elementary school. As the old expression would have it, the child who learns his reading, writing, and arithmetic properly in elementary school is the child that has the foundation upon which future education can be built. After he gets to high school or college it is invariably too late to iron out the improper habits.

We have come to realize in American education that the most important principle in teaching is that each child must be treated as an individual if he is to develop properly and to his highest potential. The teacher has to have time to work with each child. This means that we must have better-trained teachers and more teachers so that each child can get this individual attention. Children in the same age groups will differ vastly in their physical, emotional, and intellectual development. We know that all three of these factors—the intellectual, the emotional, and the physical—have to be dealt with if we are to have a well-trained and well-developed child. A child that does not have this personal attention from his teacher is being cheated. A whole generation of Americans is being cheated today. Unless we do something about it, more of them are going to receive the same shabby treatment.

We can partially alleviate the educational problem which many of these children face if we will make every effort to secure more teachers and to hold those teachers that are now teaching. Teachers are the heart of any good educational system. School buildings are not nearly so important. What we must do is provide funds which will serve as part of the incentive to get more teachers. If an increase in funds for teachers' salaries is voted, it will have more than just an economic effect—it will have a very sharp psychological effect, which may be in the long run more important than the money. A vote for more funds for teachers' salaries will indicate to our teachers that the community and the Nation have respect for them and appreciate what they are doing. It will bring them back part of the self-respect that they have lost, for a combination of reasons.

Our economy can spare funds for this purpose if we think it important enough. It is an investment in the future of individual Americans and of America. Increasing teachers' salaries would have these immediate effects: It would hold many teachers who are quitting to take other jobs; it would induce many of the 60 percent of the graduates with teaching certificates who are now going into other fields to go into teaching; it would call back some of these graduates who have gone into other fields; it might well call back some of those who have retired but are still fully qualified to teach, and lastly, it would give greater incentive, because of the economic and psychological aspects that I have just discussed, to those people now in the teaching field to make that little bit greater effort which means so much. Notice, Mr. President, that I am talking about what can be done immediately for those children who are now suffering because of our indolence as a Nation for the past decade. I am not talking about long-range results, but about what can be done right now.

A PROPOSED BILL

Mr. President, we have a national emergency in American education today. We have to act as soon as possible if we are to do anything for those children now being deprived of the education we can afford to give them. Our national emergency in education is as real as any other disaster that has ever hit this Nation.

It is difficult to demonstrate this fact to some men in the Congress, for there are those who cannot readily understand that disaster can be intangible as well as tangible. Some of the same men who would not hesitate to act if a flooding river or a tornado created a national emergency do refuse to act to help alleviate a national emergency in education because they cannot see the immediate results of poor education. I say with all the earnestness that I can summon that we are facing a problem in American education today which may, if allowed to continue, do this Nation more damage than a combination of all the natural disasters that have ever befallen us.

The Federal Government has responded to other national emergencies in the social and economic field with decisive action, and I hope that it will do so in the field of education.

A great Senator from Ohio, Senator Taft, a man not quick to accept the need for Federal action on social and economic matters, had this to say about the educational situation in this country back in 1948 when he successfully got the Taft education bill through the Senate:

> I believe that so long as we have boys and girls who do not read and write, we have a national interest in looking into that situation and seeing why it is that they have not learned to read and write.

I think he was right, Mr. President. I joined with him in support of his bill and I have discovered no facts since then that demonstrate to me that the approach of his bill is not still sound. Every sign that we have points to the fact that our educational situation is worse today than it was in 1948. Rather than there being less need for action, there is more.

To that end, Mr. President, I plan to introduce a modified version of the Taft bill when the Senate convenes for the second session. I did not introduce the bill earlier because it had been my hope that the Senate would first act on one of the school-construction bills that have been introduced, and I did not want to endanger the passage of such legislation by providing the foes of Federal aid to education with anything that they could use for diversionary purposes.

The principal change that I propose to make in the Taft bill as it passed the Senate is to provide that any money appropriated should be used only for teachers' salaries. I think that the facts I have set forth on the teaching shortage justify doing this.

Mr. President, so that those interested may have the opportunity to examine the bill I will introduce next session, I ask that a copy of the proposed bill be made part of my remarks at this point.

You will notice, Mr. President, that I have deliberately left blanks in the sections concerning the amount of money to be appropriated and the provisions dealing with the formula by which the amount due each State should be computed. My purpose in doing this is that I want to have the latest available data upon which to base these figures before I introduce my bill. I hope that the experts in this field will feel free to contribute their suggestions to me. I want to introduce the best possible bill that

can be drafted because I intend to fight for the passage of a Federal aid-to-education bill in the coming session. The time has come for Congress to either provide aid or refuse to do so. Action one way or the other will clear the air. As soon as the States definitely know what the Congress is going to do, they can act accordingly. It is unfair to tantalize them with the possibility that Congress may eventually get around to carrying out its responsibilities. Congress has the duty to declare itself—pro or con.

In closing, Mr. President, let me briefly review the public education picture in America today. Our present enrollment in public elementary and secondary schools is some 30 million pupils. Enrollment has been increasing by about a million pupils a year over the past several years and will continue to rise at that rapid rate. We will soon be facing as severe a situation in our secondary schools as we are now facing at the elementary level.

We are short some 135,000 teachers and are steadily falling behind. We are being forced to use more and more temporary teachers.

The classroom shortage is bad and is increasing. We are presently in need of at least 400,000 classrooms and our classroom replacement program is not sufficient to keep up with the ever-increasing need. Best estimates are that it will take something like $10 billion to pay for the classrooms we need right now.

We are living in a world where trained personnel is of primary importance. We need the best trained minds that we can get to keep up in the arms race. More than that, though, we need people trained in the social sciences if we are to ever solve the many domestic and international problems that face us. We have to have people who can develop the policies and laws that will enable us to utilize the great advances of science for peaceful purposes. Like it or not, we all live in one small world and we have to learn to live with each other. If we are to have a peaceful world, we have to have men and women capable of solving the problems that we now face and will face in the future.

Is Congress going to stand up to its responsibility to help provide these people upon which so much of our future rests or will we continue to shirk our duty? It is my judgment that a special session of Congress should be called by October 1 for the purpose of passing very much needed Federal aid to education legislation.

Mr. President, at a later date, I intend to introduce a bill to be entitled "Emergency Educational Finance Act of 1955," which I ask to have printed in the RECORD at this point.

The bill is as follows:

Be it enacted, etc., That this act may be cited as the "Emergency Finance Act of 1955."

SEC. 2. Nothing contained in this act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or to prescribe any requirements with respect to any school, or any State educational institution or agency, with respect to which any funds have been or may be made available or expended pursuant to this act, nor shall any term or condition of any agreement or any other action taken under this act, whether by agreement or otherwise, relating to any contribution made under this act to or on behalf of any school, or any State educational institution or agency, or any limitation or provision in any appropriation made pursuant to this act, seek to control in any manner, or prescribe requirements with respect to, or authorize any department, agency, officer, or employee of the United States to direct, supervise, or control in any manner, or prescribe any requirements with respect to, the administration, the curriculum, the instruction, the methods of instruction, or the materials of instruction.

APPROPRIATION AUTHORIZED

SEC. 3. For the purpose of more nearly equalizing public elementary-school and public secondary-school opportunities among and within the States, there is hereby authorized to be appropriated without any limitation of such appropriation or condition inconsistent with or contrary to the terms or purposes of this act for the fiscal year ending June 30, 1956, and for each fiscal year thereafter, the sum of $ to be distributed among the States as hereinafter provided until the Congress determines that emergency assistance is no longer needed for this purpose.

APPORTIONMENT

SEC. 4. Ninety-eight percent of the funds appropriated under section 3 of this act for each fiscal year shall be distributed among the States, excluding those enumerated in paragraph (G) of this section, in the following manner:

(A) Multiply (a) the number of children from 5 to 17 years of age, inclusive, in each State, as determined by the Department of Commerce, for the third calendar year next preceding the year in which ends the fiscal year for which the computation is made by (b) $.

(B) Multiply (a) the average of the annual income payments for each State, as determined by the Department of Commerce, for the 3d, 4th, 5th, 6th, and 7th calendar years next preceding the year in which ends the fiscal year for which the computation is made by (b) percent.

(C) Subject to the succeeding provisions of this section, the amount of the Federal allotment for any State shall be (a) the amount, if any, by which the amount calculated under paragraph (A) exceeds the amount calculated under paragraph (B) with respect to such State, or (b) $ multiplied by the number of children in such State from 5 to 17 years of age, inclusive, as determined under paragraph (A), whichever is greater.

(D) Determine the percentage ratio of (a) the amount spent in each State from revenues derived from State or local sources for current expenditures for public elementary-school and public secondary-school education for the third fiscal year next preceding the fiscal year for which the computation is made, to (b) the average of the annual income payments for each State, as determined under paragraph (B) of this section. When the percentage ratio thus determined for any State is less than , the amount of the Federal allotment to such State, as computed under paragraph (C), shall be proportionately reduced; except that in no case shall the amount of the Federal allotment for any State be less than $ multiplied by the number of children in such State from 5 to 17 years of age, inclusive, as determined under paragraph (A).

(E) Determine the percentage ratio of (a) current expenditures in each State from revenues derived from State or local sources for public elementary-school and public secondary-school education for the year for which the computation is made, as estimated on the basis of reports submitted by the State for such purpose, to (b) the average of the annual income payments for each State, as determined by the Department of Commerce, for the three most recent calendar years for which annual income data are available. When for any fiscal year beginning after June 30, 1960, the percentage ratio thus determined for any State is less than ; such State shall be ineligible to receive any part of the funds appropriated pursuant to section 3 of this act for such fiscal year, unless the estimated current expenditures under clause (a) of this paragraph is an amount equal to or greater than $ multiplied by the number of pupils in average daily attendance for such fiscal year as determined on the basis of reports submitted by the State for such purpose. Any State thus determined to be ineligible shall remain ineligible until such time as revised estimates, determined as provided under this paragraph, produce a percentage ratio equal to or greater than , or an amount equal to or greater than $ multiplied by the number of pupils in average daily attendance.

(F) In the event 98 percent of the funds appropriated for any fiscal year pursuant to section 3 of this act is insufficient to pay to all eligible States the amount of the Federal allotment to each such State, computed in accordance with the foregoing provisions of this section, the amount to be paid to each eligible State shall bear the same ratio to the amount of the Federal allotment to each such State as 98 percent of such appropriation bears to the sum of the Federal allotments to all eligible States.

(G) From 2 percent of the funds appropriated pursuant to section 3 of this act, such sums as may be necessary shall be apportioned by the Commissioner to Alaska, Hawaii, the Canal Zone, Puerto Rico, American Samoa, the Virgin Islands, and Guam according to their respective needs for additional funds for public elementary and public secondary schools upon the basis of joint agreements made with their respective State educational authorities.

CERTIFICATION AND PAYMENT

SEC. 5. The United States Commissioner of Education shall certify for each fiscal year the amounts to be paid under this act to each State that has qualified under section 7 of this act to the Secretary of the Treasury, who shall, through the fiscal service of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the treasurer or corresponding official of such State the amount certified for such fiscal year in four equal installments, as soon after the first day of each quarter as may be feasible, beginning with the first quarter of the fiscal year for which appropriations made under the authorization of this act are available. Such treasurer or corresponding official shall pay out such funds only on the requisition of the State educational authority.

AVAILABILITY OF APPROPRIATIONS

SEC. 6. In order more nearly to equalize educational opportunities, the funds paid to a State from the funds appropriated under section 3 of this act shall be available for disbursement by the State educational authority, either directly or through payments to local public-school jurisdictions or other State public-education agencies, exclusively for the purpose of increasing the salaries of teachers, principals, and supervisors in the State program of public elementary and secondary education.

STATE ACCEPTANCE PROVISIONS

SEC. 7. (A) In order to qualify for receiving funds appropriated under this act a State—

(1) through its legislature, shall (a) accept the provisions of this act and provide for the administration of funds to be received; (b) provide that the State treasurer or corresponding official in the State shall

receive the funds paid to that State under this act and shall be required to submit to the United States Commissioner of Education, on or before the 1st day of November of each year, for transmission to the Congress, a detailed statement of the amount so received for the preceding fiscal year and of its disbursement; (c) provide that its State educational authority shall represent the State in the administration of funds received; (d) provide for an annual audit, and for the submission of a copy thereof to the commissioner, of the expenditure of funds received under this act, and for a system of reports from local public-school jurisdictions and other State public-education agencies to the State educational authority; (e) provide that the State educational authority shall make reports to the Commissioner with respect to the progress of education, on forms to be provided by the Commissioner, which reports the Commissioner shall transmit to the Congress with recommendations for such revisions of this act as in his judgment the Congress should consider, with particular reference to recommendations arising from changing conditions in our national economy: *Provided*, That, until the end of the fiscal year in which occurs the adjournment of the first regular session of the legislature of any State, which convenes after the enactment of this act, or until such legislature takes the action required under this section to qualify for receiving funds, whichever first occurs, such State shall be deemed to qualify for receiving such funds if the chief executive of such State takes the action required under this section to so qualify;

(2) through its legislature, shall provide that the State educational authority shall formulate and effectuate, for each fiscal year beginning after June 30, 1959, a plan for the apportionment of amounts paid to such State from funds appropriated pursuant to section 3 of this act for such fiscal year under which (a) there will be available from all sources to each local public-school jurisdiction or other State public-education agency, for current expenditures for public elementary-school and public secondary-school education, an amount per pupil in average daily attendance at public elementary and secondary schools within such local public-school jurisdiction, or under the jurisdiction of such State public-education agency, not less than $ or, in any fiscal year for which the amount to be paid to a State is less by reason of the provisions of paragraph (F) of section 4 than the amount of the Federal allotment to such State, an amount which bears the same ratio to $ as 98 percent of the funds appropriated for such fiscal year pursuant to section 3 bears to the sum of all Federal allotments under section 4.

(3) shall transmit through its State educational authority to the United States Commissioner of Education notice of acceptance and certified copies of the legislative enactments and the regulations that may be issued by the State educational authority in connection with such funds. Any amendment of such enactment and revisions of regulations shall in like manner be transmitted to said Commissioner.

(B) The funds appropriated pursuant to section 3 of this act shall be paid only to those States which, during the preceding fiscal year, have provided from revenues derived from State sources for all public elementary-school and public secondary-school purposes an amount equivalent to at least one of the following: (1) The total amount actually spent for such purposes from such sources in the fiscal year ended in 1955, or (2) the amount per pupil in average daily attendance actually spent for such purposes from such sources in the fiscal year ended in 1955.

RIGHT OF APPEAL

SEC. 8. In the event a State educational authority is dissatisfied with any action by the United States Commissioner of Education taken with respect to such State pursuant to this act, or with his failure to take any action with respect to such State pursuant to this act, such authority shall have a right to appeal to the Commissioner to change the action he has taken or to take the action he has failed to take, and to present to him in support of such appeal such statements and other evidence as such authority may deem appropriate. If the action taken by the Commissioner on such appeal is not satisfactory to the State educational authority, or if he fails to act thereon within 90 days after he receives such appeal, such authority shall have a right to appeal to the United States district court for any district in which any part of such State is located. The court shall receive in evidence a copy of the statements and other evidence presented by the State educational authority to the Commissioner, and such further evidence as the court in its discretion deems proper; and shall have jurisdiction to enter such judgment as the facts and the law may require.

DEFINITIONS

SEC. 9. As used in this act—

(A) The term "State" shall include the several States, the District of Columbia, Alaska, and Hawaii, Puerto Rico, the Canal Zone, American Samoa, the Virgin Islands, and Guam.

(B) The term "legislature" means the State or Territorial legislature or other comparable body, except that in the District of Columbia it shall mean the Board of Education, and in American Samoa and the Virgin Islands it shall mean the Governor.

(C) The term "State educational authority" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education, and in American Samoa, Guam, and the Virgin Islands, it shall mean the Governor.

(D) The term "current expenditures" does not include expenditures for interest, debt service, and capital outlay.

SEPARABILITY

SEC. 10. If any provision of this act or application thereof to any State, person, or circumstance is held invalid, the remainder of the act, and the application of such provision to other States, persons, or circumstances shall not be affected thereby.

Mr. MORSE. Mr. President, the first order of legislative business in the next session of Congress is a Federal aid to education bill. Our boys and girls are entitled to no less. The preservation of the enlightenment and strength of our democracy demands that we perform our legislative duty on this burning issue.

Mr. President, in accordance with the previous permission I have obtained from the Chair, I offer for printing in the CONGRESSIONAL RECORD at this time the following items:

First. Advance estimate of public elementary and secondary schools for the school year 1954–55, prepared by the Research Division, National Education Association of the United States.

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

TABLE 1.—*Estimated number of basic administrative units, board members, and superintendents, 1953–54 and 1954–55*

State	1953–54			1954–55		
	Administrative units	Board members	Superintendents	Administrative units	Board members	Superintendents
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Alabama	111	562	111	115	577	115
Arizona	304	952	255	295	925	250
Arkansas	422	2,110	365	423	2,115	365
California	1,961	7,511	795	1,900	7,500	825
Colorado	1,117	3,607	180	1,106	3,450	180
Connecticut	172	1,292	102	174	1,301	104
Delaware	110	452	17	105	432	17
District of Columbia	1	9	1	1	9	1
Florida	67	536	67	67	536	67
Georgia	203	1,050	203	203	1,050	203
Idaho	190	832	107	180	812	109
Illinois	2,400	16,677	3,115	2,100	14,800	2,900
Indiana	[1] 1,095	[1] 1,300	[1] 245	[1] 1,065	[1] 1,150	[1] 243
Iowa	4,558	19,500	829	4,450	19,100	822
Kansas	3,375	10,500	325	3,265	10,170	325
Kentucky	228	1,140	228	224	1,120	224
Louisiana	67	692	67	67	692	67
Maine	[1] 492	[1] 1,526	[1] 116	[1] 492	[1] 1,526	[1] 116
Maryland	24	1,360	24	24	1,360	24
Massachusetts	348	1,548	229	348	1,548	229
Michigan	4,532	15,622	1,013	4,270	14,810	1,000
Minnesota	4,722	15,537	449	4,100	13,737	450
Mississippi	1,370	5,000	384	1,300	4,060	384
Missouri	4,331	15,525	594	3,985	14,457	588
Montana	1,175	3,789	191	1,145	3,699	191
Nebraska	6,100	19,750	320	5,900	19,500	315
Nevada	175	539	22	170	524	22
New Hampshire	235	826	48	230	823	48
New Jersey	554	4,253	253	559	4,298	258
New Mexico	101	505	101	99	495	99
New York	2,648	7,400	169	2,250	7,200	169
North Carolina	174	1,014	174	174	1,014	174
North Dakota	[1] 2,000	[1] 6,100	[1] 145	[1] 1,950	[1] 5,900	[1] 138
Ohio	1,340	[1] 6,712	297	1,337	[1] 6,600	305
Oklahoma	1,888	6,764	670	1,802	6,749	665
Oregon	794	2,598	126	788	2,580	126
Pennsylvania	2,490	12,878	191	2,463	12,743	195
Rhode Island	39	212	37	39	212	37
South Carolina	103	758	180	103	758	170
South Dakota	3,383	10,845	338	3,374	10,820	338
Tennessee	152	996	152	152	996	152
Texas	2,045	11,733	1,064	1,950	11,456	1,075
Utah	40	207	40	40	207	40
Vermont	262	930	55	265	850	54
Virginia	127	652	111	129	662	113
Washington	535	2,267	260	527	2,196	260
West Virginia	55	275	55	55	275	55
Wisconsin	4,958	16,661	425	4,358	14,861	425
Wyoming	301	1,208	88	298	1,194	88
Total	63,874	244,712	15,333	60,416	233,849	15,120

[1] Estimated by NEA Research Division.

TABLE 2.—*Estimated number of instructional staff in public elementary and secondary schools, 1953–54*

State	Elementary-school classroom teachers			Secondary-school classroom teachers			Principals and supervisors	Tota
	Men	Women	Total	Men	Women	Total		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Alabama	1,690	15,210	16,900	3,680	5,520	9,200	800	26,900
Arizona	984	3,938	4,922	711	874	1,585	451	6,958
Arkansas	[1] 1,014	[1] 6,784	7,798	[1] 2,409	[1] 3,066	5,475	510	13,783
California	9,562	38,250	47,812	10,980	13,419	24,399	5,686	77,897
Colorado	[1] 1,625	[1] 6,348	7,973	[1] 1,294	[1] 1,580	2,874	827	11,674
Connecticut	1,276	7,639	8,915	2,088	2,235	4,323	734	13,972
Delaware	178	1,072	1,250	590	455	1,045	130	2,425
District of Columbia	78	1,760	1,838	540	1,049	1,589	228	3,655
Florida	966	11,745	12,711	3,675	4,998	8,673	1,174	22,558
Georgia	1,094	17,739	18,833	3,703	5,069	8,772	973	28,578
Idaho	[1] 533	[1] 2,425	2,958	[1] 935	[1] 802	1,737	370	5,065
Illinois	5,262	30,426	35,688	7,928	8,029	15,957	2,483	54,128
Indiana	[1] 2,865	[1] 11,459	[1] 14,324	[1] 5,131	[1] 6,271	[1] 11,042	[1] 1,500	[1] 27,226
Iowa	789	13,997	14,786	3,875	3,262	7,137	1,228	23,151
Kansas	1,425	9,543	10,968	3,303	2,930	6,233	1,867	19,068
Kentucky	1,725	12,085	13,810	1,698	2,400	4,681	1,033	19,524
Louisiana	1,097	11,102	12,199	2,421	3,750	6,171	1,190	19,560
Maine	[1] 450	[1] 4,000	[1] 4,450	[1] 1,150	[1] 990	[1] 2,140	[1] 183	[1] 6,773
Maryland	850	7,330	8,180	2,920	3,626	6,546	917	15,643
Massachusetts	1,725	14,640	16,365	4,700	5,275	9,975	1,085	27,425
Michigan	5,270	21,080	26,350	7,470	9,130	16,600	1,750	44,700
Minnesota	2,570	10,278	12,848	4,357	5,325	9,682	819	23,349
Mississippi	1,024	9,814	10,838	2,152	3,077	5,229	319	16,386
Missouri	1,948	15,635	17,583	3,127	3,550	6,677	1,338	25,598
Montana	574	3,172	3,746	816	559	1,375	190	5,311
Nebraska	508	8,342	8,850	1,750	1,530	3,280	390	12,520
Nevada	184	964	1,148	229	162	391	82	1,621
New Hampshire	218	1,729	1,947	571	582	1,153	173	3,273
New Jersey	2,158	18,412	20,570	4,906	5,192	10,098	1,472	32,140
New Mexico	1,383	3,229	4,612	537	998	1,535	403	6,550
New York	9,670	38,680	48,350	17,145	20,955	38,100	4,950	91,400
North Carolina	[1] 4,773	[1] 18,240	23,013	[1] 3,579	[1] 4,464	8,043	1,847	32,903
North Dakota	[1] 425	[1] 4,600	[1] 5,025	[1] 800	[1] 1,035	[1] 1,835	[1] 250	[1] 7,110
Ohio	[1] 3,197	[1] 24,565	[1] 27,762	[1] 9,236	[1] 8,169	[1] 17,405	[1] 4,500	49,667
Oklahoma	1,280	9,466	10,746	3,116	3,742	6,858	1,373	18,977
Oregon	1,748	6,993	8,741	1,482	1,811	3,293	818	12,852
Pennsylvania	3,379	31,817	35,196	13,604	13,605	27,209	4,021	66,426
Rhode Island	160	2,080	2,240	725	910	1,635	260	4,135
South Carolina	838	11,261	12,099	1,943	3,772	5,715	586	18,400
South Dakota	[1] 405	[1] 4,931	[1] 5,336	[1] 1,173	[1] 850	[1] 2,023	180	7,539
Tennessee	1,748	15,735	17,483	2,647	3,970	6,617	846	24,946
Texas	4,226	31,682	35,908	7,727	10,205	17,932	1,550	55,390
Utah	528	2,590	3,118	1,570	841	2,411	530	6,059
Vermont	93	1,732	1,825	345	390	735	82	2,642
Virginia	651	14,497	15,148	2,818	5,371	8,189	2,229	25,566
Washington	[1] 2,435	[1] 9,755	12,190	[1] 2,046	[1] 2,500	4,546	1,089	17,825
West Virginia	760	7,979	8,739	2,460	3,215	5,675	1,804	16,218
Wisconsin	2,080	13,920	16,000	4,342	3,258	7,600	1,045	24,645
Wyoming	116	1,693	1,809	588	505	1,093	170	3,072
Total	89,922	572,810	662,732	166,759	195,256	362,015	58,288	1,083,035

[1] Estimated by NEA Research Division.

TABLE 3.—*Estimated number of instructional staff in public elementary and secondary schools, 1954–55*

State	Elementary-school classroom teachers			Secondary-school classroom teachers			Principals and supervisors	Total
	Men	Women	Total	Men	Women	Total		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Alabama	1,700	15,300	17,000	3,720	5,580	9,300	810	27,110
Arizona	1,044	4,121	5,165	780	965	1,745	465	7,375
Arkansas	[1] 1,020	[1] 6,828	7,848	[1] 2,430	[1] 3,095	5,525	525	13,898
California	10,500	42 000	52,500	12,500	14,000	26,500	5,900	84,900
Colorado	1,681	[1] 6,850	8,531	[1] 1,385	[1] 1,690	3,075	850	12,456
Connecticut	1,316	8,084	9,400	2,160	2,340	4,500	775	14,675
Delaware	161	1,164	1,325	601	459	1,060	130	2,515
District of Columbia	79	1,899	1,978	560	1,088	1,648	233	3,859
Florida	1,050	12,700	13,750	3,950	5,400	9,350	1,275	24,375
Georgia	1,119	18,229	19,348	3,810	5,226	9,036	1,007	29,391
Idaho	[1] 565	2,593	3,158	[1] 965	[1] 888	1,853	428	5,439
Illinois	5,505	31,195	36,700	8,185	8,315	16,500	2,550	55,750
Indiana	[1] 2,960	[1] 11,840	[1] 14,800	[1] 5,175	[1] 6,325	[1] 11,500	[1] 1,500	[1] 27,800
Iowa	903	14,165	15,068	4,142	3,341	7,483	1,223	23,774
Kansas	1,517	10,151	11,668	3,350	2,970	6,320	1,883	19,871
Kentucky	1,775	12,387	14,162	1,767	3,105	4,872	1,050	20,084
Louisiana	1,250	11,530	12,780	2,550	3,850	6,400	1,200	20,380
Maine	[1] 458	[1] 4,117	[1] 4,575	[1] 1,200	[1] 1,017	[1] 2,217	[1] 183	[1] 6,975
Maryland	919	7,925	8,844	3,150	3,912	7,062	988	16,894
Massachusetts	1,760	14,930	16,690	4,795	5,380	10,175	1,100	27,965
Michigan	5,630	22,510	28,140	7,605	9,295	16,900	1,760	46,800
Minnesota	2,719	10,878	13,597	4,611	5,635	10,246	867	24,710
Mississippi	1,020	9,780	10,800	2,157	3,083	5,240	320	16,360
Missouri	2,031	15,969	18,000	3,167	3,598	6,765	1,366	26,131
Montana	612	3,450	4,062	860	590	1,450	210	5,722
Nebraska	510	8,400	8,910	1,775	1,550	3,325	395	12,630
Nevada	222	1,081	1,303	247	182	429	91	1,823
New Hampshire	224	1,815	2,039	615	599	1,214	165	3,418

[1] Estimated by NEA Research Division.

TABLE 3.—*Estimated number of instructional staff in public elementary and secondary schools, 1954–55*—Continued

State	Elementary-school classroom teachers			Secondary-school classroom teachers			Principals and supervisors	Total
	Men	Women	Total	Men	Women	Total		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
New Jersey	2,250	19,550	21,800	5,000	5,350	10,350	1,525	33,675
New Mexico	1,564	3,652	5,216	608	1,130	1,738	407	7,361
New York	10,010	40,040	50,050	17,440	21,310	38,750	5,200	94,000
North Carolina	[1] 5,000	[1] 18,885	23,885	[1] 3,680	[1] 4,690	8,370	1,917	34,172
North Dakota	[1] 430	[1] 4,620	[1] 5,050	[1] 810	[1] 1,040	[1] 1,850	[1] 250	[1] 7,150
Ohio	[1] 3,375	[1] 25,870	[1] 29,245	[1] 9,550	[1] 8,550	[1] 18,100	[1] 4,700	52,045
Oklahoma	1,290	9,500	10,790	3,150	3,800	6,950	1,375	19,115
Oregon	1,833	7,334	9,167	1,555	1,900	3,455	864	13,486
Pennsylvania	3,484	32,808	36,292	14,264	14,265	28,529	4,181	59,002
Rhode Island	175	2,325	2,500	790	1,010	1,800	300	4,600
South Carolina	850	11,510	12,360	2,000	3,825	5,825	600	18,785
South Dakota	[1] 415	[1] 4,990	[1] 5,405	[1] 1,250	[1] 875	[1] 2,125	183	7,713
Tennessee	1,786	16,072	17,858	2,704	4,055	6,759	846	25,463
Texas	4,429	33,106	37,535	7,964	10,514	18,478	1,598	57,611
Utah	558	2,724	3,282	1,650	888	2,538	540	6,360
Vermont	95	1,755	1,850	350	395	745	85	2,680
Virginia	[1] 675	[1] 15,075	[1] 15,750	[1] 2,930	[1] 5,595	[1] 8,525	[1] 2,325	[1] 26,600
Washington	[1] 2,620	[1] 10,477	13,097	[1] 2,204	[1] 2,700	4,904	1,139	19,140
West Virginia	750	8,090	8,840	2,370	3,360	5,730	1,820	16,390
Wisconsin	2,120	14,120	16,240	4,360	3,285	7,645	1,048	24,933
Wyoming	[1] 125	[1] 1,750	[1] 1,875	[1] 625	[1] 525	[1] 1,150	[1] 175	[1] 3,200
Total	94,084	596,144	690,228	173,466	202,540	376,006	60,327	1,126,561

[1] Estimated by NEA Research Division.

TABLE 4.—*Estimated number of temporary (emergency) teachers and additional supply needed, 1953–54 and 1954–55*

State	1953–54 temporary teachers					1954–55 temporary teachers				
	Number employed	Percent in elementary schools	Percent in rural schools	Percent with less than four years college	Number of additional teachers needed	Number employed	Percent in elementary schools	Percent in rural schools	Percent with less than four years college	Number of additional teachers needed
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Alabama	3,300	92	80	70	600	3,000	90	80	70	600
Arizona	12	100	100	100	70	35	100	100	100	90
Arkansas	6,000	80	50	85	200	6,000	80	50	80	225
California	6,407	90	60	40	5,000	7,000	92	70	35	5,000
Colorado	618	89	98	100	1,100	600	90	98	100	1,750
Connecticut	820	95	5	43	0	875	95	5	35	0
Delaware	60	97	75	0	82	65	97	75	0	90
District of Columbia	400	63	0	60	315	450	65	0	62	290
Florida	3,559	90	60	25	1,150	3,739	90	40	20	1,000
Georgia	700	82	90	60	614	750	84	90	60	650
Idaho	1,221	71	[1] 75	48	[1] 120	1,250	72	[1] 78	45	[1] 100
Illinois	500	98	90	100	2,600	550	98	90	100	2,800
Indiana	[1] 500	[1] 80	[1] 75	[1] 60	[1] 700	[1] 550	[1] 80	[1] 75	[1] 60	[1] 800
Iowa	[1] 500	[1] 77	[1] 65	[1] 80	1,500	[1] 450	[1] 75	[1] 65	[1] 78	1,500
Kansas	[1] 1	[1] 0	[1] 0	[1] 100	[1] 400	0	----------	----------	----------	[1] 500
Kentucky	2,460	77	97	95	1,283	2,400	75	97	95	1,316
Louisiana	1,327	75	81	54	45	1,000	75	80	50	0
Maine	[1] 470	[1] 68	[1] 80	[1] 40	[1] 0	[1] 500	[1] 70	[1] 80	[1] 40	[1] 0
Maryland	3,138	67	[1] 40	44	1,038	3,317	80	[1] 45	46	1,088
Massachusetts	400	75	25	90	600	400	75	25	90	700
Michigan	6,600	16	50	60	10,000	7,200	17	50	60	11,000
Minnesota	342	74	35	75	1,000	400	70	30	75	1,200
Mississippi	390	85	80	90	450	400	85	90	85	475
Missouri	7,000	64	36	90	2,000	7,000	64	36	90	2,400
Montana	696	95	85	87	135	600	96	89	85	125
Nebraska	602	52	37	60	0	1,200	50	35	60	0
Nevada	9	44	56	90	60	4	50	50	75	70
New Hampshire	233	79	60	36	750	261	80	63	40	825
New Jersey	2,837	90	42	25	540	3,000	90	42	25	575
New Mexico	4	100	100	100	200	2	100	100	100	220
New York	4,046	75	65	[1] 30	750	4,200	75	65	[1] 30	750
North Carolina	2,375	90	80	93	1,135	2,400	90	80	93	1,680
North Dakota	[1] 550	[1] 95	[1] 90	[1] 0	[1] 600	[1] 500	[1] 95	[1] 90	[1] 0	[1] 600
Ohio	2,287	100	75	38	800	2,785	100	75	40	400
Oklahoma	0	----------	----------	----------	200	0	----------	----------	----------	225
Oregon	1,907	100	65	73	0	1,503	100	65	70	0
Pennsylvania	1,574	[1] 60	[1] 55	52	2,147	1,600	[1] 60	[1] 55	50	2,251
Rhode Island	75	72	50	20	100	75	72	50	20	100
South Carolina	234	65	90	100	1,500	234	65	90	100	1,700
South Dakota	1,232	99	91	100	274	1,100	99	91	100	200
Tennessee	1,531	82	93	87	1,800	1,200	82	93	87	2,000
Texas	2,810	60	50	71	6,886	2,600	65	50	69	7,152
Utah	1,005	75	28	56	500	1,005	75	28	56	500
Vermont	498	74	44	77	360	550	70	40	75	400
Virginia	2,700	81	95	99	1,500	2,800	81	95	99	1,800
Washington	1,444	79	[1] 25	79	1,454	1,500	81	[1] 25	81	1,500
West Virginia	1,254	95	85	95	1,100	1,400	95	85	94	1,000
Wisconsin	2,000	94	55	96	235	2,000	90	55	75	320
Wyoming	222	100	90	100	[1] 40	230	100	90	100	[1] 50
Total	78,850	75	60	65	53,933	80,680	76	60	63	58,017

[1] Estimated by the NEA Research Division.

TABLE 5.—*Number of public-school teachers leaving teaching by reasons for leaving, 1953–54 and 1954–55*

State	Number of teachers who left teaching in 1953–54	Number of teachers who will leave teaching in 1954–55	Percent leaving because of—				
			Marriage or family reasons	Retirement for old age or disability	Going to other States	Entering other types of employment	Miscellaneous other reasons
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Alabama [1]							
Arizona [1]							
Arkansas	1,500	1,500					
California	7,000	7,400	40	25	15	5	15
Colorado	1,130	1,200	26	12	35	23	4
Connecticut	700	750					
Delaware	348	365					
District of Columbia	175	180		39			
Florida	2,372	2,400		10			
Georgia [1]							
Idaho [1]							
Illinois [1]							
Indiana [1]							
Iowa [1]							
Kansas	2,000	2,250					
Kentucky	2,313	2,000	15	9	12	9	55
Louisiana	500	400	30	55	5	10	0
Maine [1]							
Maryland	2,593	2,700	35	4	28	6	27
Massachusetts	1,200	1,300	25	33	16	8	18
Michigan	4,500	4,700					
Minnesota	2,422	2,400	42	3	15	11	29
Mississippi [1]							
Missouri	3,500	3,500	28	1	35	24	12
Montana [1]							
Nebraska [1]							
Nevada [1]							
New Hampshire	430	450	20	10	25	25	20
New Jersey	2,170	2,260	31	19	16	7	27
New Mexico	988	860	20	5	10	20	45
New York	6,000	6,000	55	15	15	10	5
North Carolina	2,632	2,700	45	7	13	13	22
North Dakota [1]							
Ohio	4,439	3,787	20	15	10	15	40
Oklahoma	2,151	2,000	19	15	25	24	17
Oregon	800	600	1	3	50	25	21
Pennsylvania	3,128	3,500	6	45	11	18	20
Rhode Island [1]							
South Carolina	1,500	1,500	45	10	17	11	17
South Dakota	1,912	1,920	47	3	15	3	32
Tennessee	950						
Texas	1,346	1,200	23	40	3	7	27
Utah	581	581	13	5	18	17	47
Vermont	364	360	60	8	10	10	12
Virginia	2,938	3,000	14	6	16	45	19
Washington	1,845	1,900	29	13	23	10	25
West Virginia	700	1,056	26	4	37	10	23
Wisconsin	2,261	2,321	45	10	15	13	17
Wyoming	650	675	28	8	16	10	38
Total (27 States)	57,493	57,570	32	15	18	14	21
Total (34 States)	69,088	69,715					

[1] Data not available.

TABLE 6.—*Estimated average salaries and purchasing power*

State	Instructional staff		Classroom teachers, 1954–55			Purchasing power of Col. 3 [1]	
	1953–54	1954–55	Elementary school	Secondary school	All	1935–39 dollars	1947–49 dollars
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Alabama	$2,500	$2,625	$2,330	$2,950	$2,550	$1,369	$2,289
Arizona	4,110	4,200	4,000	4,600	[2] 4,150	2,190	3,662
Arkansas	2,256	2,260	[2] 2,000	[2] 2,400	[2] 2,165	1,178	1,970
California	4,753	5,050	4,650	5,400	4,925	2,633	4,403
Colorado	3,457	3,600	3,400	3,900	3,530	1,877	3,139
Connecticut	4,197	4,400	4,050	4,550	4,250	2,294	3,836
Delaware	4,290	4,395	4,039	4,401	4,220	2,291	3,832
Florida	3,772	3,800	[2] 3,650	[2] 3,850	3,725	1,981	3,313
Georgia	2,850	3,000	2,675	3,250	2,875	1,564	2,616
Idaho	3,479	3,497	3,224	3,771	3,424	1,823	3,049
Illinois	4,300	4,500	4,250	4,600	4,350	2,346	3,923
Indiana	[2] 4,025	[2] 4,185	[2] 3,900	[2] 4,350	[2] 4,100	2,182	3,649
Iowa	3,050	3,260	2,800	3,801	3,190	1,700	2,842
Kansas	3,311	3,460	3,065	3,790	3,350	1,804	3,017
Kentucky	2,475	2,625	[2] 2,300	[2] 2,900	[2] 2,475	1,369	2,289
Louisiana	3,472	4,100	[2] 3,725	[2] 4,100	3,850	2,138	3,575
Maine	[2] 2,700	[2] 2,850	[2] 2,575	[2] 3,275	[2] 2,800	1,486	2,485
Maryland	4,153	4,275	[2] 4,015	[2] 4,315	4,147	2,229	3,727
Massachusetts	4,025	4,125	3,800	4,300	4,045	2,151	3,596
Michigan	4,200	4,400	4,100	4,625	4,300	2,294	3,836
Minnesota	3,479	3,600	3,100	4,100	3,500	1,877	3,139
Mississippi	1,864	2,200	1,880	2,400	2,050	1,147	1,918
Missouri	3,197	3,320	3,060	3,700	3,235	1,731	2,895
Montana	3,531	3,610	3,350	4,055	3,575	1,882	3,147
Nebraska	[2] 2,900	[2] 3,000	[2] 2,600	[2] 3,700	[2] 2,900	1,564	2,616
Nevada	$3,861	$4,165	$3,977	$4,367	$4,074	$2,172	$3,631
New Hampshire	3,276	3,425	3,175	3,650	3,360	1,786	2,986
New Jersey	4,230	4,470	4,200	4,775	4,360	2,331	3,897
New Mexico	4,150	4,436	4,280	4,420	4,340	2,313	3,867
New York	4,725	5,050	4,700	5,375	4,950	2,633	4,403
North Carolina	3,310	3,329	[2] 3,240	[2] 3,215	3,228	1,736	2,902
North Dakota	[2] 2,750	[2] 2,850	[2] 2,600	[2] 3,350	[2] 2,800	1,486	2,485
Ohio	3,975	4,100	3,800	4,250	3,975	2,138	3,575
Oklahoma	3,436	3,511	3,325	3,625	3,445	1,831	3,061
Oregon	4,134	4,300	4,000	4,320	4,150	2,242	3,749
Pennsylvania	3,951	4,141	3,850	4,180	4,020	2,159	3,610
Rhode Island	3,900	4,100	3,900	4,200	4,025	2,138	3,575
South Carolina	2,890	2,975	2,700	3,200	2,803	1,551	2,594
South Dakota	2,850	2,950	2,700	3,400	2,900	1,538	2,572
Tennessee	2,793	2,800	2,525	3,200	2,710	1,460	2,441
Texas	3,720	3,975	3,740	4,050	3,842	2,072	3,466
Utah	3,687	4,041	3,790	4,076	3,950	2,107	3,523
Vermont	2,922	2,975	2,690	3,350	2,890	1,551	2,594
Virginia	3,045	3,250	3,000	3,370	3,130	1,694	2,833
Washington	4,331	4,400	4,195	4,585	4,310	2,294	3,836
West Virginia	3,040	3,060	2,750	3,280	2,975	1,595	2,668
Wisconsin	3,711	3,840	3,425	4,290	3,732	2,002	3,348
Wyoming	[2] 3,500	[2] 3,575	[2] 3,300	[2] 3,875	[2] 3,475	1,864	3,117
Total	3,741	3,932	3,615	4,194	3,816	2,050	3,428

[1] Based on Consumer Price Index, U. S. Bureau of Labor Statistics, September 1954. Col. (7), index of 191.8 (1935–39 as 100); col. (8), index of 114.7 (1947–49 as 100).
[2] Estimated by NEA Research Division.

TABLE 7.—*Estimated distribution of teachers' salaries, 1954–55*

State	Classroom teachers' average salary, 1954–55	Percent of teachers paid— Below $2,500	$2,500 to $3,499	$3,500 to $4,499	$4,500 and above
(1)	(2)	(3)	(4)	(5)	(6)
Alabama	$2,550	55.0	35.4	10.0	0
Arizona	[1] 4,150	0	22.0	43.0	35.0
Arkansas	[1] 2,165	73.0	25.0	2.0	0
California	4,925	0	.3	45.0	54.7
Colorado	3,530	6.0	60.0	24.0	10.0
Connecticut	4,250	0	35.0	35.0	30.0
Delaware	4,220	1.0	24.0	55.0	20.0
Florida	3,725	3.0	64.0	31.0	2.0
Georgia	2,875	22.0	70.0	8.0	0
Idaho	3,424	1.0	58.0	39.0	2.0
Illinois	4,350	6.0	30.0	29.0	35.0
Indiana	[1] 4,100	[1] 3.0	[1] 27.0	[1] 40.0	[1] 30.0
Iowa	3,190	14.0	45.0	29.0	12.0
Kansas	3,350	12.0	45.0	34.0	9.0
Kentucky	[1] 2,475	62.0	28.0	6.0	4.0
Louisiana	3,850	5.0	25.0	40.0	30.0
Maine	[1] 2,800	[1] 48.0	[1] 42.0	[1] 9.0	[1] 1.0
Maryland	4,147	0.6	30.3	36.5	32.6
Massachusetts	4,045	0	25.0	50.0	25.0
Michigan	4,300	5.0	30.0	40.0	25.0
Minnesota	3,500	8.0	38.0	30.0	24.0
Mississippi	2,050	79.2	16.0	4.7	.1
Missouri	3,235	29.0	40.0	17.0	14.0
Montana	3,575	6.0	53.0	37.0	4.0
Nebraska	2,900	[1] 35.0	[1] 45.0	[1] 12.0	[1] 8.0
Nevada	$4,074	0	11.0	67.8	21.2
New Hampshire	3,360	3.0	63.0	31.0	3.0
New Jersey	4,360	0	23.8	33.0	43.2
New Mexico	4,340	0	20.0	60.0	20.0
New York	4,950	0	18.0	26.0	56.0
North Carolina	3,228	9.0	83.4	7.5	.1
North Dakota	[1] 2,800	[1] 45.0	[1] 46.0	[1] 8.0	[1] 1.0
Ohio	3,975	.7	41.3	31.8	26.2
Oklahoma	3,445	5.7	92.4	1.4	.5
Oregon	4,150	0	20.0	62.0	18.0
Pennsylvania	4,020	1.2	42.0	38.4	18.4
Rhode Island	4,025	.5	37.5	45.0	17.0
South Carolina	2,803	27.0	66.0	7.0	0
South Dakota	2,900	30.0	42.0	14.0	14.0
Tennessee	2,710	51.0	38.0	8.0	3.0
Texas	3,842	2.0	50.0	37.0	11.0
Utah	3,950	0	60.0	37.0	3.0
Vermont	2,890	25.0	55.0	19.0	1.0
Virginia	3,130	22.0	55.0	20.0	3.0
Washington	4,310	[1] 0	[1] 8.0	[1] 65.0	[1] 27.0
West Virginia	2,975	24.0	60.0	15.0	1.0
Wisconsin	3,732	10.0	38.2	26.8	25.0
Wyoming	[1] 3,475	[1] 2.0	[1] 51.0	[1] 36.0	[1] 11.0
Total	3,816	11.9	36.6	29.2	22.3

[1] Estimated by NEA Research Division

TABLE 8.—*Estimated total income, 1953–54 and 1954–55*

[In thousands]

State	1953–54 Federal	State	Local	Total	1954–55 Federal	State	Local	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Alabama	$3,192	$64,094	$19,785	$87,071	$3,200	$65,000	$20,000	$88,200
Arizona	6,165	15,050	34,466	55,681	5,000	16,400	39,400	60,800
Arkansas	1,700	26,700	24,490	52,890	1,700	26,700	25,200	53,600
California	20,000	367,000	363,000	750,000	25,000	398,000	392,000	815,000
Colorado	2,100	15,082	62,500	79,682	1,500	14,750	70,000	86,250
Connecticut	1,738	15,473	72,874	90,085	1,800	16,400	76,300	94,500
Delaware	400	16,960	2,640	20,000	400	17,850	2,750	21,000
District of Columbia			28,336	28,336			31,000	31,000
Florida	6,595	74,946	66,210	147,751	7,000	81,290	69,050	157,340
Georgia	5,500	102,000	33,000	140,500	5,500	110,000	34,500	150,000
Idaho	1,947	7,064	22,961	31,972	1,350	7,951	23,150	32,451
Illinois	8,925	75,000	602,682	686,607	9,750	81,750	658,500	750,000
Indiana	[1] 2,730	[1] 74,100	[1] 118,170	[1] 195,000	[1] 3,000	[1] 76,800	[1] 120,200	[1] 200,000
Iowa	2,000	18,000	158,000	178,000	2,000	18,000	170,000	190,000
Kansas	2,930	23,623	88,555	115,108	3,180	23,623	92,983	119,786
Kentucky	4,000	32,969	45,000	81,969	5,540	36,032	46,000	87,572
Louisiana	3,062	89,962	44,559	137,583	3,500	105,000	46,500	155,000
Maine	[1] 540	[1] 5,480	[1] 25,000	[1] 31,020	[1] 550	[1] 5,500	[1] 26,000	[1] 32,050
Maryland	5,873	42,300	69,743	117,916	7,233	45,172	77,987	130,392
Massachusetts	3,000	27,000	137,000	167,000	3,000	28,000	144,000	175,000
Michigan	3,000	192,668	116,000	311,668	3,000	201,800	127,800	332,600
Minnesota	3,571	65,859	98,503	167,933	3,928	72,445	108,353	184,726
Mississippi	917	25,699	24,123	50,739	950	33,293	25,000	59,243
Missouri	2,383	51,092	99,026	152,501	2,400	51,000	104,000	157,400
Montana	1,678	11,225	33,682	46,585	1,800	11,400	35,000	48,200
Nebraska	890	5,955	52,440	59,285	890	3,020	65,000	68,910
Nevada	940	4,579	5,596	11,115	1,000	5,079	6,000	12,079
New Hampshire	713	949	19,998	21,660	800	950	21,151	22,901
New Jersey	4,500	41,800	206,400	252,700	5,000	50,600	226,000	281,600
New Mexico	3,450	34,522	3,874	41,846	3,750	34,522	3,874	42,146
New York	1,600	291,000	507,400	800,000	1,600	320,000	543,400	865,000
North Carolina	3,801	120,016	48,000	171,817	6,705	136,560	46,000	189,265
North Dakota	[1] 412	[1] 7,100	[1] 22,000	[1] 29,512	[1] 412	[1] 7,150	[1] 22,438	[1] 30,000
Ohio	3,250	116,350	214,500	334,100	3,500	120,000	225,000	348,500
Oklahoma	4,171	33,383	71,015	108,569	4,200	33,500	72,000	109,700
Oregon	2,088	32,667	73,832	108,587	2,100	34,000	78,900	115,000
Pennsylvania	8,952	185,576	368,372	562,900	8,952	206,320	408,428	623,700
Rhode Island	1,925	3,250	22,800	27,975	2,250	3,500	25,000	30,750
South Carolina	5,946	101,586	28,385	135,917	6,200	105,000	30,000	141,200
South Dakota	1,093	3,614	25,337	30,044	1,200	3,700	25,400	30,300
Tennessee	2,736	63,758	38,000	104,494	4,286	62,644	39,000	105,930
Texas	5,338	181,034	167,913	354,285	5,400	221,272	180,400	407,072
Utah	2,379	21,536	27,535	51,450	2,500	20,300	30,450	53,250
Vermont	339	4,234	11,496	16,069	345	4,350	12,000	16,695
Virginia	16,146	62,865	116,227	195,238	17,500	65,000	120,000	202,500
Washington	11,699	91,479	66,565	169,743	11,700	93,800	70,200	175,700
West Virginia	1,634	50,597	27,802	80,033	2,055	49,750	28,104	79,909
Wisconsin	3,706	32,857	133,950	170,513	3,750	35,157	140,950	179,857
Wyoming	330	8,659	15,875	24,864	[1] 400	[1] 9,000	[1] 17,000	[1] 26,400
Total	181,984	2,938,712	4,665,617	7,786,313	198,776	3,169,330	5,002,368	8,370,474

[1] Estimated by NEA Research Division.

TABLE 9–A.—*Estimated current expense and capital outlay, 1953–54*

State (1)	Total current expense (in thousands) (2)	Current expense per pupil in ADA (3)	Total capital outlay (in thousands) (4)	Percent of total revenue from State 1953–54 (5)	State (1)	Total current expense (in thousands) (2)	Current expense per pupil in ADA (3)	Total capital outlay (in thousands) (4)	Percent of total revenue from State 1953–54 (5)
Alabama	$95,000	$157.00	$7,555	73.6	Nevada	$9,664	$271.16	$5,774	$41.2
Arizona	43,000	265.28	18,748	27.0	New Hampshire	19,711	[2] 249.16	2,433	4.4
Arkansas	44,600	125.00	14,000	50.5	New Jersey	234,000	338.00	47,000	16.5
California	713,000	324.00	250,000	48.9	New Mexico	39,861	[1] 270.00	[1] 6,000	82.5
Colorado	65,400	272.71	28,000	18.9	New York	710,000	356.00	255,000	36.4
Connecticut	90,085	288.44	31,893	17.2	North Carolina	141,724	161.00	22,094	69.9
Delaware	16,205	315.00	6,000	84.8	North Dakota	[1] 29,000	[1] 250.00	[1] 5,000	[1] 24.1
District of Columbia	25,000	277.00	3,313	0	Ohio	333,600	[2] 241.80	128,000	34.8
Florida	117,933	217.00	41,032	50.7	Oklahoma	26,649	223.20	24,518	30.7
Georgia	110,995	157.28	20,000	72.6	Oregon	89,900	332.00	40,000	30.1
Idaho	27,090	220.39	7,956	22.1	Pennsylvania	426,200	275.00	175,000	33.0
Illinois	384,488	293.21	139,237	10.9	Rhode Island	28,000	275.00	2,500	11.6
Indiana	[1] 171,310	[1] 252.00	[1] 20,000	[1] 38.0	South Carolina	79,724	173.00	52,184	74.7
Iowa	132,000	273.00	[1] 40,000	10.1	South Dakota	31,251	269.05	4,910	12.0
Kansas	86,208	260.00	6,300	20.5	Tennessee	98,194	154.00	28,500	61.0
Kentucky	74,000	146.00	8,150	40.2	Texas	314,402	227.75	83,918	51.1
Louisiana	112,373	230.00	34,463	65.4	Utah	36,099	216.42	13,908	41.9
Maine	[1] 29,000	[1] 195.00	[1] 3,000	[1] 17.7	Vermont	14,519	238.00	3,216	26.3
Maryland	98,758	[2] 231.00	48,161	35.9	Virginia	110,651	177.24	70,747	32.2
Massachusetts	167,000	[2] 249.00	35,000	16.2	Washington	127,797	290.08	43,016	53.9
Michigan	300,000	263.16	135,000	61.8	West Virginia	72,318	176.00	19,872	63.2
Minnesota	153,135	305.00	76,392	39.2	Wisconsin	135,000	285.00	35,000	19.3
Mississippi	54,554	113.01	3,458	50.7	Wyoming	20,135	360.00	2,046	34.8
Missouri	140,000	232.00	40,000	33.5					
Montana	35,800	[2] 301.90	6,700	24.1	Total	6,540,333	250.62	2,101,174	37.7
Nebraska	55,000	245.00	6,180	10.0					

[1] Estimated by NEA Research Division. Please note that 3 zeros should be added to amounts listed in cols. (2) and (4).
[2] Per pupil in ADM.

TABLE 9–B.—*Estimated current expense and capital outlay, 1954–55*

State (1)	Total current expense (in thousands) (2)	Current expense per pupil in ADA (3)	Total capital outlay (in thousands) (4)	Percent of total revenue from State 1954–55 (5)	State (1)	Total current expense (in thousands) (2)	Current expense per pupil in ADA (3)	Total capital outlay (in thousands) (4)	Percent of total revenue from State 1954–55 (5)
Alabama	$100,000	$164.00	$7,700	73.7	Nevada	$10,508	$276.00	$6,000	$42.0
Arizona	47,000	280.00	15,000	27.0	New Hampshire	20,901	[2] 253.00	2,990	4.1
Arkansas	45,100	125.00	13,500	49.8	New Jersey	253,000	349.00	49,000	18.0
California	770,000	341.00	320,000	48.8	New Mexico	44,254	[1] 280.00	7,589	81.9
Colorado	77,400	293.98	28,000	17.1	New York	760,000	360.00	275,000	37.0
Connecticut	94,500	318.00	34,500	17.4	North Carolina	153,265	168.00	27,500	72.2
Delaware	18,200	335.00	6,000	85.0	North Dakota	[1] 31,000	[1] 260.00	[1] 6,000	[1] 23.8
District of Columbia	26,500	285.00	4,000	0	Ohio	340,000	[2] 250.00	130,000	34.4
Florida	134,308	230.00	63,000	51.7	Oklahoma	98,091	225.00	25,000	30.5
Georgia	120,000	160.00	30,000	73.3	Oregon	97,700	340.00	40,000	29.6
Idaho	28,811	227.57	9,500	24.3	Pennsylvania	469,800	298.86	200,000	33.1
Illinois	390,000	305.00	150,000	10.9	Rhode Island	33,000	315.00	2,800	11.4
Indiana	[1] 179,000	[1] 255.00	[1] 22,000	[1] 38.4	South Carolina	81,500	176.00	55,000	74.4
Iowa	142,000	285.00	[1] 48,000	9.5	South Dakota	32,000	275.00	5,000	12.2
Kansas	90,518	265.00	6,615	19.7	Tennessee	99,630	151.00	28,500	59.1
Kentucky	78,550	150.00	9,000	41.1	Texas	365,570	253.27	85,000	54.4
Louisiana	128,000	247.00	40,000	67.7	Utah	40,500	230.00	14,000	38.1
Maine	[1] 32,000	[1] 205.00	[1] 4,000	[1] 17.2	Vermont	15,000	240.00	4,000	26.1
Maryland	110,028	[2] 242.00	45,888	34.6	Virginia	120,000	185.00	50,000	32.1
Massachusetts	175,000	[2] 251.00	40,000	16.0	Washington	133,797	304.00	43,000	53.4
Michigan	320,000	266.66	145,000	60.7	West Virginia	75,173	178.00	22,000	62.3
Minnesota	168,449	320.00	84,031	39.2	Wisconsin	143,000	291.00	40,000	19.5
Mississippi	59,243	131.00	3,500	56.2	Wyoming	[1] 22,000	[1] 380.00	[1] 2,500	[1] 34.1
Missouri	148,000	242.00	30,000	32.4					
Montana	37,000	[2] 309.00	10,000	23.7	Total	7,020,296	261.68	2,300,113	37.9
Nebraska	61,000	250.00	10,000	4.4					

[1] Estimated by NEA Research Division. Please note that 3 zeros should be added to amounts listed in cols. (2) and (4).
[2] Per pupil in ADM.

TABLE 10.—*Estimated pupil enrollment and percent not attending regular full-time school day*

State (1)	1953–54 enrollment			1954–55 enrollment			Percent not in full-time attendance, 1954–55
	Elementary (2)	Secondary (3)	Total (4)	Elementary (5)	Secondary (6)	Total (7)	(8)
Alabama	437,297	248,724	686,021	448,970	254,677	703,647	1.0
Arizona	151,600	36,500	188,100	158,000	39,500	197,500	3.0
Arkansas	268,674	153,000	421,674	271,000	155,000	426,000	3.0
California	1,646,817	450,412	2,097,229	1,778,400	483,400	2,261,800	6.5
Colorado	204,165	62,369	266,534	224,000	68,000	292,000	13.0
Connecticut	224,764	115,609	340,373	231,000	126,000	357,000	0
Delaware	35,905	20,435	56,340	35,372	22,549	57,921	2.5
District of Columbia	65,369	37,441	102,810	66,103	38,388	104,491	.9
Florida	415,909	232,700	648,609	444,000	252,000	696,000	4.0
Georgia	650,882	211,879	862,761	[1] 663,800	[1] 221,200	[1] 885,000	1.0
Idaho	101,613	34,763	136,376	103,176	35,883	139,059	[1] 1.0
Illinois	1,058,524	340,466	1,398,990	1,132,400	357,600	1,490,000	[1] 1.0
Indiana	[1] 550,630	[1] 204,723	[1] 755,353	[1] 569,400	[1] 210,600	[1] 780,000	[1] 1.0
Iowa	400,300	125,000	525,300	411,000	130,000	541,000	[1] 1.0
Kansas	270,311	91,424	361,735	285,225	92,822	378,047	1.0
Kentucky	484,837	108,381	593,218	494,534	115,968	610,502	1.0
Louisiana	443,214	109,227	552,441	460,000	115,000	575,000	0
Maine	[1] 132,000	[1] 38,000	[1] 170,000	[1] 134,940	[1] 38,060	[1] 173,000	[1] 9.4
Maryland	279,514	147,961	427,475	289,037	164,763	454,800	3.0

See footnotes at end of table.

TABLE 10.—*Estimated pupil enrollment and percent not attending regular full-time school day*—Continued

State	1953–54 enrollment			1954–55 enrollment			Percent not in full-time attendance, 1954–55
	Elementary	Secondary	Total	Elementary	Secondary	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Massachusetts	468,000	204,000	672,000	472,000	226,000	698,000	.3
Michigan	832,438	422,028	1,254,466	879,000	445,500	1,324,500	1.0
Minnesota	355,053	204,081	559,134	368,945	210,357	579,302	1.0
Mississippi	450,110	90,047	540,157	451,000	91,000	542,000	0
Missouri	556,000	154,000	710,000	575,000	157,000	732,000	2.0
Montana	84,829	27,950	112,779	89,614	29,028	118,642	.2
Nebraska	186,000	59,000	245,000	195,000	60,000	255,000	0
Nevada	31,267	7,948	39,215	33,289	8,898	42,187	8.7
New Hampshire	[2] 61,269	19,003	80,272	59,290	[2] 24,443	83,733	.5
New Jersey	643,000	164,000	807,000	670,000	169,000	839,000	4.0
New Mexico	138,155	35,113	173,268	149,207	38,273	187,480	[1] 2.0
New York	1,473,900	842,000	2,315,900	1,556,000	860,000	2,416,000	4.0
North Carolina	759,419	206,323	965,742	798,416	219,650	1,018,067	.1
North Dakota	[1] 90,597	[1] 27,710	[1] 118,307	[1] 93,555	[1] 27,945	[1] 121,500	[1] .5
Ohio	978,734	440,715	1,419,449	1,031,827	469,580	1,501,407	1.5
Oklahoma	399,392	123,578	522,970	410,000	125,000	535,000	2.0
Oregon	236,745	75,819	312,564	249,287	78,611	327,898	.15
Pennsylvania	1,140,634	609,000	1,749,634	1,171,868	637,000	1,808,868	5.8
Rhode Island	73,000	35,500	108,500	75,710	37,290	113,000	.5
South Carolina	398,019	141,418	539,437	410,698	142,791	553,489	0
South Dakota	97,884	30,555	128,439	101,000	31,000	132,000	0
Tennessee	580,200	136,095	716,295	599,643	140,657	740,300	.03
Texas	1,256,130	335,404	1,591,534	1,313,733	351,096	1,664,829	.02
Utah	114,386	68,778	183,164	119,799	72,033	191,832	0
Vermont	49,998	17,907	67,905	52,500	18,057	70,557	0
Virginia	521,112	174,165	695,277	[1] 540,000	[1] 180,000	[1] 720,000	[1] 7.0
Washington	351,820	106,303	458,123	372,431	112,368	484,799	1.0
West Virginia	297,564	154,427	451,991	298,000	159,000	457,000	.7
Wisconsin	397,000	157,000	554,000	401,000	160,000	561,000	0
Wyoming	52,821	15,450	68,271	[1] 54,000	[1] 16,000	[1] 70,000	[1] 0
Total	20,897,801	7,854,331	28,752,132	21,792,170	8,218,987	30,011,157	2.3

[1] Estimated by NEA Research Division. Col. 8 should indicate percent of total enrollment on half-day sessions or any plan providing less than full regular school day.
[2] Includes grades 7 and 8 of junior high schools.

TABLE 11.—*Estimated types of teacher shortage and status of teacher-education enrollments, 1954–55*

State	Rural			Urban			Teacher education enrollment in 1954–55		Outlook of enrollments in teacher preparation in meeting need in next 3 years	
	Elementary	Secondary		Elementary	Secondary		As compared with 1940–41	As compared with 1953–54	Elementary	Secondary
		Regular	Special		Regular	Special				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Alabama	Some [1]	Small [1]	Some [1]	Some [1]	Small [1]	Some [1]	Same [1]	Same [1]	Short [1]	Balance.[1]
Arizona	do [1]	do [1]	Small [1]	Small [1]	do [1]	Small [1]	Larger [1]	Larger [1]	do [1]	Do.[1]
Arkansas	Large	Some	Large	Some	Some	Large	do	Same	do	Short.
California	Some [1]	Small [1]	Some [1]	do [1]	Small [1]	Some [1]	Smaller [1]	do [1]	do [1]	Do.[1]
Colorado	Large	do	do	Large	do	do	Smaller	do	do	Short.
Connecticut	Some	do	do	Some	do	Small	Larger	do	do	Over.
Delaware	do	do	do	do	do	Some	do	do	do	Short.
District of Columbia				Large	Some	Large	Same	do	do	Do.
Florida	Large	Some	Large	Some	Small	Some	Larger	do	do	Over.
Georgia	Some [1]	Some [1]	Some [1]	do [1]	Some [1]	do [1]	Same [1]	do [1]	do [1]	Balance.[1]
Idaho	Large	do	Large	Large	do	Large	Larger	Larger	do	Short.
Illinois	Some [1]	do [1]	Some [1]	do [1]	Small [1]	Small [1]	Larger [1]	Same [1]	do [1]	Balance.[1]
Indiana	do [1]	do [1]	do [1]	Some [1]	do [1]	Some [1]	do [1]	do [1]	do [1]	Short.[1]
Iowa	do	Small	Small	do	do	do	Smaller	Larger	do	Do.
Kansas	do.[1]	do.[1]	Some [1]	do.[1]	do.[1]	do.[1]	Same [1]	do.[1]	do.[1]	Balance.[1]
Kentucky	Large	Some	Large	do	do	do	Larger	Same	do	Short.
Louisiana	Some	do	Some	Small	do	Small	do	Larger	Balance	Balance.
Maine	do.[1]	Large [1]	Large [1]	Some [1]	do.[1]	Some [1]	Same [1]	Same [1]	Short [1]	Do.[1]
Maryland	do	Small	Some	do	do	do	Larger	Larger	do	Short.
Massachusetts	do	do	do	do	do	do	do	do	Balance	Balance.
Michigan	Large	do	do	do	do	Small	do	do	Short	Short.
Minnesota	Some	do	do	Small	do	do	do	do	do	Do.
Mississippi	Large	Some	do	Some	do	Some	do	Same	do.[1]	Do.[1]
Missouri	Some	do	do	do	Some	do	do	Larger	do	Do.
Montana	Large	Small	do	Small	Small	do	Same	Same	do	Balance.
Nebraska	Small	do	Small	Some	Some	do	Larger	Larger	do	Short.
Nevada	Some	do	do	Small	Small	Small	do	do	do	Do.
New Hampshire	Large	do	Some	do	do	do	do	do	do	Do.
New Jersey	do	do	do	Some	do	do	do	do	do	Do.
New Mexico	Some	Some	do	do	Some	Some	Smaller	Same	do	Do.
New York	do	Small	do	do	Small	do	Larger	Larger	do	Do.
North Carolina	Large	Some	do	do	do	do	do	Same	do	Do.
North Dakota	[1]	do [1]	Large [1]	do [1]	do [1]	do [1]	Smaller [1]	Larger [1]	do [1]	Balance.[1]
Ohio	Some	Small	Some	do	do	do	Larger	do	do	Short.
Oklahoma	Small	Some	do	Small	Some	do	Smaller	do	Balance	Balance.
Oregon	Some	Small	do	do	Small	do	Larger	do	Short	Do.
Pennsylvania	Large	do	Large	Some	do	Large	do	do	do	Do.
Rhode Island	Some [1]			do [1]	Some [1]	Some [1]	do [1]	do [1]	do [1]	Do.[1]
South Carolina	Small [1]	Some [1]	Some [1]	Small [1]	Small [1]	do [1]	Smaller [1]	Same [1]	do [1]	Short.[1]
South Dakota	Large	Small	Small	Some	do	Small	Larger	do	do	Balance.
Tennessee	Some	do	Some	Small	do	do	Same	do	do	Short.
Texas	do	Some	Large	Some	Some	Some	do	do	do	Do.
Utah	do	do	Some	do	do	do	do	do	do	Do.
Vermont	Large	do	do	Small	Small	Small	do	do	do	Do.
Virginia	do	do	do	Some	do	Some	Smaller	Smaller	do	Do.
Washington	Some	Small	do	Large	do	do	Larger	Larger	do	Do.
West Virginia	do	do	do	Small	Some	do	Smaller	do	do	Do.
Wisconsin	Large	do	do	Some	Small	do	Larger	do	do	Balance.
Wyoming	Small	do	Small	Small	do	Small	do	Same	do	Short.

[1] Estimated by NEA Research Division. Cols. 2-7: small means "practically none"; some means "considerable"; large means "very large." Col. 8: smaller means "much smaller" and larger means "definitely larger." Cols. 9-10: Short means "large shortage"; balance means "balanced supply and demand"; over means "oversupply."

TABLE 12.—*Estimate of school building shortage, 1954–55*

State	Rural schools		Urban schools		Number of additional elementary school classrooms needed (if all regular classes were limited to 30 pupils)
	Elementary	Secondary	Elementary	Secondary	
(1)	(2)	(3)	(4)	(5)	(6)
Alabama	Some [1]	Some [1]	Large [1]	Some [1]	
Arizona	Small [1]	do [1]	Some [1]	do [1]	
Arkansas	Large	do	Large	Large	200.
California	Some [1]	do [1]	do [1]	Some [1]	
Colorado	do	do	Large	do	2,000.
Connecticut	do	Large	do	do	475.
Delaware	do	Small	Some	do	90.
District of Columbia			do	do	409.
Florida	Large	Large	Large	Large	900.
Georgia	Some [1]	Some [1]	do [1]	Some [1]	
Idaho	do	do	Some	do	
Illinois	Small	do	do	do	
Indiana	Some [1]	Small [1]	Large [1]	do [1]	
Iowa	Small	do	do	do	2,982.
Kansas	do [1]	do [1]	Some [1]	do [1]	
Kentucky	Large	Some	Large	do	10,000.
Louisiana	Some	do	Some	do	2,087.
Maine	do [1]	Small [1]	do [1]	do	
Maryland	Small	do	do	do	928.
Massachusetts	do	Some	Large	Large	500.
Michigan	Some	do	do	Some	300.
Minnesota	Small	do	do	Large	
Mississippi	Large	Large	Some	Some	
Missouri	Small	Small	Large	do	2,350.
Montana	do	do	do	do	406.
Nebraska	do	do	Some	do	500.
Nevada	do	do	do	do	70.
New Hampshire	Some	Some	do	do	120.
New Jersey	do	do	Large	Large	330.
New Mexico	Large	Large	Some	Some	400.
New York	Some	Some	do	Small	2,500.
North Carolina	Large	do	Large	Large	
North Dakota	Small [1]	Small [1]	Some [1]	Some [1]	
Ohio	do	Some	do	Small	2,000.
Oklahoma	do	Small	do	Some	3,100.
Oregon	Some	Some	do	do	603.
Pennsylvania	do	do	do	do	2,251.
Rhode Island	Small [1]		do [1]	Small [1]	
South Carolina	Some [1]	Small [1]	Large [1]	Large [1]	
South Dakota	Small	do	Some	Some	200.
Tennessee	Some	Some	do	do	1,800.
Texas	Small	do	Large	do	6,000.
Utah	Some	do	do	do	560.
Vermont	Large	Large	Some	do	400.
Virginia	Some [1]	Some [1]	do [1]	do [1]	
Washington	do	do	Large	Large	
West Virginia	Small	do	Some	Some	1,580.
Wisconsin	do	do	do	do	700.
Wyoming	do	do	do	do	100.
Total (32 States)					46,841.

[1] Estimated by NEA Research Division.

TABLE 13.—*Estimates for Alaska, Canal Zone, Hawaii, Puerto Rico, and Virgin Islands*

Item	Alaska		Canal Zone				Hawaii		Puerto Rico		Virgin Islands	
			United States schools		Latin American schools							
	1953–54	1954–55	1953–54	1954–55	1953–54	1954–55	1953–54	1954–55	1953–54	1954–55	1953–54	1954–55
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Instructional staff:												
Elementary classroom teachers	780	927	130	133	85	71	2,285	2,435	6,337	6,705	44	
Secondary classroom teachers	195	222	71	71	69	58	1,266	1,323	3,825	3,954	25	
Principals and supervisors	42	54	18	18	17	16	109	116	655	663	11	
Total	1,014	1,203	219	222	171	145	3,660	3,874	10,817	11,322	80	
Emergency certificates and additional teachers needed:												
Total number	101	55		36		1	229	182	1,554	1,600	10	
Percent elementary	95.5	94.5		75		0	76	79.7	45	45	25	
Percent rural		23.8						34.1			0	
Percent with less than 4 years college preparation				77		100	50.2	63.7			100	
Number additional teachers needed			26	17	18	12	249	278	6,564	7,024		
Salaries (average):												
Instructional staff			$5,400	$5,414	$2,440	$2,947	$4,278	$4,240	$1,964	$1,994		
Classroom teachers:												
Elementary			$5,011	$4,942	$1,744	$1,800	$4,074	$4,037	$1,814	$1,844		
Secondary			$5,550	$5,834	$2,179	$2,193	$4,374	$4,343	$1,968	$1,998		
All	$5,143	$5,243	$5,206	$5,252	$1,886	$1,934	$4,178	$4,144	$1,871	$1,902		
Pupil enrollment:												
Elementary	18,971	21,296	4,660	4,558	2,867	2,568	67,481	73,978	389,997	396,766	2,078	
Secondary	3,425	3,711	1,776	1,893	1,606	1,476	39,125	39,706	120,163	126,766	529	
Total	22,396	25,007	6,436	6,451	4,473	4,044	106,606	113,684	510,160	523,532	2,607	
Teacher shortage:												
Rural elementary	Small						Some	Some	Some	Some		Some
Rural secondary regular	Small						Small	Small	Some	Some		Small
Rural secondary special	Some						Small	Small	Some	Some		
Urban elementary	Small			Large		Small	Some	Some	Small	Small		Some
Urban secondary regular	Small			Some		Small	Small	Small	Small	Small		Large
Urban secondary special	Small			Large		Small	Small	Small	Small	Small		
Expenditures:												
Total current expenditures (in thousands)	$8,445	$10,274	$1,854	$1,981	$757	$754	$21,146	$24,417	$38,440	$42,000	$218	
Current expense per pupil (ADA)	$414.22	$401.33	$297	$298	$177.46	$190	$215.08	$221	$91.92	$95	$97.13	
Percent of school revenue from State	57.1	44.7	(1)	(1)	(1)	(1)	80.7	81.3	87.5	87.9		
Building shortage:												
Rural elementary	Some	Some					Large	Some	Large	Large		Large
Rural secondary	Small	Some					Some	Some	Small	Small		Some
Urban elementary	Some	Large		Some		Small	Some	Some	Large	Large		Large
Urban secondary	Some	Some		Some		Small	Small	Small	Some	Some		Some

[1] By Federal appropriation.

Mr. MORSE. I ask unanimous consent to have printed in the RECORD at this point a compilation of aid-to-education bills introduced since 1919, compiled by Margaret Conway, of Legislative Reference Service.

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

PART I. BILLS TO GRANT FEDERAL AID TO EDUCATION, 1919 TO DATE

SIXTY-FIFTH CONGRESS

S. 5660. Mr. Pollock, February 25, 1919 (Education and Labor). Authorizes an appropriation of $300 million for 1919 and an annual sum equivalent to $10 per child times the number of children between 6 and 18 as shown by the next preceding census.

H. R. 15238. Mr. Towner, January 28, 1919 (Education). Sets up a Department of Education and authorizes annual appropriations of $100 million for educational aid to the States.

H. R. 15400. Mr. Towner, January 30, 1919 (Education). Creates a Department of Education and authorizes an annual appropriation in a sum equivalent to that in his previous bill.

SIXTY-SIXTH CONGRESS

S. 15. Mr. Smith of Georgia, May 20, 1919 (Education and Labor). Creates a Department of Education and authorizes an annual appropriation of $100 million for grants to the States for various educational purposes.

S. 1017. Mr. Smith of Georgia, May 28, 1919 (Education and Labor). Creates a Department of Education and authorizes an annual appropriation of $100 million for various types of educational grants-in-aid to the States.

This bill was reported in the Senate, March 1, 1921 (S. Rept. 824), 60 CONGRESSIONAL RECORD 4109. A photostatic copy of the reported version is attached.

H. R. 7. Mr. Towner, May 19, 1919 (Education). Creates a Department of Education and authorizes an annual appropriation of $100 million for various types of educational grants-in-aid to the States.

This bill was reported in the House, January 17, 1921 (H. Rept. 1201), 60 CONGRESSIONAL RECORD 1539. A photostatic copy of the reported version is attached.

SIXTY-SEVENTH CONGRESS

S. 1252. Mr. Sterling, April 27, 1921 (Education and Labor). Creates a Department of Education and provides a total annual appropriation of $100 million for various types of educational grants-in-aid.

H. R. 7. Mr. Towner, April 11, 1921 (Education). Companion bill to S. 1252, supra.

SIXTY-EIGHTH CONGRESS

S. 1337. Mr. Sterling, December 17, 1923 (Education and Labor). Creates a Department of Education and makes total authorizations of $100 million for various types of educational assistance to the States.

H. R. 3923. Mr. REED of New York, December 17, 1923 (Education). Companion bill to S. 1337, supra.

SIXTY-NINTH CONGRESS

H. R. 4097. Mr. Tillman, December 8, 1925 (Education). Creates a Department of Education and makes total authorizations of $100 million for various types of educational assistance to the States.

SEVENTIETH CONGRESS

H. R. 5693. Mr. Tillman, December 5, 1927 (Education). Creates a Department of Education and makes total authorizations of $100 million for various types of educational assistance to the States.

SEVENTY-THIRD CONGRESS

S. 2402. Mr. GEORGE, January 11, 1934 (Education and Labor). Makes available to the States for educational needs $50 million for fiscal year 1934 and $100 million for fiscal 1935 from the funds of the RFC.

S. 2522. Mr. GEORGE, January 23, 1934 (Education and Labor). Makes available to the States for educational needs $50 million for fiscal 1934 from the funds of the RFC.

S. 2837. Mr. GEORGE, February 20, 1934 (Education and Labor). Makes available to the States for educational needs $100 million for fiscal 1935 from the funds of the RFC.

H. R. 7477. Mr. Collins of Mississippi, January 30, 1934 (Education). Authorizes $50 million to be expended by the Civil Works Administration to the States and Territories for educational needs.

H. R. 7479. Mr. Ellzey of Mississippi, January 30, 1934 (Education). Authorizes the RFC to make $50 million available in fiscal 1934 and $100 million in fiscal 1935 to the States and Territories for educational needs.

H. R. 7525. Mr. Brown of Kentucky, January 31, 1934 (Education). Similar to H. R. 7479, supra.

H. R. 7873. Mr. Johnson of Oklahoma, February 10, 1934 (Education). Makes available any necessary sums from the Federal emergency relief appropriation for fiscal 1934 to assist the States in maintaining their regular school terms.

H. R. 8137. Mr. Collins of Mississippi, February 20, 1934 (Education). Makes $100 million available for fiscal 1935 for educational assistance.

H. R. 8219. Mr. Deen, February 23, 1934 (Education). Authorizes an appropriation of $300 million for fiscal 1935 to aid the States in their educational crisis, such money to be allotted at a minimum rate of $11 per child in average daily attendance, plus other adjustments based on population density.

H. R. 8289. Mr. Rogers, of Oklahoma, February 26, 1934 (Education). Authorizes $50 million for fiscal 1934 and $100 million for fiscal 1935 for providing educational assistance to the States.

H. R. 8433. Mr. Fletcher, March 2, 1934 (Education). Authorizes an appropriation of $100 million for fiscal 1935 to provide educational assistance to the States.

H. R. 9142. Mr. McSwain, April 16, 1934 (Education). Authorizes the President to make funds available to the States to enable them to continue their school years.

H. R. 9544. Mr. Douglass, May 8, 1934 (Education). Authorizes an appropriation of $75 million for fiscal 1935 under the Federal Emergency Relief Act of 1933 to meet the crisis in education.

This bill was reported in the House, May 10, 1934 (H. Rept. 1562) without amendment, 78 CONGRESSIONAL RECORD 8558. A photostatic copy of the reported version is attached herewith.

H. R. 9786. Mr. Chase, May 29, 1934 (Education). Authorizes $500 million for fiscal 1935 under the Federal Emergency Relief Act to meet the needs of education in the States and Territories.

SEVENTY-FOURTH CONGRESS

S. 2190. Mr. Logan, March 4, 1935 (Education and Labor). Authorizes appropriations of $3 million a year to provide school facilities for the children of persons in Federal service or of other persons legally residing on Federal property.

S. 3123. Mr. Robinson, June 22, 1935 (Banking and Currency). Authorizes the RFC to make available up to $10 million to public-school districts undergoing financial crises.

This bill was reported in the Senate (S. Rept. 1076), 79 CONGRESSIONAL RECORD 11061; debated, 79 CONGRESSIONAL RECORD 11998; amended and passed Senate, 79 CONGRESSIONAL RECORD 12001. It passed the House (in lieu of H. R. 8628), 79 CONGRESSIONAL RECORD 13325; was examined and signed, 79 CONGRESSIONAL RECORD 13492, 13599. Became Public Law 325 (49 Stat. 796). A photostat of the law is attached herewith.

S. 4793. Mr. Harrison, June 15, 1936 (Education and Labor). Authorizes an appropriation of $100 million, with annual increases of $50 million to a maximum $300 million to be allotted to the States and Territories for improvement of their public schools. Provides an apportionment procedure based on school population.

H. R. 2867. Mr. Terry, January 3, 1935 (Banking and Currency). Authorizes the RFC to establish a revolving fund of $75 million to make aid available to school districts in financial distress.

H. R. 2668. Mr. Terry, January 3, 1935 (Education). Authorizes the United States Treasury to allot up to $75 million to the States and Territories for public school aid.

H. R. 4552. Mr. Johnson of Oklahoma, January 23, 1935 (Education). Authorizes appropriations under the Federal Emergency Relief Administration for fiscal 1935 and 1936, sufficient to enable the States and Territories to maintain their regular school year.

H. R. 4677. Mr. Rogers of Oklahoma, January 24, 1935 (Education). Authorizes an appropriation not in excess of $100 million under the Federal Emergency Relief Act for fiscal 1935 to enable the States and Territories to maintain a normal school year.

H. R. 4745. Mr. Deen, January 25, 1935 (Education). Authorizes an appropriation of $48 million for fiscal 1935 under the Federal Emergency Relief Act to enable the States and Territories to maintain a normal school year.

H. R. 5264. Mr. Kenny, February 4, 1935 (Education). Authorizes an appropriation of $75 million to be disbursed on the basis of need by the Commissioner of Education to the States and Territories for public school aid.

H. R. 5296. Mr. Rogers of Oklahoma, February 4, 1935 (Education). Authorizes an appropriation of $100 million to be disbursed on the basis of need by the Commissioner of Education to the States and Territories for public school aid.

H. R. 5719. Mr. Lee of Oklahoma, February 14, 1935 (Education). Authorizes an appropriation of $100 million for fiscal 1936 and $100 million for each fiscal year thereafter to provide funds to the States and Territories to enable them to offer more equitable educational opportunities.

H. R. 5923. Mr. Lee of Oklahoma, February 19, 1935 (Education). Authorizes an appropriation of $30 million under the Federal Emergency Relief Act for fiscal 1935 to meet the crisis in education.

H. R. 6201. Mr. Santhoff, February 26, 1935 (Education). Authorizes $400 million for expenditure by the Federal Emergency Administrator to meet the emergency needs of the public schools of the Nation.

H. R. 6955. Mr. Deen, March 22, 1935 (Education). Authorizes an appropriation of $25 million under the Federal Emergency Relief Act for fiscal 1935 to meet the crisis in education.

H. R. 6959. Mr. ROBSION of Kentucky, March 22, 1935 (Education). Allocates $200 million of the amount appropriated in the Work Relief Act to be used to furnish aid in various educational needs.

H. R. 8398. Mr. Terry, June 7, 1935 (Banking and Currency). Empowers the RFC to make loans to an aggregate of $10 million for the relief of public school districts in the States and Territories.

H. R. 8628. Mr. Terry, June 24, 1935 (Banking and Currency). Authorizes the RFC to make loans in an aggregate amount not exceeding $10 million for the benefit of tax-supported school districts.

This bill was reported in the House without amendment (H. Rept. 1328), 79 CONGRESSIONAL RECORD, page 10126. It was laid on the table and S. 3123 passed in lieu, 79 CONGRESSIONAL RECORD, page 13325.

H. R. 13021. Mr. Fletcher, June 20, 1936 (Education). Authorizes an annual appropriation of $100 million, plus $50 million for each subsequent year until a maximum of $300 million is reached. The sums so appropriated shall be apportioned to the States and Territories for their school needs on a basis of population between ages 5 to 20.

SEVENTY-FIFTH CONGRESS

S. 251. Mr. Logan, January 6, 1937 (Education and Labor). Authorizes $3 million annually to provide public schools for children of Federal employees or people legally residing on Federal property.

S. 419. Messrs. Harrison and Black, January 8, 1937 (Education and Labor). Authorizes an annual grant beginning at $100 million and rising by $50 million a year until a maximum of $300 million is reached, such money to be allotted to the States for improvement of public schools.

This bill was reported in the Senate March 19, 1937 (S. Rept. 217), 81 CONGRESSIONAL RECORD, page 2419. A photostatic copy of the reported version is attached.

S. 1355. Mr. Copeland, February 3, 1937 (Education and Labor). Authorizes an appropriation of $5 million a year for the next 5 years for pregrade education.

S. 3529. Mr. Schwellenbach, February 24, 1938 (Education and Labor). Authorizes $50 million for the next 2 years and $100 million for the next 8 years thereafter for public-school construction.

H. R. 1634. Mr. Fulmer, January 5, 1937 (Education). Authorizes $100 million, increased by $50 million a year to a maximum of $300 million, to be allocated to the States for public-school improvement.

H. R. 2288. Mr. Fletcher, January 8, 1937 (Education). Similar to H. R. 1634.

H. R. 3160. Mr. Ryan, January 18, 1937 (Education). Authorizes an annual appropriation in an amount sufficient to pay the sum of $25 for each pupil enrolled in the public elementary and high schools and in attendance for 160 days, and a proportionate sum for those in attendance a lesser number of days.

H. R. 3133. Mr. Bloom, January 18, 1937 (Education). Authorizes an annual appropriation of $10 million for each of the next 5 years to promote pregrade education in the public schools.

H. R. 5360. Mrs. O'Day, March 5, 1937 (Education). Authorizes appropriations beginning at $200 million and ending at $500 million annually for improvement of public education systems.

H. R. 5413. Mr. Scott, March 8, 1937 (Education). Similar to H. R. 5360, supra.

H. R. 5803. Mr. Robsion, March 22, 1937 (Education). Authorizes sums rising from $100 million to $300 million annually for Federal aid to public school systems.

H. R. 5962. Mr. Fletcher, March 29, 1937 (Education). Authorizes sums rising from $100 million to $300 million annually for Federal aid to public school systems.

H. R. 6099. Mr. DeMuth, April 2, 1937 (Education). Authorizes an annual appropriation of $150 million to be apportioned among the States for the support of the public schools.

H. R. 9627. Mr. Hill, February 25, 1938 (Education). Authorizes $50 million for the next 2 years and $100 million for the next 8 years thereafter for public school construction.

H. R. 10220. Mr. Collins, April 11, 1938 (Education). Authorizes $140 million annually for 6 years to be apportioned among the States to assist elementary and secondary education.

H. R. 10340. Mr. Fletcher, April 28, 1938 (Education). Authorizes sums rising from $40 million to $140 million annually for general educational assistance based on financial need. Also authorizes various other amounts to assist special types of educational programs, assistance thereunder also to be granted on the basis of need.

H. R. 10390. Mr. CELLER (by request), April 25, 1938 (Education). Places educational services now rendered by the Works Progress Administration on a permanent basis, and makes various grants to that effect.

SEVENTY-SIXTH CONGRESS

S. 1305. Mr. Thomas of Utah and Mr. Harrison, February 13, 1939 (Education and Labor). Proposes to equalize educational opportunities among the States through Federal grants-in-aid without Federal control over educational policies in four main areas of interest: (1) Public elementary and secondary school education; (2) adult education and rural library service; (3) cooperative educational research; and (4) education of children of Federal wards and employees residing on Federal reservations.

The bill was reported out with amendments (S. Rept. 244), 84 CONGRESSIONAL RECORD 3685; individual views (S. Rept. 244, pt. 2), 84 CONGRESSIONAL RECORD 4646; debated, 84 CONGRESSIONAL RECORD 5807; and further minority views reported (S. Rept. 244, pt. 3), 84 CONGRESSIONAL RECORD 7067. A photostat copy of the reported version is attached.

H. R. 47. Mr. Fulmer, January 3, 1939 (Education). Authorizes an annual appropriation beginning at $100 million and increased by $50 million a year to a maximum of $300 million for grants-in-aid to school districts.

H. R. 1647. Mr. Collins, January 4, 1939 (Education). Authorizes an annual appropriation of $140 million for the next 6 years to assist the States on basis of educational need.

H. R. 3517. Mr. Larrabee, January 31, 1939 (Education). Similar to S. 1305, supra.

H. R. 9579. Mr. Snyder, April 29, 1940 (Education). Authorizes sums, not to exceed $100 million annually, for construction of public-school buildings during the next 10 years.

H. R. 10225. Mr. Welchel, July 25, 1940 (Education). Similar to S. 1305, supra.

SEVENTY-SEVENTH CONGRESS

S. 1313. Mr. Thomas of Utah and Mr. Harrison, April 7, 1941 (Education and Labor). Authorizes an annual appropriation of $300 million to be allotted to the States and Territories for the purpose of providing adequate educational opportunities near defense areas and throughout the United States.

S. 1313 was reported in the Senate with amendments (S. Rept. 1548), 88 CONGRESSIONAL RECORD 6225. A photostatic copy of the reported version is attached herewith.

S. 2171. Mr. Doxey, January 6, 1941 (Education and Labor). Similar to S. 1313, supra.

H. R. 4761. Mr. Ellis, May 15, 1941 (Education). Similar to S. 1313, supra.

S. 637. Mr. Thomas of Utah and Mr. HILL, February 4, 1943 (Education and Labor). Authorizes $300 million for 1944 and each fiscal year thereafter to enable the States and Territories to provide equal educational opportunities throughout the United States.

This bill was reported in the Senate with amendments (S. Rept. 323), 89 CONGRESSIONAL RECORD 6042. Minority views (S. Rept. 323, pt. 2), 89 CONGRESSIONAL RECORD 8995. Debated, 89 CONGRESSIONAL RECORD 8246, 8264, 8299, 8317, 8380, 8408, 8419, 8488–8501, 8502, 8506–8510, 8511–8513, 8549–8570. Recommitted to the Committee on Education and Labor, 89 CONGRESSIONAL RECORD 8570. Reported with amendments (S. Rept. 323), 90 CONGRESSIONAL RECORD 8043. A photostat copy of the reported version is attached.

H. R. 2849. Mr. Ramspeck, June 2, 1943 (Education). Authorizes $200 million for 1944 and $100 million for fiscal years thereafter to be used to provide adequate educational opportunities in the public schools of the States and Territories.

SEVENTY-NINTH CONGRESS

S. 181. Mr. Thomas of Utah and Mr. HILL, January 10, 1945 (Education and Labor). Authorizes a special appropriation beginning fiscal 1946 of $200 million a year to continue until the President declares the educational emergency due to war to have ceased, and a regular appropriation beginning 1946 of $100 million annually for educational assistance.

This bill was reported with an amendment (S. Rept. 1497), 92 CONGRESSIONAL RECORD 6772; debated, 92 CONGRESSIONAL RECORD 10619. A photostat copy of the reported version is attached.

S. 717. Messrs. Mead and AIKEN, March 8, 1945 (Education and Labor). Authorizes $550 million annually for Federal aid to the States in financing education.

S. 1719. Mr. MORSE, December 20, 1945. (Education and Labor). Authorizes various sums for aid to the States for public educational plant facilities.

H. R. 1296. Mr. Ramspeck, January 9, 1945 (Education). Similar to S. 181, supra.

H. R. 3002. Mr. LESINSKI (by request), April 23, 1945 (Education). Similar to S. 717, supra.

H. R. 4929. Mr. Ramspeck, December 7, 1945 (Education). Authorizes $50 million in fiscal 1947 and $100 million in fiscal 1948 to more nearly equalize public educational opportunities.

H. R. 5683. Mr. Pace, March 6, 1946 (Education). Authorizes $300 million for each fiscal year beginning with 1947 for the purpose of more nearly equalizing public-school educational opportunity in the States and Territories.

H. R. 6158. Mr. Earthman, April 16, 1946 (Education). Similar to H. R. 5683, supra.

EIGHTIETH CONGRESS

S. 81. Messrs. GREEN and McGrath, January 8, 1947 (Labor and Public Welfare). Authorizes payments to the States to supplement teachers' salaries, such payments to be based on a rate of $15 per pupil.

S. 170. Mr. McCarran, January 13, 1947 (Labor and Public Welfare). Authorizes $600 million annually for aid to the States in increasing the salaries of public-school teachers.

S. 199. Mr. AIKEN, January 15, 1947 (Labor and Public Welfare). Authorizes various sums for general aid to public schools, and for reimbursement to nonpublic tax-exempt schools for transportation, health, and related expenses.

S. 472. Mr. Taft and others, January 31, 1947 (Labor and Public Welfare). Authorizes annual sums, to reach a maximum of $250 million after 1950, for aid to public schools, apportionment thereof to be based on the number of schoolchildren and the annual income payments of the various States.

This bill was reported in the Senate (S. Rept. 425), 93 CONGRESSIONAL RECORD 8205. Debated, 94 CONGRESSIONAL RECORD 3288, 3346, 3375, 3378, 3463, 3471, 3479, 3586, 3611, 3701, 3776, 3904, 3909, 3913, 3914, 3940. Passed the Senate, 94 CONGRESSIONAL RECORD 3958. Referred to the House Committee on Education and Labor, 94 CONGRESSIONAL RECORD 4078. A photostat copy of the Senate-passed version is attached.

S. 1157. Messrs. Pepper and MURRAY, April 23, 1947 (Labor and Public Welfare). Provides Federal grants-in-aid to allow an increase of $800 in public-school teachers' salaries.

S. 2785. Messrs. Revercomb and McCarran, June 1, 1948 (Public Works). Authorizes the Federal Works Administrator to make loans and grants for public-school construction.

S. 2795. Messrs. MORSE and DWORSHAK, June 3, 1948 (Labor and Public Welfare). Authorizes $7 million for fiscal 1949 to be disbursed by the Federal Works Administrator for operation and maintenance of school

facilities in areas burdened by enrollments increased through defense work.

This bill was reported in the Senate (S. Rept. 1702), 94 CONGRESSIONAL RECORD 8296. Indefinitely postponed (H. R. 6527 passed in lieu), 94 CONGRESSIONAL RECORD 8733.

S. 2909. Mr. ROBERTSON of Virginia, July 28, 1948 (Labor and Public Works). Authorizes the RFC to make loans and grants totaling $600 million in all for public-school construction.

H. R. 140. Mr. Pace, January 3, 1947 (Education and Labor). Authorizes $300 million annually to equalize public-school educational opportunities among the States and Territories.

H. R. 156. Mr. Welch, January 3, 1947 (Education and Labor). Similar to S. 472, supra.

H. R. 1722. Mr. WINSTEAD, February 5, 1947 (Education and Labor). Authorizes funds beginning at $100 million annually, and rising by $50 million a year increase to a maximum of $300 million for improvement of the public schools in States and Territories.

H. R. 1762. Mr. WHITTEN, February 6, 1947 (Education and Labor). Similar to H. R. 1722, supra.

H. R. 1803. Mr. ABERNETHY, February 10, 1947 (Education and Labor). Similar to H. R. 1722, supra.

H. R. 1870. Mr. Battle, February 12, 1947 (Education and Labor). Similar to S. 472, supra.

H. R. 1942. Mr. Landis, February 13, 1947 (Education and Labor). Authorizes $185 million for fiscal year 1948 to provide $200 increase in teachers' salaries.

H. R. 2033. Mr. MORRISON, February 18, 1947 (Education and Labor). Similar to S. 472, supra.

H. R. 2188. Mr. KEFAUVER, February 24, 1947 (Education and Labor). Similar to S. 472, supra.

H. R. 2525. Mr. MORRISON, March 12, 1947 (Education and Labor). Authorizes sums up to $375 million for fiscal 1950 to aid States and Territories in financing public elementary and secondary education.

H. R. 2683. Mr. Rohrbough, March 20, 1947 (Education and Labor). Similar to H. R. 2525, supra.

H. R. 2953. Mr. McCowen, April 3, 1947 (Education and Labor). Authorizes annual appropriations in increasing amounts to a maximum of $300 million for fiscal 1950 and thereafter to aid the States and Territories in financing their public elementary and secondary schools.

H. R. 3076. Mr. Morton, April 1, 1947 (Education and Labor). Authorizes annual appropriations in increasing amounts to a maximum of $250 million for educational aid grants to the States and Territories.

H. R. 3104. Mr. ALLEN of California, April 17, 1947 (Education and Labor). Similar to H. R. 3076, supra.

H. R. 3220. Mr. BLATNIK, April 25, 1947 (Education and Labor). Authorizes various increasing amounts up to a maximum of $1,200,000,000 a year to more nearly equalize educational opportunity among and within the States.

H. R. 6527. Mr. Landis, May 12, 1948 (Education and Labor). Authorizes $7 million for fiscal 1949 for aid to certain local school agencies through the Federal Works Administrator.

This bill was reported in the House (H. Rept. 2308), 94 CONGRESSIONAL RECORD 7919; debated, 94 CONGRESSIONAL RECORD 8221; passed by the House, 94 CONGRESSIONAL RECORD 8329. Ordered placed on Senate calendar, 94 CONGRESSIONAL RECORD 8291. Amended and passed Senate (in lieu of S. 2795), 94 CONGRESSIONAL RECORD 8729, 8733. Conferees appointed, 94 CONGRESSIONAL RECORD 9090, 9252. Conference report (H. Rept. 2443) submitted in Senate and agreed to, 94 CONGRESSIONAL RECORD 9133. Conference report submitted in House and agreed to, 94 CONGRESSIONAL RECORD 9303. Examined and signed, 94 CONGRESSIONAL RECORD 9354, 9363 (Public Law 839). 62 Stat. 1110. A photostat copy of Public Law 839 is attached herewith.

H. R. 6597. Mr. KELLEY, May 18, 1948 (Education and Labor). Authorizes appropriations up to $300 million a year for aid to public secondary and elementary schools and $5 million annually to nonpublic tax exempt schools for reimbursement for certain auxiliary services.

H. R. 6600. Mr. Kersten, of Wisconsin, May 18, 1948 (Education and Labor). Similar to H. R. 6597, supra.

H. R. 6603. Mr. BENDER, May 19, 1948 (Armed Services). Authorizes $20 million for fiscal 1949 for grants through the Federal Works Administration for certain school districts.

H. R. 6642. Mr. TOLLEFSON, May 20, 1948 (Education and Labor). Similar to H. R. 6603, supra.

H. R. 6682. Mr. JENNINGS, May 24, 1948 (Education and Labor). Authorizes an annual appropriation of $300 million for fiscal 1949 and thereafter for grants to the public schools, to be allotted either on a basis per child of a ratio of State income payments or at a rate of $5 a child, whichever formula is higher.

H. R. 7057. Mr. Bland, July 29, 1948 (Education and Labor). Authorizes the RFC to make loans and grants to a total of $600 million for construction of public school building in the States and Territories.

H. R. 7071. Mr. Landis, July 29, 1948 (Education and Labor). Authorizes $248 million for grants to the States for school construction and other purposes.

H. R. 7157. Mr. McCowen, August 7, 1948 (Education and Labor). Authorizes $200 million for fiscal 1950 and $100 million a year thereafter to assist the States in the acquisition and construction of plant facilities for public schools.

EIGHTY-FIRST CONGRESS

S. 133. Mr. Chapman, January 5, 1949 (Labor and Public Welfare). Authorizes $300 million a year to aid the States and Territories in financing their public elementary and secondary school systems.

S. 137. Mr. ROBERTSON of Virginia, January 5, 1949 (Labor and Public Welfare). Authorizes the RFC to make loans and grants totaling $600 million for construction of public elementary and secondary school buildings.

S. 176. Mr. KEFAUVER, January 5, 1949 (Labor and Public Welfare). Authorizes annual sums beginning at $150 million and increasing to a maximum of $250 million for grants-in-aid to equalize public school educational opportunities.

S. 246. Mr. Thomas of Utah and others, January 6, 1949 (Labor and Public Welfare). Authorizes $300 million for fiscal 1950 and annually thereafter for grants to the States to finance their public elementary and secondary school systems.

This bill was reported in the Senate (S. Rept. 158), 95 CONGRESSIONAL RECORD 3152: debated, 95 CONGRESSIONAL RECORD 5309, 5314, 5331, 5391, 5468, 5488, 5570, 5577, 5592, 5633, 5677. Amended and passed Senate, 95 CONGRESSIONAL RECORD 5687. Referred to the House Committee on Education and Labor, 95 CONGRESSIONAL RECORD 5925.

S. 287. Mr. NEELY, January 10, 1949 (Labor and Public Welfare). Authorizes $490 million for fiscal 1950 and each of the next succeeding 5 years for allotment to the States to enable them to construct public-school buildings.

S. 496. Mr. McMahon and Mr. Johnson of Colorado, January 13, 1949 (Labor and Public Welfare). Authorizes $325 million annually for grants to the States to finance their public-school systems.

S. 834. Mr. MAGNUSON and others, February 7, 1949 (Public Works). Authorizes $150 million for grants by the Federal Works Administrator for construction grants to local school districts overburdened by reason of defense incurred enrollments.

S. 1085. Mr. STENNIS, February 25, 1949 (Public Works). Authorizes $150 million for grants through the Federal Works Administrator for school construction. Sets down rules for letting contracts under these grants.

S. 1243. Messers. McGrath and GREEN, March 11, 1949 (Public Works). Authorizes $6 million for grants by the Federal Works Administrator for school construction.

S. 1263. Mr. Butler, March 16, 1949 (Labor and Public Welfare). Authorizes $150 million in grants by the Federal Works Administrator for school construction.

S. 1515. Mr. HUMPHREY, April 6, 1949 (Labor and Public Welfare). Amends Public Law 839, 80th Congress, to continue assistance to local school districts overburdened by reason of war activity.

S. 1670. Mr. HUMPHREY, April 22, 1949 (Labor and Public Welfare). Appropriates $500 million for fiscal year 1950 and each of the next succeeding 5 fiscal years for contruction of public elementary and secondary schools.

S. 1699. Mr. BRICKER, April 26, 1949 (Labor and Public Welfare). Authorizes $3 million for a survey of school-construction needs and $250 million annually for 5 years for school construction.

S. 1724. Mr. THOMAS, of Utah, April 28, 1949 (Labor and Public Welfare). Authorizes aid to local school agencies to assist in providing free education for children on Federal reservations and in areas of increased Federal activities.

S. 2004. Mr. MCCARRAN, June 7, 1949 (Labor and Public Welfare). Authorizes the Federal Works Administrator to make grants and loans for school construction.

S. 2191. Mr. MCCARTHY, July 5, 1949 (Labor and Public Welfare). Authorizes $10 million annually for fiscal 1950 and 1951 for grants by the Federal Works Administrator for school construction.

S. 2317. Mr. HUMPHREY and others, July 22, 1949 (Labor and Public Welfare). Authorizes $5 million for a survey of public-school needs, and such sums as Congress shall determine each year for construction needs.

This bill was reported in the Senate with amendments (S. Rept. 948), 95 CONGRESSIONAL RECORD 11885; remarks, 95 CONGRESSIONAL RECORD 12378, 13315; amended and passed Senate, 95 CONGRESSIONAL RECORD 14727; referred to House Committee on Education and Labor, 95 CONGRESSIONAL RECORD 14962; debated, 95 CONGRESSIONAL RECORD 14950; reported with amendment (H. Rept. 2810), 96 CONGRESSIONAL RECORD 11927; debated, amended, and passed House, 96 CONGRESSIONAL RECORD 13042. Conferees appointed, 96 CONGRESSIONAL RECORD 13181, 13380. Conference report (H. Rept. 3064) approved in Senate, 96 CONGRESSIONAL RECORD 14272; approved in House, 96 CONGRESSIONAL RECORD 14943. Examined and signed, 96 CONGRESSIONAL RECORD 15081, 15143 (Public Law 815; 64 Stat. 957.) A photostat copy of the law is attached herewith.

S. 3411. Mr. THOMAS of Oklahoma, April 13, 1950 (Labor and Public Welfare). Provides financial assistance to local educational agencies burdened by reason of Federal activities.

H. R. 136. Mr. BATTLE, January 3, 1949 (Education and Labor). Authorizes annual grants up to $250 million for aid to public-school systems throughout the States.

H. R. 400. Mr. HARRIS, January 3, 1949 (Education and Labor). Authorizes up to $300 million a year in grants to the States to improve public elementary and secondary education.

H. R. 569. Mr. WHITTEN, January 3, 1949 (Education and Labor). Authorizes grants beginning at $100 million for the first year

and reaching an annual maximum of $300 million for aid for the public-school systems of the States and Territories.

H. R. 814. Mr. WHITAKER, January 5, 1949 (Education and Labor). Authorizes grants to the States for educational assistance of $300 million annually to be appropriated at the greater of either a ratio based on income payments, or $5 a child.

H. R. 887. Mr. Pace, January 5, 1949 (Education and Labor). Authorizes $300 million a year for financial grants to the States and Territories to equalize educational opportunities in the States and Territories.

H. R. 952. Mr. Morton, January 6, 1949 (Education and Labor). Authorizes various annual sums beginning at $200 million for fiscal 1950 to $300 million for fiscal 1952 and thereafter to provide financial aid to the public-school systems of the States and Territories.

H. R. 956. Mr. POLK, January 9, 1949 (Education and Labor). Authorizes various annual sums, reaching a maximum of $300 million for fiscal 1954 and thereafter for financial grants to the States and Territories for their public-school systems.

H. R. 1218. Mr. HAYS of Arkansas, January 10, 1949 (Education and Labor). Authorizes $300 million annually for financial aid to State and Territorial school systems, to be allotted for each child as a ratio of $45 to income payments, or $5 per child, whichever is greater.

H. R. 1224. Mr. JENNINGS, January 10, 1949 (Education and Labor). Similar to H. R. 1218, supra.

H. R. 1225. Mr. KEARNS, January 10, 1949 (Education and Labor). Authorizes $300 million annually as aid to State and Territorial school systems based on $40 as a minimum school cost for each child.

H. R. 1551. Mr. Lucas, January 17, 1949 (Education and Labor). Authorizes the RFC to loan or grant a total of $600 million for school-construction purposes.

H. R. 1558. Mr. PERKINS, January 17, 1949 (Education and Labor). Authorizes $300 million annually for school aid, to be allotted to the States on a basis of a ratio of $50 per child over 1 percent of an average of annual income payments.

H. R. 1570. Mr. FOGARTY, January 17, 1949 (Education and Labor). Authorizes $325 million annually for financial aid to the public-school systems of States and Territories.

H. R. 1582. Mr. SCRIVNER, January 17, 1949 (Ways and Means). Authorizes a transfer of 1 percent of Federal income taxes to the States for educational purposes only.

H. R. 1766. Mr. MARTIN of Massachusetts, January 24, 1949 (Education and Labor). Authorizes $300 million annually for public-school construction grants.

H. R. 1850. Mr. Wood, January 25, 1949 (Education and Labor). Similar to H. R. 1558, supra.

H. R. 1972. Mr. TOLLEFSON, January 27, 1949 (Education and Labor). Authorizes $20 million for fiscal 1950 for grants by the Federal Works Administrator for school construction.

H. R. 2287. Mr. Combs, February 3, 1949 (Education and Labor). Authorizes $10 million for each of the fiscal years 1950 and 1951 to make grants through the Federal Works Administrator to school districts accommodating children from Federal reservations or where enrollment has been suddenly increased by Federal activities.

H. R. 2422. Mr. TOLLEFSON, February 7, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 2423. Mr. TOLLEFSON, February 7, 1949 (Education and Labor). Authorizes $150 million for grants by the Federal Works Administrator to local school districts overburdened by defense-incurred enrollments.

H. R. 2427. Mr. White of Idaho, February 7, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 2441. Mr. REES, February 7, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 2577. Mr. Sanborn, February 9, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 2611. Mr. COLMER, February 10, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 2617. Mr. LANHAM, February 10, 1949 (Post Office and Civil Service). Similar to H. R. 2423, supra.

H. R. 2680. Mr. JENKINS, February 14, 1949 (Education and Labor). Authorizes $200 million for fiscal 1950 and $400 million annually for 4 years thereafter for school construction.

H. R. 2723. Mr. DENTON, February 15, 1949 (Education and Labor). Authorizes $550 million annually for 6 years for public-school construction.

H. R. 2873. Mr. PERKINS, February 21, 1949 (Education and Labor). Similar to H. R. 1218, supra.

H. R. 2880. Mr. STAGGERS, February 21, 1949 (Education and Labor). Similar to H. R. 1218, supra.

H. R. 2897. Mr. RAINS, February 21, 1949 (Education and Labor). Authorizes the RFC to make loans and grants totaling $800 million for school construction.

H. R. 2939. Mr. DOYLE, February 22, 1949 (Education and Labor). Similar to H. R. 1218, supra.

H. R. 3230. Mr. MILLER of California, March 3, 1949 (Education and Labor). Similar to H. R. 2423, supra.

H. R. 3395. Mr. MACK of Washington, March 9, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 3487, Mr. CURTIS, March 11, 1949 (Education and Labor). Similar to H. R. 2423, supra.

H. R. 3630. Mr. LESINSKI (by request), March 21, 1949 (Education and Labor). Authorizes increasing annual sums, reaching a maximum of $1 billion for fiscal 1955 and thereafter to give financial aid to public-school systems of States and Territories.

H. R. 3829. Mr. WIER, March 25, 1949 (Education and Labor). Amends Public Law 839 to provide assistance to local school agencies overburdened by defense-induced enrollments.

This bill was reported in the House (H. Rept. 1085, pars. 1 and 2), 95 CONGRESSIONAL RECORD 9872, 10136; debated, amended, and passed House, 95 CONGRESSIONAL RECORD 10314. Referred to Senate Committee on Labor and Public Welfare, 95 CONGRESSIONAL RECORD 10323; reported (S. Rept. 929), 95 CONGRESSIONAL RECORD 11595; passed Senate, 95 CONGRESSIONAL RECORD 12375; examined and signed, 95 CONGRESSIONAL RECORD 12463, 12529. (Public Law 306; 63 Stat. 697.) A photostat copy of the law is attached.

H. R. 3849. Mr. Irving (by request), March 28, 1949 (Education and Labor). Authorizes $5 million for a survey of public school needs and $145 million annually for construction of school facilities.

H. R. 4115. Mr. LESINSKI, April 8, 1949 (Education and Labor). Authorizes aid to local school agencies providing free education to children on Federal reservations or children in areas overburdened by Federal activities.

H. R. 4551. Mr. LANHAM, May 5, 1949 (Education and Labor). Similar to H. R. 2287, supra.

H. R. 4571. Mr. Golden, May 9, 1949 (Education and Labor). Similar to H. R. 1218, supra.

H. R. 4643. Mr. BARDEN, May 11, 1949 (Education and Labor). Authorizes $300 million annually plus additional sums, to provide assistance to the public schools at a minimum rate of $5 per child.

H. R. 4711. Mr. BYRNES of Wisconsin, May 16, 1949 (Education and Labor). Authorizes $60 million a year for financial assistance to the public schools.

H. R. 4873. Mr. HARVEY, May 26, 1949 (Education and Labor). Authorizes $3 million to survey public school needs and $250 million annually for 5 years for public school construction purposes.

H. R. 4899. Mr. MORRISON, May 27, 1949 (Education and Labor). Authorizes $500 million for payments to the States on a matching basis for public school construction.

H. R. 5028. Mr. Battle, June 7, 1949 (Education and Labor). Similar to H. R. 1558, supra.

H. R. 5513. Mr. Eliot, July 6, 1949 (Education and Labor). Similar to H. R. 1558, supra.

H. R. 5789. Mr. KEARNS, July 27, 1949 (Education and Labor). Makes a general provision for school financial assistance based on State need.

H. R. 5791. Mr. Morton, July 27, 1949 (Education and Labor). Similar to H. R. 5789, supra.

H. R. 5795. Mr. Werdel, July 27, 1949 (Education and Labor). Similar to H. R. 5789, supra.

H. R. 5838. Mr. KENNEDY, August 1, 1949 (Education and Labor). Similar to H. R. 1558, supra.

H. R. 5939. Mr. Burke, August 9, 1949 (Education and Labor). Authorizes $300 million a year for school aid on a basis per child of $66 over 1 percent of annual State income or $9.65 per school child, whichever is greater.

H. R. 7160. Mr. BARDEN, February 6, 1950 (Education and Labor). Similar to H. R. 4643, supra.

H. R. 7214. Mr. KEARNS, February 8, 1950 (Education and Labor). Similar to H. R. 5789, supra.

H. R. 7221. Mr. Werdel, February 8, 1950 (Education and Labor). Similar to H. R. 5789, supra.

H. R. 7326. Mr. Javits, February 16, 1950 (Education and Labor). Sets up the Office of Education as an independent agency and channels grants and other services through it.

H. R. 7940. Mr. BAILEY, March 30, 1950 (Education and Labor). Provides financial assistance to local educational agencies financially burdened by reason of Federal activities.

This bill was reported with amendments (H. Rept. 2287), 96 CONGRESSIONAL RECORD 8954; debated, amended and passed House, 96 CONGRESSIONAL RECORD 10093. Referred to Senate Committee on Labor and Public Welfare, 96 CONGRESSIONAL RECORD 10130. Reported with amendment (S. Rept. 2458), 96 CONGRESSIONAL RECORD 13660; debated, amended, and passed Senate, 96 CONGRESSIONAL RECORD 14726. Conferees appointed, 96 CONGRESSIONAL RECORD 14858, 14810. Conference report (H. Rept. 3109) agreed to in Senate, 96 CONGRESSIONAL RECORD 15020; agreed to in House, 96 CONGRESSIONAL RECORD 15298. Examined and signed, 96 CONGRESSIONAL RECORD 15347, 15456 (Public Law 874; 64 Stat. 1100). A photostat copy of the law is attached herewith.

H. R. 8027. Mr. PRESTON, April 5, 1950 (Education and Labor). Similar to H. R. 7940, supra.

EIGHTY-SECOND CONGRESS

S. 947. Messrs. MURRAY and McMahon, February 22, 1951 (Labor and Public Welfare). Authorizes an appropriation of $300 million to aid the States in financing their elementary and secondary schools.

S. 990. Mr. MURRAY, February 28, 1951 (Labor and Public Welfare). Establishes a $300 million annual program for Federal aid to the States, with a basic allotment for each State of $7.40 for each child, or an amount per child by which $74.80 exceeds 1 percent of averaged annual income payments in the States.

S. 2796. Mr. McCarran, March 6, 1952 (Labor and Public Welfare). Permits the Commissioner of Education to provide additional financial assistance to local school districts in areas where there is a substantial increase in school population due to defense activity.

S. 3358. Messrs. HILL and MURRAY, June 18, 1952 (Labor and Public Welfare). Makes various provisions for aid to State educational agencies affected by Federal activities.

H. R. 416. Mr. Werdel, January 3, 1951 (Education and Labor). Makes a general provision for school grants-in-aid to States on the basis of need.

H. R. 545. Mr. PERKINS, January 3, 1951 (Education and Labor). Authorizes $300 million for school financial assistance, to be allotted on the basis of $5 per child, or an amount per child by which $50 exceeds 1 percent of averaged State income payments, whichever is greater.

H. R. 915. Mr. FOGARTY, January 4, 1951 (Education and Labor). Similar to H. R. 545, supra.

H. R. 924. Mr. LANHAM, January 4, 1951 (Education and Labor). Authorizes $20 million over 2 years to the Federal Works Administrator for school grants for children on Federal reservations or in defense crowded areas.

H. R. 930. Mr. LANHAM, January 4, 1951 (Education and Labor). Authorizes $150 million for school construction grants and prescribes terms for letting of contracts.

H. R. 1337. Mr. KEARNS, January 12, 1951 (Education and Labor). Similar to H. R. 416, supra.

H. R. 1338. Mr. KEARNS, January 12, 1951 (Education and Labor). Makes a general provision for school grants in aid on the basis of need. Includes the formula for determining assistance.

H. R. 1663. Mr. RAINS, January 17, 1951 (Public Works). Authorizes the Federal Works Administrator to make loans and grants to local school agencies for construction purposes.

H. R. 2978. Mr. Golden, February 28, 1951 (Education and Labor). Authorizes $300 million annually for school assistance, at either $5 per child, or on a basis per child of the excess of $45 over 1 percent of averaged State income payments.

H. R. 3362. Mr. Mitchell, March 20, 1951 (Education and Labor) Similar to H. R. 416, supra.

H. R. 3934, Mr. HARRIS, May 2, 1951 (Education and Labor). Similar to H. R. 2978, supra.

H. R. 4468. Mr. BARDEN, June 14, 1951 (Education and Labor). Authorizes $300 million annually, plus additional sums for the Territories, for Federal aid to the public schools.

H. R. 4545. Mr. BAILEY, June 21, 1945 (Education and Labor). Provides Federal assistance to the States and Territories in the construction of public elementary and secondary school facilities.

H. R. 4913. Mr. PERKINS, July 23, 1951 (Education and Labor). Authorizes $500 million for each of 3 fiscal years to meet the emergency needs of the States in public school construction.

H. R. 5332. Mr. BARDEN, September 13, 1951 (Education and Labor). Amends provisions of the laws respecting grants to areas having increased enrollment due to defense activities.

H. R. 5411. Mr. BARDEN, September 19, 1951 (Education and Labor). Amends provisions of the laws respecting grants for construction and general aid to areas having increased enrollment due to defense activities, and liberalizes several of the definitions therein.

This bill was reported in the House (H. Rept. 983), 97 CONGRESSIONAL RECORD 11803; passed House, 97 CONGRESSIONAL RECORD 13165; referred to Senate Committee on Labor and Public Welfare, 97 CONGRESSIONAL RECORD 13215; reported with amendment (S. Rept. 1022), 97 CONGRESSIONAL RECORD 13321; amended and passed Senate, 97 CONGRESSIONAL RECORD 13321. House concurs in Senate amendment, 97 CONGRESSIONAL RECORD 13747. Examined and signed, 97 CONGRESSIONAL RECORD 13783, 13784. Pocket vetoed, 97 CONGRESSIONAL RECORD 13787. A copy of the Senate reported version is attached. The bill was passed by the Senate and agreed to by the House in this version.

H. R. 6429. Mr. BETTS, February 5, 1952 (Education and Labor). Provides financial assistance to local educational agencies affected by Federal acquisition of real property.

H. R. 8145. Mr. BAILEY, June 10, 1952 (Education and Labor). Similar to S. 3358, supra.

EIGHTY-THIRD CONGRESS

S. 38. Mr. McCarran, January 7, 1953 (Labor and Public Welfare). Authorizes the Commissioner of Education during fiscal 1951 or 1952 to make grants to school districts burdened by increased enrollments due to national defense activities.

S. 277. Mr. MURRAY, January 9, 1953 (Labor and Public Welfare). Establishes a $300 million program of assistance to public schools in the States and Territories, such money to be allotted on a basis of $7.40 for each child, or an amount per child by which $74.80 is in excess of 1 percent of the average annual income payments of the State.

S. 444. Messrs. HILL and MURRAY, January 13, 1953 (Labor and Public Welfare). Makes various amendments respecting aid to school districts where there has been a sudden increase of school population due to defense activities, and provides assistance for construction of public elementary and secondary schools.

S. 537. Mr. HUMPHREY, January 16, 1953 (Labor and Public Welfare). Similar to S. 444, supra.

S. 969. Mr. McCarran, February 16, 1953 (Public Works). Authorizes the Housing and Home Finance Agency to make loans to school districts for school construction.

S. 1596. Mr. SMITH of New Jersey (by request), April 8, 1953 (Labor and Public Works). Authorizes necessary appropriations for the construction of urgently needed school facilities, for fiscal 1954 and 1955, in areas having substantial increases in school attendance due to Federal activity. Makes various other provisions to alleviate hardship in school districts.

S. 1597. Mr. SMITH of New Jersey (by request), April 8, 1953 (Labor and Public Welfare). Makes various amendments respecting aid to school districts where there has been a sudden increase in school population due to defense activities.

S. 2569. Messrs. Hendrickson and CASE, August 1, 1953 (Interior and Insular Affairs). Provides that all revenues from the outer Continental Shelf mineral development be held in reserve, first, for emergencies, and secondly, for educational needs.

S. 2763. Mr. HILL and others, January 19, 1954 (Interior and Insular Affairs). Reserves all revenue received from leases on the outer Continental Shelf for grants-in-aid for educational purposes.

S. 2779. Mr. MCCLELLAN and others, January 20, 1954 (Labor and Public Welfare). Provides financial assistance to the several States for the construction of public elementary and secondary schools.

S. 3450. Mr. CLEMENTS (for Mr. Burke), May 13, 1954 (Labor and Public Welfare). Continues the program of public-school construction in areas with substantial increases in federally connected children for 2 additional years.

S. 3628. Mr. Upton and others, June 17, 1954 (Labor and Public Welfare). Provides a permanent program of assistance for public-school construction in areas affected by Federal activities.

This bill was reported in the Senate (S. Rept. 2203), 100 daily CONGRESSIONAL RECORD 12375; passed by the Senate, 100 daily CONGRESSIONAL RECORD 13371; passed by the House, 100 daily CONGRESSIONAL RECORD 13857. Senate concurs in House amendment, 100 daily CONGRESSIONAL RECORD 14262. Examined and signed, 100 daily CONGRESSIONAL RECORD 14382, 14430. (Public Law 731.) A copy of the law is attached herewith.

S. J. Res. 145. Mr. DOUGLAS and others, April 1, 1954 (Interior and Insular Affairs). Similar to S. 2763, supra.

H. R. 523. Mr. MERROW, January 3, 1953 (Education and Labor). Makes various amendments, including revisions of definitions, respecting aid to school districts where there has been a sudden increase in school population due to defense activities.

H. R. 1060. Mr. PERKINS, January 6, 1953 (Education and Labor). Authorizes $300 million for grants to the States for public-school education needs. Such grants shall be either $5 per child, or on the basis per child of the excess of $50 over 1 percent of average State income payments, whichever is greater.

H. R. 1857. Mr. WHITTEN, January 16, 1953 (Education and Labor). Authorizes $100 million annually for grants to States for public-school improvement.

H. R. 3094. Mr. POLK, February 16, 1953 (Education and Labor). Similar to S. 444, supra.

H. R. 6049. Mr. KEARNS, July 1, 1953 (Education and Labor). Authorizes necessary appropriations for construction of school facilities in areas of increased enrollment induced by Federal activities.

This bill was reported in the House (H. Rept. 702), 99 CONGRESSIONAL RECORD 8043; debated, 99 CONGRESSIONAL RECORD 8243; passed House, 99 CONGRESSIONAL RECORD 8260. Referred to Senate Committee on Labor and Public Welfare, 99 CONGRESSIONAL RECORD 8268; reported in Senate (S. Rept. 713), 99 CONGRESSIONAL RECORD 10218; amended and passed Senate, 99 CONGRESSIONAL RECORD 10787. Conferees appointed, 99 CONGRESSIONAL RECORD 10796, 10911. Conference report (H. Rept. 1091) agreed to in House, 99 CONGRESSIONAL RECORD 11124; agreed to in Senate, 99 CONGRESSIONAL RECORD 11051. Examined and signed, 99 CONGRESSIONAL RECORD 11101, 11157. (Public Law 246.) A copy of the law is attached herewith.

H. R. 6078. Mr. KEARNS, July 2, 1953 (Education and Labor). Continues program of financial assistance to local educational agencies in areas of increased enrollment due to Federal activity, inaugurated by Public Law 874, 81st Congress. Makes amendments to the procedure thereunder.

This bill was reported in the House (H. Rept. 703), 99 CONGRESSIONAL RECORD 8043; debated, amended, and passed House, 99 CONGRESSIONAL RECORD 8812. Referred to Senate Committee on Labor and Public Welfare, 99 CONGRESSIONAL RECORD 8846; reported with amendment (S. Rept. 714), 99 CONGRESSIONAL RECORD 10218; amended and passed Senate, 99 CONGRESSIONAL RECORD 10794. Conferees appointed, 99 CONGRESSIONAL RECORD 10796, 10911. Conference report (H. Rept. 1092) agreed to in House, 99 CONGRESSIONAL RECORD 11110; in Senate, 99 CONGRESSIONAL RECORD 11056. Examined and signed, 99 CONGRESSIONAL RECORD 11101, 11157. (Public Law 248.) A copy of the law is attached herewith.

H. R. 7059. Mr. HARVEY, January 7, 1954 (Education and Labor). Authorizes $3 million for a survey of school-facilities need, and $250 million annually for 5 years for construction grants.

H. R. 7467. Mr. BAILEY, January 25, 1954 (Education and Labor). Similar to S. 2779, supra.

H. R. 7667. Mr. METCALF, February 2, 1954 (Education and Labor). Similar to S. 2779, supra.

H. R. 7747. Mr. Reams, February 4, 1954 (Judiciary). Similar to S. 2763, supra.

H. R. 7907. Mr. LANHAM, February 16, 1954 (Education and Labor). Similar to S. 2779, supra.

H. R. 8078. Mr. FRIEDEL, February 25, 1954 (Judiciary). Similar to S. 2763, supra.

H. R. 8227. Mr. ELLIOTT, March 4, 1954 (Judiciary). Similar to S. 2763, supra.

H. R. 8272. Mr. Angell, March 8, 1954 (Judiciary). Similar to S. 2763, supra.

H. R. 8867. Mr. HOLT, April 15, 1954 (Education and Labor). Requires States desiring school-construction assistance to submit a plan to the Federal Government and authorizes appropriations to carry out these plans by means of grants proportioned on the school-age population of the State.

H. R. 8868. Mr. HOLT, April 15, 1954 (Education and Labor). Authorizes appropriations to provide financial assistance to the States and Territories in the construction of public-school facilities.

H. R. 9168. Mr. POLK, May 17, 1954 (Education and Labor). Continues for 2 additional years the program of school construction assistance in areas having pupil increases due to Federal activities.

H. R. 9179. Mr. Yorty, May 17, 1954 (Education and Labor). Authorizes such sums each year as Congress determines necessary for allotment to the States for public-school construction aid.

H. R. 9373. Mr. HARRIS, May 28, 1954 (Education and Labor). Similar to S. 1779, supra.

H. R. 9686. Mr. HOLT, June 24, 1954 (Education and Labor). Extends for 1 year the program of Federal assistance for school construction in federally affected areas.

H. R. 9798. Mr. YOUNG, July 2, 1954 (Education and Labor). Similar to H. R. 9686, supra.

H. R. 9841. Mr. FRELINGHUYSEN, July 8, 1954 (Education and Labor). Authorizes appropriations up to $250 million for each of 2 fiscal years to aid the States in construction of public elementary and secondary schools.

H. R. 9956. Mr. BENNETT of Michigan, July 20, 1954 (Education and Labor). Authorizes $250 million for Federal financial assistance to States and Territories in the construction of public-school facilities.

H. R. 10004. Mr. DONOHUE, July 22, 1954 (Education and Labor). Similar to H. R. 9841, supra.

H. R. 10133. Mr. KEARNS, July 30, 1954 (Education and Labor). Similar to H. R. 9168, supra.

H. R. 10149. Mr. FRELINGHUYSEN, August 3, 1954 (Education and Labor). Similar to H. R. 9841, supra.

H. J. Res. 89. Mr. PERKINS, January 6, 1953 (Judiciary). In conjunction with regulation for mineral leases in the outer Continental Shelf, provides that all revenue received from such leases shall be deposited in a special fund in the Treasury to be used for educational grants-in-aid.

H. J. Res. 126. Mr. FEIGHAN, January 13, 1953 (Judiciary). Provides that royalties received under mineral leases in the outer Continental Shelf shall be used as grants-in-aid to education.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from the Legislative Reference Service of the Library of Congress on appropriation laws relating to WPA education projects.

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

JUNE 17, 1955.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Pursuant to your revised request for certain information regarding the WPA, we are enclosing a list of the appropriation laws that indicate provision for construction or relief for educational purposes through the WPA.

Sincerely yours,
ERNEST S. GRIFFITH,
Director.

APPROPRIATION LAWS INDICATING PROVISION FOR CONSTRUCTION OR RELIEF FOR EDUCATIONAL PURPOSES THROUGH THE WPA

Direct appropriations of specific amounts were made to the WPA beginning in 1938. During 1935, 1936, and 1937 funds for relief and work relief were appropriated in lump sums to the President, who allocated them to the WPA and other Federal agencies that were engaged in public relief or work programs.

YEAR AND STATUTORY AUTHORITY

1935: Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115).

1936: Emergency Relief Appropriation Act of June 22, 1936 (49 Stat. 1608).

1937: Emergency Relief Appropriation Act of June 29, 1937 (50 Stat. 353).

1938: Additional appropriations for relief purposes, fiscal year 1938; act of March 2, 1938 (52 Stat. 83).

1938: Emergency Relief Appropriation Act of June 21, 1938 (52 Stat. 809).

1939: Additional Appropriation Act of February 4, 1939 (53 Stat. 507).

1939: Additional Appropriation Act of April 13, 1939 (53 Stat. 578).

1939: Interior Department Appropriation Act of May 10, 1939 (53 Stat. 704).

1939: Emergency Relief Appropriation Act of June 30, 1939 (53 Stat. 927).

1940: Interior Department Appropriation Act of June 18, 1940 (54 Stat. 424).

1940: Emergency Relief Appropriation Act of June 26, 1940 (54 Stat. 611).

1940: To provide funds for certain school districts; act of October 8, 1940 (54 Stat. 1021).

1941: Urgent Deficiency Appropriation Act of March 1, 1941 (55 Stat. 15).

1941: Emergency Relief Appropriation Act of July 1, 1941 (55 Stat. 396).

1942: Emergency Relief Appropriation Act of July 2, 1942 (56 Stat. 634).

JEROME KUYKENDALL

Mr. MORSE. Mr. President, I had some more speeches which I was going to make tonight. I have one on the subject of Jerome Kuykendall, Chairman of the Federal Power Commission, as to whether he should disqualify himself from judging the Hells Canyon case because of his demonstrated bias and prejudice.

I ask unanimous consent that this speech be printed in the RECORD, with the papers connected with it.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Jerome Kuykendall, Chairman of the Federal Power Commission, should disqualify himself from judging the Hells Canyon case because of his demonstrated bias and prejudice.

His past association and appointment by Governor Langlie, of Washington, an outspoken opponent of a Federal Hells Canyon Dam, indicate that he cannot be objective in judging the merits of the Idaho Power Co. applications for a dam or dams to prevent the construction of the high Hells Canyon Dam.

Kuykendall was appointed by Langlie in 1951 as chairman of the Washington State Public Service Commission. Langlie endorsed Kuykendall's appointment to the Federal Power Commission. Langlie has intervened in the Hells Canyon case and sent a witness to testify against the Federal dam.

It appears to be more than coincidence that Kuykendall was appointed in April 1953, that in early May the Department of the Interior withdrew its opposition to the company application, and that in June 1953 the long-delayed hearings were resumed.

But that is not all. By his testimony before the House Small Business Committee last week, Kuykendall proved beyond all doubt that he is biased and prejudiced in favor of private utilities. Indeed, his partisanship apparently goes as far as suppressing and withholding evidence that is detrimental to private utility interests.

Just this past Sunday, July 31, Congressman EVINS released a comparison of the testimony Kuykendall gave before his Small Business Committee last week and that given last November 5 before the Joint Committee on Atomic Energy.

In his earlier testimony Kuykendall withheld the information that the FPC Bureau of Law had examined the Dixon-Yates contract and found it deficient and questionable as a matter of law and against the best interests of the United States.

Yet last week his testimony and that of the Secretary, the General Counsel, and other responsible officials of the FPC prove that the Bureau of Law's opinion was presented to the FPC Commissioners in September 1954.

This is what Kuykendall told the joint committee in November 1954:

"Mr. KUYKENDALL. No; our lawyers were not called into this. Our Bureau of Power worked with the AEC and with the Bureau of the Budget and conferred with our Bureau of Accounts, Finance, and Rates, which Mr. Smith heads. At a later stage, Mr. Smith and Mr. Adams participated in some staff conferences with AEC, but our Bureau of Law did not. Then, when we got those requests from this committee and from AEC to give our opinion, we did not ask the Bureau of Law to get into the legal phases of it, because I thought that would simply be plowing the same ground, so to speak, that I knew the attorneys for AEC have plowed and the Attorney General. So, they were not asked to give up—wait a minute; I will take that back.

"Representative PRICE. I saw a press report to the effect that the General Counsel had not given his approval.

"Mr. KUYKENDALL. We had not asked him for it, but the staff took the contract to him and started drawing him into it. I felt that it was unnecessary, and we said in our first letter to the AEC that our attorneys had not passed on it."

Last week's testimony shows that the memorandum by Assistant General Counsel Wahrenbrock was completed in September and transmitted shortly after September 17 to the Commission.

Last week Kuykendall testified:

"Mr. KUYKENDALL. I saw Mr. Wahrenbrock's memorandum. We had it at the Commission meeting. I am sure all Commissioners had it. And we considered it and discussed it with him and with other members of the staff who were present."

The earlier testimony places the date in September 1954.

There could be no more shocking proof that Kuykendall withheld information from the joint committee at a time when its approval of the Dixon-Yates contract was being sought to avoid its submission to the newly elected Democratic Congress.

Kuykendall has proved himself to be willing to go to great lengths to advance the interests of private utilities. He has demonstrated his inability to deal impartially with the Hells Canyon case. He should disqualify himself. If anything, his action in the Dixon-Yates situation is worse than that of Chairman Armstrong, of the SEC. By his actions he has compromised his quasi-judicial status beyond repair.

There follows Congressman EVINS' release of July 31, 1955, which summarizes the pertinent testimony.

SIGNIFICANT FACTS DEVELOPED IN THE HEARING HELD BEFORE SUBCOMMITTEE NO. 1, OF THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS, ON JULY 28, 1955, IN THE EXAMINATION OF WITNESSES FROM THE FEDERAL POWER COMMISSION

I

Evidence relating to defects in the Dixon-Yates contract, which was drafted and proposed prior to August 1954, disclosed that early in 1954 the Bureau of the Budget sought and secured help from the Federal Power Commission in connection with the drafting of the Dixon-Yates contract. The Federal Power Commission at that time was under the chairmanship of the Honorable Jerome Kuykendall, an Eisenhower appointee. In connection with that work on the Dixon-Yates contract, Francis L. Adams, Chief of the Federal Power Commission's Bureau of Power, in company with William F. McCandless, a representative of the Bureau of the Budget, visited the White House when the matter was being considered by the President. He stated that he was asked to accompany the Director of the Bureau of the Budget and Mr. McCandless and to sit in the hall outside of the President's office in case any technical questions that Mr. McCandless or others wished to direct to him while the President had this Dixon-Yates matter under consideration and discussion. (Transcript, pp. 829–830.)

Thereafter Mr. Francis L. Adams, of the Federal Power Commission, and his assistant, Mr. Roberts, spent substantial time giving the Bureau of the Budget assistance on the Dixon-Yates matter. Much of the time that they gave to this matter was spent in the offices of the Bureau of the Budget. By August 23, 1954, the proposed contract for Dixon-Yates had been drafted and had been submitted to the Federal Power Commission for its study and report. In that connection, at the request of the Acting Chairman, Commissioner Digby, the Federal Power Commission's Bureau of Law was asked to review the draft of the contract and to state orally to the Federal Power Commission at a scheduled meeting for August 25, 1954, "what, if any, questions the Bureau of Law had and the nature of the questions," about the contract. (Transcript, pp. 864—865.)

Within that period of time between August 23 and August 25, 1954, by working strenuously and overtime, the acting general counsel, Mr. Lambert McAllister and assistant general counsel Howard E. Wahrenbrock made a study of the Dixon-Yates contract and presented memoranda of their comment thereon. In the meantime, the general counsel of the Federal Power Commission, Mr. Willard W. Gatchell returned to the city and received a call to appear before the Federal Power Commission in a meeting it held shortly after September 17, 1954, to discuss the Dixon-Yates contract. (Transcript, pp. 880–881.) In that connection, he testified as follows:

"Mr. GATCHELL. * * * This came before the Bureau of Law. This Dixon-Yates contract came before the Bureau of Law through the Bureau of Power. And it happened to come at a time when I was out of the city on some business with the Commission, and so I knew nothing about it until I got back. I then saw both Mr. Wahrenbrock's and Mr. McAllister's memorandum, the ones that have been submitted here and received by the committee. * * *

"These memorandums which were submitted by Mr. Wahrenbrock and Mr. McAllister were submitted at the request of the Bureau of Power. Ordinarily, when the Commission wants an opinion they ask the general counsel for an opinion, which is prepared. And invariably the practice has been, as far as I know, without any exceptions, that these opinions then go to all members of the Commission and I have no reason to think that the two memorandums which were submitted, one by Mr. Wahrenbrock and one by Mr. McAllister did not likewise go to the members of the Commission. * * *

"Mr. MACINTYRE (General Counsel, Select Committee on Small Business). In the course of those discussions, did you inform them of the views of the Bureau of Law?

"Mr. GATCHELL. No, sir; I informed them of my views. And in my views, I, of course, took advantage of the study which had been made by Mr. Wahrenbrock and Mr. McAllister, because they are very fine technicians and both of them did a thorough job within the very limited time that they had.

"I was fortunate in having a little more time to study it. I raised all of the points that they raised, and quite a number of additional points myself. I raised those to the Commission."

In that connection the Secretary of the Federal Power Commission, Leon M. Fuquay, also testified as follows (transcript pp. 874–875):

"Mr. MACINTYRE. And you heard Mr. Wahrenbrock's testimony about having submitted to the Secretary of the Commission copies of his memorandum on the Dixon-Yates contract?

"Mr. FUQUAY. Yes.

"Mr. MACINTYRE. And you heard him say that he passed that to the Secretary for distribution to the Commission?

"Mr. FUQUAY. Yes.

"Mr. MACINTYRE. Did you pass that on to the commissioners, including the chairman?

"Mr. FUQUAY. I would have no way to know that. I can only assume that I did. We don't keep the record of whether we did or we didn't. I assume the interoffice file would show perhaps a notation: 'Distributed to the Commission.' My girls usually do that. It is also perhaps possible that the agenda, if there was one on that date, would show that it was before them at the time.

"Mr. MACINTYRE. Would the record of the Federal Power Commission, the minutes of the Federal Power Commission, show whether or not the memorandum had been distributed and received by the chairman?

"Mr. FUQUAY. The minutes would not. The agenda might show. The minutes only show what action took place.

"Mr. EVINS. Mr. Fuquay, would you address a letter to the counsel of the committee after examining your files, and tell us whether or not this memorandum was distributed to the commission?

"Mr. FUQUAY. If I can ascertain that fact, I will be glad to do that.

"Mr. KUYKENDALL. I think I can clarify that point.

"Mr. EVINS. Proceed.

"Mr. KUYKENDALL. I saw Mr. Wahrenbrock's memorandum. We had it at the Commission meeting. I am sure all Commissioners had it. And we considered it and discussed it with him and with other members of the staff who were present."

Now what did the memoranda which had been prepared by Mr. McAllister and Mr. Wahrenbrock contain in the way of comment concerning the Dixon-Yates contract? In that connection the summary and concluding paragraphs of Mr. McAllister's opinion of those contracts are quoted as follows:

"I have never reviewed a power contract wherein each and every provision is written in such fashion that one party has an absolute veto right wherever any adjustment or change is indicated and no provision is made for the resolving of a dispute. The contract gives the impression that the generating company dictated the terms and conditions of the contract and either AEC was inept or without any right or opportunity to insist on relative provisions which would spell out the representative rights and circumstances under which an adjustment might be justified and provide for a resolution of any difference that might arise through an established form of negotiation or arbitration.

"The time which has been available for review of the contract from the standpoint of its provisions has been entirely inadequate. There are many provisions of the contract which could be specified in support of the statement that the contract is all onesided but time would not permit the coordination and discussion of all such matters."

The concluding paragraph of Mr. Wahrenbrock's memorandum is as follows:

"Aside from minor questions of draftsmanship, the foregoing questions, arising from the limited and preliminary study which it has been possible to make, appear serious enough and numerous enough to cause grave apprehension that there are other questions and very substantial objections to the August 11 draft. It would seem reasonable to conclude that the immediate advantages from quick completion of the deal in these terms, to facilitate getting forward with certain parts of the construction before spring high water on the Mississippi, will be more than offset by the long-term substantial advantages to the Government of taking additional time to try to arrive at a better contract. And this is in addition to the grave question of legal authority for the contract under the Federal income tax provision of section 165 (b) of the Atomic Energy Act of 1954 (enrolled)."

It is significant that the advice thus contained and set forth in Mr. McAllister's and Mr. Wahrenbrock's memoranda did not come to light so that they could be considered by the Members of Congress and others interested in the Dixon-Yates deal until Thursday, July 28, 1955.

In fact it appears that there was a concerted effort in the past to suppress the information contained in those memoranda. Let us recall the fact that at the time of the election in November 1954, frenzied efforts were being expended to have the Joint Committee on Atomic Energy of the Congress of the United States approve the Dixon-Yates deal prior to January 1, 1955, when the newly elected Democratic Congress would take control. Therefore, hearings were held on the matter by the Atomic Energy Joint Committee commencing November 4, 1954, just as the final election returns were being received.

During the course of those hearings on Friday, November 5, 1954, and at page 200 of the record of the hearings, Mr. Kuykendall, Chairman of the Federal Power Commission, an Eisenhower appointee, is reported to have testified as follows (transcript, p. 878 of the hearings before Subcommittee No. 1 of the House Select Committee on Small Business, on Thursday, July 28, 1955):

"Mr. KUYKENDALL. No; our lawyers were not called into this. Our Bureau of Power worked with the AEC and with the Bureau of the Budget and conferred with our Bureau of Accounts, Finance and Rates, which Mr. Smith heads. At a later stage, Mr. Smith and Mr. Adams participated in some staff conferences with AEC but our Bureau of Law did not. Then, when we got these requests from this committee and from AEC to give our opinion, we did not ask the Bureau of Law to get into the legal phases of it, because I thought that would simply be plowing the same ground, so to speak, that I knew the attorneys for AEC have plowed and the Attorney General. So, they were not asked to give us—wait a minute, I will take that back.

"Representative PRICE. I saw a press report to the effect that the General Counsel had not given his approval.

"Mr. KUYKENDALL. We had not asked him for it, but the staff took the contract to him and started drawing him into it. I felt that it was unnecessary, and we said in our first letter to the AEC that our attorneys had not passed on it."

Why was it that Mr. Kuykendall so acted in keeping from Members of the Congress

on that occasion the objections which he knew to exist to the Dixon-Yates contract? Was it something that fits into a pattern of what has been termed "cover up" of important facets of the Dixon-Yates matters such as, for example, the facts concerning the participation of Adolphe H. Wenzell, of the First Boston Corp., in negotiating the Dixon-Yates deal?

Incidentally since Mr. Wenzel's name has been mentioned, let us again refer to the hearings before the House Select Committee on Small Business and the testimony of Mr. Francis L. Adams, Chief of the Bureau of Power of the Federal Power Commission. (Transcript, p. 846.) Mr. Adams testified that Mr. Wenzell visited him at his offices in the Federal Power Commission and on the succeeding pages, he testified concerning the matters which Mr. Wenzell discussed with him. It should be recalled that the said Mr. Wenzell is the party representing the First Boston Corp. which Mr. Eisenhower omitted from his list of persons, things, dates, and actions relating to the Dixon-Yates matter and which he presented as a complete chronology of that matter.

II

Another thing that appeared in the course of the testimony of the Chairman of the Federal Power Commission was an indication of his indifference and callousness to conflict of interest matters such as is currently in the press about the Talbott affair.

For example in the transcript of the hearings at page 796, Mr. Kuykendall, an Eisenhower appointee as Chairman of the Federal Power Commission, admitted that the Bureau of the Budget had selected a management engineering firm to investigate the internal organization, operation, and procedures of matters at the Federal Power Commission, and to study them and draw their conclusions and recommendations concerning them and submit a report in respect thereto to the Federal Power Commission. He stated that the management engineering firm of Cresap, McCormick, and Paget, of New York and Chicago, had been selected by the Bureau of the Budget to do that job. When he was asked whether he or the Federal Power Commission had inquired concerning the fact whether that management engineering firm was retained by or otherwise selected by any other party under investigation or involved in any proceedings of the Federal Power Commission, he said he had not made any such inquiry. When it was pointed out that he had stated that he did not know what the facts were in that respect, he stated "that is correct." (See transcript p. 796.) Then Mr. Kuykendall made these amazing observations (transcript, pp. 797–798):

"Mr. KUYKENDALL. How would you consider that, if they had any connection with somebody that had a case there, that their making this sudy would affect that case?

"Mr. MACINTYRE. To your view and your thinking it would not make any difference, would it?

"Mr. KUYKENDALL. No; I do not see how it would.

"Mr. MACINTYRE. In other words, this management engineering firm could also be employed by and representing one of the people who had a proposal pending before the Federal Power Commission and with respect to which you and the other Commissioners would be required to pass judgment, but you did not see in that any reason why they should not come in and tell the Federal Power Commission how it should reorganize itself and run itself.

"Mr. KUYKENDALL. We did not hire these people, the Bureau of the Budget hired them and they paid for them, and they made this report to the Bureau of the Budget and not to the Federal Power Commission. And then later—I think very shortly—the Bureau gave us copies of the report, and also they submitted some other comments of their own.

"Mr. MACINTYRE. But you did not see fit to have any inquiry made as to their connections with the parties in the pending proceedings?

"Mr. KUYKENDALL. I am sure they did not have any—I never heard of it if they did.

"Mr. MACINTYRE. But you didn't know and you tell this committee you don't know.

"Mr. KUYKENDALL. That is true. And if they had that certainly wouldn't have affected any Commissioner in any manner and I am sure it wouldn't have affected any Commissioner's decision.

Mr. MACINTYRE. You didn't see anything wrong with it if they had had such connection?

"Mr. KUYKENDALL. If they had some connection with somebody that we regulated?

"Mr. MACINTYRE. In a pending case at the Power Commission?

"Mr. KUYKENDALL. I don't see how in the world they could do any maneuvering to affect that case.

"Mr. MACINTYRE. In other words, you agree with Mr. Talbott in that respect as to his engineering firm. You don't see how it could affect the public interest?"

Mr. MORSE. Mr. President, am I correct in my understanding that the Senate is about to adjourn sine die?

Mr. HUMPHREY. The Senator is correct.

Mr. MORSE. I yield the floor, and I thank the Senate for its attention.

ADDRESS BY FORMER PRESIDENT TRUMAN IN PORTLAND, OREG.

Mr. KEFAUVER. Mr. President, one of the great speeches of this year, which will point up the political issues between Republicans and Democrats in the campaigns to come, was delivered by the former President of the United States the honorable Harry S. Truman, at the Oregon dinner of the Democratic Party, at Portland, Oreg., on June 11, 1955.

I wrote to former President Truman, after I had seen a report of his speech in the press, and asked him to send me a copy of it for the purpose of having it printed in the RECORD.

This address, in addition to paying the most laudatory and highest tribute to the life work, and attitude of the Senator from Oregon [Mr. MORSE], discussed in some detail the importance of resource development in this country.

I believe the remarks of the former President of the United States with reference to the courageous fight for resource development carried on by the senior Senator from Oregon [Mr. MORSE], and the importance of the full utilization of our resources for the benefit of our people, as expressed by Mr. Truman, is worthy of the fullest consideration by not only all the Members of Congress but also by the people throughout the country.

With that in mind, I ask unanimous consent to have the address of the former President printed at this point in the RECORD.

Mr. MORSE. Mr. President, I deeply appreciate the remarks of the Senator from Tennessee, and I feel very humble indeed about the remarks of President Truman, which the Senator from Tennessee has asked to have inserted in the RECORD.

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

ADDRESS BY FORMER PRESIDENT OF THE UNITED STATES HARRY S. TRUMAN, JUNE 11, 1955, AT THE OREGON DINNER OF THE DEMOCRATIC PARTY, COLUMBIA ATHLETIC CLUB, PORTLAND, OREG.

Madam Chairman, friends, and fellow Democrats, I came here tonight of my own initiative. I asked to come to Oregon because I wanted to express my respect and admiration for one of the great men in public life, WAYNE MORSE. Senator MORSE is typical of the progressive West, which is so rebellious against selfish interests and despoilers of the public domain. He is the shining example of political courage and independence which many men in public life might do well to follow.

It is no secret that I liked him when he was a Republican, and I like him all the more now that he has discovered that you cannot protect the public interests under present Republican management. It was easier to do so in the days of Teddy Roosevelt, George Norris, and Charles McNary, who fought against raids on public resources, for at that time WAYNE MORSE would have had powerful support in his own party. But where in the Republican ranks today can you find support for men who fight for the people's right to own and develop their common property?

There was a time when Hiram Johnson, Governor and Senator from California, Charles McNary, of Oregon; William E. Borah, of Idaho; really represented the spirit of public service. They called themselves Republicans. They were T. R. Republicans, who believed in real public service. WAYNE MORSE is that kind of man. Were Johnson, McNary and Borah alive they would have to do just what Wayne has done, or retire.

Think, think what awful things have happened to this western Republican representation. The Republicans in Congress from the West now represent the giveaway national resource bloc, the character assassin "gimme" brand of politics.

The only salvation for this part of our great country is the Democratic Party. That party will never represent special privilege as long as there are enough of us New Dealers, Fair Dealers and Square Dealers here to prevent it.

Something evil is happening in this country today, and we had better put a stop to it before it is too late. Our people have been preoccupied by the movement of many events around the world where one false move may lead us into trouble. And let me say that I know nothing more vital than the wise conduct of our foreign affairs, and this administration would do well to continue the bipartisan policy initiated by us in fact, instead of by lipservice.

But in the shadow of these world events, while our minds have been somewhat distracted, selfish interests in this country have been scheming to take away from the people vast public resources. I am sorry to say that much has already been lost in the last 2 years, and I fear vastly more will be taken away.

One of the reasons why Oregon must keep WAYNE MORSE in Washington, D. C., is to help put a stop to this. For Senator MORSE not only represents Oregon and the Nation with great credit, but his voice has stirred the country against those who would destroy one of our great American institutions, the public lands and the public power. From its very beginnings, this Nation has reserved for the common use of the people, rights in certain lands and resources as a permanent foundation for the well-being and future of our country. And succeeding generations have added to these lands and resources.

This is part of the tradition of the American way of life.

In the past there have been raiders who sought to appropiate these resources. But up until recently we have been able to turn them back time and again. Many of those raiders called themselves rugged individualists and did not disguise their purpose. They said they did not like public ownership of anything and openly tried to help themselves to everything they could put their hands on. We could fight this sort of open attack. And we did fight it and win it in Woodrow Wilson's and Franklin Roosevelt's times and administrations.

But in the last 2 years the raider has been more subtle, and, for that reason, more dangerous. He says that he is not trying to grab anything for himself. Oh! No! He professes to be doing the public a service. He tells you he wants to save us from the terrible evil of the public being in business for itself in the management and conservation of its natural resources.

Pious in his pretentions and aided by experts in propaganda, the modern-day raider insists he is fighting for private enterprise, local rights, regional rights and State rights.

But he always winds up by taking over the people's rights.

The last time I was out here was in 1952. There seem to be more Democratic voters here now. It appears that the Republican administration in Washington has been more persuasive than I was in convincing the people that their interest are best represented by the Democratic Party.

When I was at Kalispell in Montana in 1952, I adivsed the voters to take a good look at Hungry Horse Dam. I said that if a Republican President were elected that was the last new dam they would see out here for a long time to come. Senator MORSE knew I was right.

WAYNE MORSE always had his heart set on the development of the water and power resources of the Northwest States. He knew that this was not just a local matter but that it concerned a large region, affecting many States—and a policy that affects the whole United States.

As long ago as 1787 the founders of our country realized the man-made boundaries should not control the great rivers of this country. And they wrote a provision in the Constitution to place control over these rivers as channels of commerce in the hands of the Federal Government.

In the last 2 years there has been an attempt to becloud the basic concept that our great rivers are a Federal responsibility. A number of people have been trying to make us believe that the Federal interest in our river systems is an encroachment on the rights of the States and local governments. There have been a lot of crocodile tears—great big ones—about how the Federal Government is setting up a power monopoly and breaking down States rights—and how the time has come to get the Federal Government out of the river business.

The development of our rivers must be planned—it cannot be opened as a grabbag to private interests to pick off the best revenue producing dam sites at the expense of future generations.

If there is anything I am proud of in the record of the New Deal and the Fair Deal, it is the development of our river basins. In the Tennessee Valley and the Pacific Northwest, future generations can see what a truly representative government could accomplish for its people.

Of course, there was a lot of opposition to this at the time. I remember when the Grand Coulee project was proposed, its opponents said there was no justification for it—that there was nothing out in that country but jackrabbits and coyotes, and that a big dam there would be as useless as the pyramids. But Franklin Roosevelt had the vision to see it another way, and the courage to do something about it. So Bonneville was built, and Grand Coulee was built, and people began living and working where the jackrabbits used to be.

The Pacific Northwest grew and flourished; its population and its income increased by leaps and bounds; its magnificent water projects produced the current that made the aluminum that helped win World War II (Davis' Aluminum Story). Water was brought to hundreds of thousands of acres of thirsty land. Other dams were built, and we went forward—not only in the local interest but in the national interest as well. Power sources: oil, water, coal, atomic energy.

And let me point out that with this public development private enterprise flourished, too. Here, as in the Tennessee Valley public river development meant the growth of private industry and private business. That's true of all public development under our system of government. Big dams and big projects, financed by the Government, mean far more private enterprise, in the long run, than little dams and inadequate projects financed by the utility companies.

The development of the water resources of this region was not a politically inspired or a partisan affair. Of course, the national leadership of the Republican Party—the Old Guard—was opposed to this program. But, in those days there were some Republicans from these States who fought for this development—who went to Washington and worked for the future prosperity and welfare of their constituents. I sat with one of them in the Senate of the United States—his name was Charles McNary. He was the Republican leader in the Senate, and one of these great new dams is named after him, because he worked to get it built.

Yes, there used to be Republican Senators—there was even a Republican President—Teddy Roosevelt—who favored the maximum development of our rivers, by the Federal Government.

Those days are gone. In fact, you have to be almost as old as I am to remember them. The fact that they are gone is dramatically illustrated by the presence at this Democratic dinner of WAYNE MORSE, now a Democrat but hitherto a lifelong Republican. And I believe there are thousands of conscientious Republicans, throughout these States and the country, who are facing the same decision that confronted WAYNE MORSE, and they are facing it with troubled hearts. For I know what it is to be loyal to a political party, and I know that such loyalties are not easily changed. But what is an honest man to do, when his party ceases to stand for what he believes in? What is he to do when his own party tears down and destroys the very policies which mean future prosperity and progress?

What is happening today is that a Republican President is being used to cripple the program of river development that has brought prosperity to many regions of our land. In 1952 I tried to tell the people just what the Republicans would do. Unfortunately, it was hard for the people to imagine that any President could be used to halt and undo our public-power programs.

As WAYNE MORSE said the other day, you can always repeal a law, but you can't repeal a dam once it is built—and if it is the wrong dam, and it turns part of the people's resources over to a private monopoly, the people can never get them back.

By tricky and devious ways, private raiders on public power have been at work. They did not try to make a head-on assault against one of the most successful and most popular programs of the Federal Government. Their methods were more subtle. The first thing they sought was to stack the Federal agencies with enemies of public power. They had been encouraged by a Secretary of the Interior who openly opposes public power. And, unfortunately, the new chairman of TVA has had no experience with the issue of public power.

The second stage was even more effective. This is how it works. If you have a successful and going concern like the TVA, which needs to expand its services, then the plan is to get the President's policy advisers to cut its appropriations and, at the same time, subsidize private power companies to move into its territory. If you have an agency like the Southwestern Power Administration, selling power at low cost to rural cooperatives, the technique is to rewrite the contracts in such a way that the cooperatives will have to go out of business. If you have a new source of publicly financed power coming into being, like the St. Lawrence project, they try to give the power to the private companies to distribute without any guaranties in the public interest. If you have a great plan for an entire river basin, like the plan for the Columbia, which is only partly built, then the technique is for the Federal Government to give up the crucial dam sites, and get the Federal Power Commission to turn them over to private power companies for piecemeal exploitation. This will block the future growth of the whole system, and prevent existing dams from turning out as much power as they could.

After a few years of this process of hamstringing, and obstruction and doubletalk, it ought not to be too hard for the private power monopoly to prove that our Federal program of river development is a mess, and that the people's dams and transmission lines ought not to be sold to the power trust.

Let us not be misled again by the strange assurances that keep coming from Washington. You know, the President, in his speeches and press conferences, keeps saying, after each new blow at the TVA, that the administration has no intention of destroying the TVA.

Nor should we be fooled, after each attempted giveaway of a high dam site, by the explanation that what the administration is really after is a partnership between public and private interests. And what a strange partnership it is, with the people paying for the dam, and the private partners taking all the profit.

There is yet another deception, and that is to trot out, from time to time, some public project that cannot possibly be built for years and years and to say nice things about it. In this way, it may be possible to keep the people from discovering what is going on.

Let me make one point perfectly clear. I do not have the slightest doubt that the President honestly believes that the expansion of our program of Federal power development is wrong. I am sure that he thinks he is doing the right thing in curbing TVA and in permitting the giving away of Hells Canyon. But the facts and our national experience are against him. If the administration continues its present policies, the future development of our river resources will be irretrievably lost to us.

The future of this part of the country depends not only on having a Congress that is sympathetic to projects necessary to your economic growth but a sympathetic administration as well. You must have a President who believes in the public development of our rivers. For unless the Executive power is on your side, there is nothing but frustration and delay in the way of the development on which your future depends. The people's lobbist. Who is he? The President of the United States.

The top leadership of the Republican Party is dominated by the special interests of big business. This is the fundamental reason for their attack on public power. You can also see the evidence of it in many other issues. You can see it in their haste to cut taxes for corporations and top incomes, even though the budget was unbalanced, and their

refusal to give a small amount of tax relief to the little fellow. You can see it in their labor policies and their farm policies. You can see it in the vetoes of justified pay increases for Federal workers. You can see it in the giveaway of our publicly financed rubber factories and tidelands oil. You can see it in the breakdown of the Foreign Service, the civil service, national defense.

The fight to return the Government of the United States to the people of the United States in 1956 is already underway. I pledge you now that I will do my level best in that fight.

REPUBLICAN REPORT OF 1ST SESSION OF 84TH CONGRESS AND REPUBLICAN ACHIEVEMENTS FROM JANUARY 1953 TO JULY 1955 (S. DOC. NO. 86)

Mr. KNOWLAND. Mr. President, earlier in the evening, I asked for and was granted unanimous consent to have printed in the RECORD and as a Senate document the Republican report on the 1st session of the 84th Congress, and also the Republican achievements from January 1953 to July 1955.

I now send forward the material and ask that it be printed in accordance with the order of the Senate.

The matters referred to are as follows:

REPUBLICAN REPORT ON THE 1ST SESSION OF THE 84TH CONGRESS

Taking into account the whole of the Eisenhower legislative program for this session, the performance of Congress was satisfactory in view of the close division that prevailed between the two major parties in both the Senate and House of Representatives. If Republicans had been in control of the Congress and its committees, it is our belief that much more of the President's domestic program would have been enacted and more of it in accordance with his recommendations.

In contrast to practices in the previous Democratic New Deal administrations, President Eisenhower followed the spirit of genuine bipartisanship in foreign policy with excellent results in the promotion of peace and safeguarding of the Nation's security.

EISENHOWER PROPOSALS DEMOCRATS DID NOT PASS

The cooperation that did exist should not obscure the fact that the Democratic-controlled Congress failed to enact many important domestic measures recommended by the President. Major administration legislative recommendations not considered or rejected included: Highway bill, atomic peace ship for international good will, omnibus health bill, Federal aid to public-school construction, a group of water-resource projects including the upper Colorado, Juvenile Delinquency Control Act, Taft-Hartley Act amendments, Refugee Relief Act amendments, Hawaiian statehood, comprehensive program of aid to low-income farmers, customs simplification, and military survivor benefits.

DEMOCRAT TACTICS

A number of Democrats in Congress acted to embarrass the President and sought to sway public opinion against him as part of their strategy for the 1956 political campaign. For example, at the very outset of the session, the House Democratic leadership pressed for a $20 personal income-tax cut, although they knew that such a cut would deprive the Government of over $2½ billion in much-needed revenue and force the Government to borrow money and go deeper into debt.

And at the very time some Democratic leaders were emphasizing their cooperation with the President, their party members in the Senate with one exception voted against the atomic peace ship requested by Mr. Eisenhower to gain the good will of the world in the struggle against communism.

Democrats forced passage of a postal pay bill stripped of the job reclassification plan recommended by the President to correct such inequities as differences in pay for employees performing the same type of work. The President was compelled to veto the act and call for another more in keeping with sound Government finances and personnel administration.

Several Democratic-controlled committees went sharpshooting for political targets, as in the case of the stock-market investigation, Dixon-Yates, the polio vaccine, and other subjects.

These are but a small number of examples by which some Democrats in the 84th Congress allowed partisan political considerations to be the controlling factor. It was the fear of just such tactics as these that led the President in September 1954 to observe:

"When unfortunately the Congress is controlled by one political party and the executive branch by the other, politics in Washington has a field day. The conduct of government tends, under these conditions, to deteriorate into an endless round of contests for political advantage—an endless round of political maneuverings, of stagnation and inaction—of half measures or no measures at all. These are the reasons—the compelling reasons—why the completion of your great program requires the election of a Republican-led Congress."

THE PARTY RECORD IN THE 84TH CONGRESS

On rollcall votes in the Senate and House in which the President's proposals were in issue, Democrats supported the President only a little more than half of the time. Republicans supported the President about three-fourths of the time and made a record advancing the policies which the President recommended to the Congress.

For example, Republicans supported measures requested or supported by the President and the administration far more strongly than did Democrats in the following instances: To eliminate the irresponsible $20 income tax reduction, to uphold the sale of Government-owned rubber plants, to support the President's recommendation on postal pay, to uphold his veto on the postal-pay bill, to support the President's highway plan, to support the President's public housing request, to prevent unbalancing of the Defense Establishment, to uphold the President's proposal for returning to private enterprise of certain commercial-type enterprises in the Defense Department, to carry out the President's request for funds for an atomic peace ship, to support the President's request for home rule legislation for the District of Columbia, and legislation to permit persons of experience and ability to serve Government without compensation.

The Republican administration has placed in operation many of the administrative improvements suggested by the second Hoover Commission, but the Democratic-controlled 84th Congress has not enacted a single Hoover proposal which required legislation.

REPUBLICAN ADMINISTRATION BRINGS PEACE WITH HONOR AND PROSPERITY

The outstanding fact of 2½ years of Republican administration is the changed atmosphere the administration helped to bring about in the world and in domestic affairs.

At the end of 1952, war and threats of war persisted in Korea, Indochina, and Formosa. Free nations in Europe and Asia feared for their security. Soviet Russia and militant communism everywhere troubled the peace of the world.

At home the economy was still based on war, upon excessive Government spending and crushing taxes, and beset by fears of wartime inflation and subsequent deflation.

By firmness, clear policies, and skillful negotiation, President Eisenhower and Secretary of State Dulles helped to remove some of the dark shadows that hung over the world. The active fighting stopped and fears of war are less than 2 years ago. New mutual defense treaties strengthened the free world and safeguarded its security. Tensions were relaxed and more friendly relations ensued. The Geneva Conference gave the world a hope for peace with honor.

The Eisenhower administration has built up the Nation's defense system to its greatest peacetime strength in history with military manpower carefully balanced with weapons power.

GREATEST PROSPERITY EVER

In domestic affairs, as the 1st session of the 84th Congress came to a close, the Nation was enjoying the highest levels of employment and prosperity ever achieved. Employment of over 64 million persons in June 1955 set a new high peak. Production of goods and services set a new record of $383 billion. Home, industrial, public, and other construction were setting new high records. Personal income exceeded the $300 billion level for the first time in history, while taxes and the cost of living were lower for the first half of 1955. The average weekly earnings of factory workers were $76.11, a rise of $4.61 over the figure last year. This means that people have more dollars to spend and each dollar buys more. All indications point to a higher level of general prosperity for 1955 than the Nation has ever reached in its entire history.

Peace and prosperity are the dividends stemming from President Eisenhower's policies. We released the energies of the people and private enterprise by removing Government controls on prices, wages, rents, and materials. We stopped the trend toward Government centralization and began the effort to withdraw Government from competition with our citizens in commercial-type activities. We cut Government spending and passed the savings on to the people by income-tax reductions. We provided incentives to industry and business to create jobs by reducing their tax burdens, enlarging Federal research, expanding aids to home construction, and by adjusting Government programs to meet the problems in areas of chronic and temporary unemployment. We created a Small Business Administration to provide financial aid and managerial assistance to small enterprises. Government fiscal, credit, expenditure, and other economic activities were adjusted as occasion required to keep the economy in balance and to promote increasing prosperity.

STEPS TAKEN TO IMPROVE FARM ECONOMY

Our Republican administration slowed down the decline in farm prices, launched programs to get rid of price-depressing surpluses, developed a long-range farm price-support program keyed to peacetime conditions, corrected inequalities in tax laws affecting farmers, and took many other steps to aid farmers and to improve the Nation's farm economy.

Under Republican policies of Federal partnership with States, local communities, and private enterprise, the Nation continued with its development of natural resources, electric power, and water conservation; with expanded road and highway programs; with construction of hospitals and public buildings; and began the great development of the St. Lawrence Seaway.

All this is a refreshing change from an economy fully employed only in wartime, an economy made timid by fears of New Deal inflation and deflation, and an economy throttled by Government restrictions

and controls. Today our people can face the future with greater self-reliance, less fear, and with more promise of jobs and higher standards of living than they enjoyed in an entire generation under New Deal rule.

FOREIGN AFFAIRS

Participation by the United States, in the person of President Eisenhower, at the Geneva "Summit" Conference in July represented the climax of this year's efforts of the 84th Congress—working in close collaboration with the President—in coming to grips with the threat of the Communist axis.

Scores of barren and fruitless meetings with the Russians in the past had so disillusioned the American Government that it was long before the Eisenhower Administration deemed the conference idea expedient. Yet, at length, the President, strongly sustained by public opinion and by the Congress, was moved to try once more.

That there should be no misunderstanding of the American position the President warned against "fatuous expectations that a world, sick with ignorance, mutual fears and hates, can be miraculously cured by a single meeting." Almost simultaneously the Senate adopted a resolution (S. Res. 127) proclaiming the hope of the Senate that the soverign right of self-government should be restored to the enslaved peoples of Europe and Asia. At the same time, both Houses approved a resolution (H. Con. Res. 149) declaring that the United States should administer its foreign policies "so as to support other peoples in their efforts to achieve self-determination or independence under circumstances which will enable them to assume and maintain an equal station among the free nations of the world."

In substance, the intent of the President was to seek a softening up of the international tension, not with the expectation of securing concrete agreements at Geneva, but with the hope of opening the way to real and not stalemate negotiations thereafter. If, as he said after his return, the acid test would come when the foreign ministers began their discussions, it was clearly true that by his senational offer to exchange armament information under adequate safeguards the United States had at last seized the diplomatic initiative. The sham peace petitions which the Communists had been circulating internationally for years lost their value.

Such success as the President achieved was based, to a considerable degree, on his knowledge that he had strong support at home. This support, in turn, derived from the fact that the Republican administration had made bipartisan foreign policy consultation the rule rather than the exception as previous administrations had done. This was demonstrated within 3 weeks of the opening of the 1st session of the 84th Congress.

After a prolonged military build-up on the mainland, the Chinese Communists had announced that an attack on Formosa was forthcoming. In rejoinder, President Eisenhower, on January 24, sent a message to Congress asking express authority to use the Armed Forces, if necessary, for the protection of Formosa and the Pescadores.

The President's purpose in this request, he said, was to make clear to the world "the unified and serious intentions of our Government, our Congress and our people." After a relatively brief debate the resolution (H. J. Res. 159) passed both Houses by overwhelming majorities.

In general, the policy of strengthening the free world wherever possible was sustained by the 84th Congress. By mid-June 1955 the Southeast Asia Defense Treaty, the Mutual Defense Treaty with the Republic of China, and the Austrian State Treaty had been ratified by the Senate, the occupation of Germany brought to an end, and the Federal German Republic admitted to NATO membership.

On the economic side the Trade Agreements Act was extended for 3 years; the Mutual Security Act provided $2.7 billion for various foreign-aid programs, including military defense assistance; and the International Telecommunications Convention was ratified by the Senate along with a group of 3 tax treaties and 4 tax conventions.

The long-established Geneva Convention for the treatment of war prisoners was further developed and expanded by 4 new Geneva Conventions ratified by the Senate. These provide greater protection for the wounded, for prisoners, and enemy aliens. Torture, the taking of hostages, and deportations in occupied territories are prohibited. Regulations provide for the protection of interned civilians.

On June 11, in his speech at Pennsylvania State University, the President said that he would submit to Congress proposals that the United States offer research reactors to free nations which can use them effectively in promoting the peaceful use of atomic power. The President proposes that the United States stand half the cost of the reactors. Other nations which are in a position to invest their own money in atomic power reactors would, with due regard to security considerations, be granted atomic technological training opportunities. The President also asked Congress to approve construction of an atomic peace ship, a sort of practical demonstration project, which would move from port to port around the world, showing all comers to what useful purposes atomic energy could be put. Democrats in the Congress, however, failed to cooperate with the President on this project.

Republicans had brought about the publication of the Yalta papers, a project they had long urged and which had been studiously ignored by previous administrations. During the 83d Republican Congress the Senate Committee on Appropriations had provided the money for the publication and asked for speedy action. The 2 volumes of 834 pages were released March 16, 1955, causing a worldwide sensation and confirming longstanding suspicions of how the freedom of Asia was frittered away.

On July 25, the Senate passed S. Res. 93 which provided for a special subcommittee of the Foreign Relations Committee, set up for the purpose of making a special study of proposals looking toward world disarmament and the control of weapons of mass destruction. This subcommittee is to report, with recommendations, not later than January 31, 1956.

The treaty of mutual understanding and cooperation between the United States and the Republic of Panama (which had been signed at Panama, January 25, 1955) was ratified by the Senate on July 29. This treaty increases the annual rent paid by the United States in the Canal Zone from $430,000 to $1,930,000, establishes a single basic wage rate for Canal Zone employees, and restores certain Canal Zone land and buildings to Panama.

The position of the Congress toward Communist China was made clear in sec. 12 of the Mutual Security Act of 1955 which stated that "It is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be recognized to represent China in the United Nations."

NATIONAL DEFENSE

Under Republican leadership there has been developed the largest and most powerful armed force this Nation has ever maintained in peacetime.

And for the first time in our history United States defense is geared for stability over a long period of time; it is ready for whatever may come.

The practical concept of modern day United States defense policies and programs submitted to the 84th Congress by the Republican administration is eloquently expressed by the Nation's Commander in Chief in these words: "We should base our security upon military formations which make maximum use of science and technology in order to minimize numbers of men."

The program submitted to Congress met success because it was, and is, based on (1) the military knowledge of President Eisenhower and his military associates, and (2) Republican awareness of the taxpayers' burden.

The bulk of the administration's defense program was approved. House Democrats tried to tie up the important military manpower reserve bill by introducing a civil-rights amendment which, they well knew, other Democrats were sure to oppose as they had done on civil-rights issues in the past. The attempt flopped; the politically inspired obstacles were overcome, and reorganization of our peacetime defense system, begun by Republicans 2½ years ago, was almost completed. Here is the program enacted by the 84th Congress:

The National Reserve Plan Act of 1955, designed to build trained and ready military reserves, was enacted into law. President Eisenhower described the plan as an "effective and economical, fair and democratic" way of strengthening the military service for defense of the country. The law provides military service of various types for all able-bodied males before they grow out of the draft-age group. Most of the service would be through voluntary enlistment. The administration is hopeful that a Ready Reserve, with an estimated 2.9 million men, can be created within the next 6 or 7 years.

The Draft Act was modified and extended for 4 years, but volunteers for the new Ready Reserve will not be subject to drafting. The doctor-dentist draft was continued for 2 years and benefits under the Dependents Assistance Act were extended for 4 more years so enlisted personnel will receive additional allowances for dependents.

A Military Career Incentive Act, requested by the Republican administration early in the session, became law in late March and within 2 months the reenlistment rate began increasing. By July 1, 1955, the reenlistment rate in the Army alone was running 63 percent. A continued high enlistment rate will offset military pay raises granted in the new law. Legislation also was enacted to continue GI educational benefits to members of the Armed Forces on duty January 31, 1955.

The Defense Department Appropriation Act, biggest money bill in Congress, was passed with few changes. It increases the present 121-wing Air Force strength to 131 wings by June 30, 1956. It permits construction of a new supercarrier; an increase in Air Force personnel; stepped-up production of aircraft; 8 new submarines, 4 of them atomic powered; and a total armed might of 2,859,035 on active duty by June 30, 1956. Democrats tried to make an issue of the manpower program and at first selected the Army program as one target in their search for a possible political issue.

The Military Public Works Act approved by Congress authorized $2.6 billion for the building of Army, Navy, Marine, and Air Force installations and family housing for service personnel in 47 States and several foreign countries.

Congress approved the administration's request for extension of the main provisions of the Defense Production Act in order that the Government might continue to set aside certain necessary production for military uses and stockpiling. It was during consideration of this legislation that Democrats again sought to find a political campaign issue by suddenly objecting to the Government's long-standing custom of employing

dollar-a-year men who were called upon because of their scientific, economic, labor, educational, or business ability. Republicans succeeded in retaining the Government's right to make use of such men of ability and added a provision that those employed without compensation could not make decisions on policy matters.

ATOMIC DEVELOPMENT

An essential feature of the Republican administration's "atoms for peace" program was President Eisenhower's proposal for the construction of an atomic-powered peace ship. Many Democrats in Congress, however, sought to either belittle or scuttle it. Some said they wanted a strictly commercial vessel.

The original announcement of plans for the vessel was voiced by Mr. Eisenhower in an address April 25 at the annual luncheon of the Associated Press in New York City.

Emphasizing the necessity for a concrete example of this Nation's determination to use atomic energy for peaceful purposes, the President declared at that time that "in every possible way, in word and deed, we shall strive to bring to all men the truth of our assertion that we seek only a just and lasting peace."

On May 26 he submitted to Congress a request for $12,650,000 for the first phases of the ship's construction. Funds for the ship's atomic powerplant were to be furnished by the Atomic Energy Commission.

Congressional approval of the peace ship would have helped greatly to remove the stigma of desolation, death, and destruction associated with atomic power. People the world over could draw inspiration and new hope from the peaceful uses of atomic energy which this ship and its exhibits could demonstrate.

The majority Democrats on the Joint Atomic Energy Committee, however, refused to include any provision for the ship in the legislation authorizing atomic-energy construction projects. On the Senate floor Republicans supported an amendment to authorize the President's proposal but every Democrat present except one voted against it.

Later the House did pass a measure authorizing the United States Maritime Administration to construct an atom-powered merchant ship, but Democratic tactics succeeded in delaying any final action as far as this session of Congress is concerned.

The AEC authorization bill passed by Congress approved use of funds by the Atomic Energy Commission for operations, equipment, plants, facilities, real estate, or any other purposes covered by the Atomic Energy Act of 1946. These operations cover such diversified fields as atomic weapons development, reactor development, physical research, special nuclear material research and development, development of source and other raw materials, and research in biology and medicine.

In another law approving construction of aeronautical research facilities by the National Advisory Committee for Aeronautics, Congress authorized $4,850,000 for the Lewis Flight Propulsion Laboratory to construct specialized apparatus—including reactor handling and control equipment—and housing for component research for nuclear propulsion.

On December 8, 1953, before the United Nations General Assembly, President Eisenhower proposed the establishment of an international atomic pool to aid in the development of atomic energy for peaceful uses.

As of July 27, in furtherance of this historic move, the United States had entered into "atoms for peace" agreement with 26 nations and will participate in an international "atoms for peace" conference to be held in Geneva, Switzerland, in August of this year.

The Congress approved the administration's request for legislation authorizing a reward of up to $500,000 to any person or persons who help detect an atomic weapon which might be smuggled into the country or which might be illegally manufactured.

GOVERNMENT FINANCE

The Eisenhower administration's fiscal policies have played a big part in stimulating record-breaking prosperity, stabilizing the value of the dollar, and clamping the lid on inflation. In 1955, the Nation's financial picture continued to show improvement, and the outlook for 1956 is even better.

The Republican administration cut the deficit from $9.5 billion in 1953, the last year the Truman budget operated, to an estimated $2.4 billion for the year ending June 30, 1956. This is three-fourths of the way toward a balanced budget.

Compared with fiscal year 1953 spending, Republicans reduced actual spending by $6.5 billion in 1954, the first full fiscal year of Republican control; by almost $10 billion in 1955; and by almost $12 billion (estimated) in 1956.

The Republican administration reduced requests for new spending authority from $72.2 billion in the final Truman budget estimates (1954) to $58.6 billion in the 1956 Eisenhower budget.

In managing the public debt, this administration extended the maturity of the debt and moved a greater portion away from banks, where it could contribute to inflation, and put it into the hands of long-term investors.

The Democratic 84th Congress, like the Republican 83d, recognized the need for giving the Eisenhower administration more elbow room in managing the Nation's finances and voted a temporary increase of $6 billion in the Federal debt limit. Until June 30, 1956, the permissible ceiling will be $281 billion.

It was generally conceded that uneven tax collections put the Treasury in a tight squeeze between the permanent $275 billion ceiling on Government borrowing and insufficient cash to pay its bills during certain portions of the year.

The national debt stood at $267.3 billion when the Truman administration left office. Since then, the Eisenhower administration has reduced the yearly deficits, but spending needed to pay the $81 billion worth of c. o. d. bills left by the New Deal administration has exceeded revenue, requiring additional Government borrowing.

Republicans supported legislation on authorizing United States membership in the International Finance Corporation, to which this Government would subscribe about one-third of the authorized capital of $100 million. Affiliated with the International Bank, the IFC is designed to stimulate private venture capital investment in productive enterprises in member nations.

TAXATION

Republicans led the successful battle in the 84th Congress to kill two irresponsible Democratic tax cut schemes which—though possessing some popular appeal—were actually unsound.

Both the House and the Senate $20 tax cut schemes entailed loss of revenue to the Government. Such cuts could only be paid for with money borrowed by the Government—on which the Government, that is, taxpayers—would have to pay interest.

To push our already heavily indebted Government further into the red, as these tax schemes proposed, was flirting with inflation, which hurts modest-income people most—and playing fast and loose with the Nation's finances—which largely determine the value of the American dollar.

Republicans exposed these dangers and further revealed the gross unfairness of the tax schemes, pointing out they were not related to ability to pay—the accepted principle upon which our income-tax system has been based—but instead were per capita cuts. Republicans believe it is as unfair to cut taxes on a per capita basis as it is to increase them that way.

Though the House Democrats' scheme cleared that body, both tax schemes were defeated in the Senate, the House $20 cut by 61 (Republicans 45, Democrats 16) to 32 (Democrats 31, Republican 1), and the Senate scheme by 50 (Republicans 45, Democrats 5) to 44 (Democrats 43, Republican 1).

Thus, Democrats failed in their attempt to tack the tax propositions onto a much-needed revenue bill extending the 52-percent corporation taxes and excise taxes at existing rates. In the end, only the simple 1-year extension of the latter two taxes became law.

This action of the Democrats in the 84th Congress contrasts sharply with the sound, well-rounded $7.4 billion tax reduction program Republicans put into effect in 1954.

Republicans in the 84th Congress supported the Eisenhower administration's request for legislation closing two loopholes discovered in the 1954 Revenue Code. It appeared possible for some businesses to reap windfalls under an interpretation, not intended by Congress, of the 1954 code relating to tax treatment of prepaid income and reserves for estimated expenses. Treasury Secretary Humphrey requested tightening these provisions, and the 84th Congress complied.

Mr. Humphrey likewise suggested Congress curtail the program of rapid tax writeoffs which the Government started during the Korean war to stimulate private building of defense plants, but the 84th Congress adjourned without acting on this proposal.

NATURAL RESOURCES AND PUBLIC WORKS

The administration's recommendations to Congress in the fields of natural resources and public works were based on an expanding economy and provided joint efforts by the Federal Government, State, and local interests, both public and private, in conserving and developing water supplies, minerals, energy, and land.

While the administration urged accelerated development of our natural resources through local initiative and participation, it did not hesitate to act vigorously in an area where Federal interest is predominant.

The Senate passed legislation authorizing the Colorado River project, but the bill was held up in the House.

Congressional authorization was obtained for the Reclamation Bureau to construct the $225 million Trinity River power and irrigation project in California's Central Valley.

Money was appropriated for construction, which soon will begin, on a number of new hydroelectric power, reclamation, flood control, and navigation projects throughout the land—prime proof of Republican interest and initiative in these fields.

Among the 107 new projects on which construction soon will begin, under supervision of the Army Corps of Engineers, are the Fort Gaines, Ga., power dam, the Markland Dam on the main stem of the Ohio River, the Hartwell power dam on the Savannah River in Georgia and South Carolina, the Cougar, Oreg., power dam, the Hills Creek, Oreg., power dam, the multimillion-dollar Ice Harbor Dam on the Snake River in Washington for power and navigation, and other power, navigation, and flood-control dams in Kansas, Kentucky, New Mexico, Oklahoma, and West Virginia.

Among the new starts for which money was appropriated for the Bureau of Reclamation are the Yellowtail power dam in Montana, the Palo Verde and Santa Maria projects in Arizona and California, the Michaud Flats project in Idaho, and others throughout the West.

Starts on these dams were approved in the Republican administration's omnibus bill for

an appropriation of $1.4 billion. Passage of the measure allowed money for a total of 63 irrigation and reclamation projects and the building or improvement of more than 300 river projects by the Army engineers.

Republicans also initiated and the Congress passed legislation authorizing Federal loans to local irrigation districts for construction of water-distribution systems which would be locally owned and operated without need for direct Federal spending.

One of the historic accomplishments of Republicans was in the realm of reforming 80-year-old land laws. This was an act correcting abuses to public lands under old mining statutes. In essence, the new law limits the filing of mining claims until the claimant proves out a bona fide claim and prevents claims being filed for control of valuable timber or grazing land. President Eisenhower termed the act "one of the most important conservation measures" enacted in many years.

Another important Republican-backed mining measure which passed Congress was the Mining Claims Rights Restoration Act which will open an estimated 7 million acres of public lands for mineral development under the general mining laws. The land to be opened to entry consists of acreage which had been withdrawn or reserved for many years for power development. This land now can be mined but power rights of the Government will be retained and considered paramount.

Republicans sponsored legislation which met congressional approval for expanding research on conversion of sea water and for water and air pollution. Programs initiated by the Republican 83d Congress to encourage more mining and utilization of strategic metals, were renewed by the 1st session of the 84th Congress.

President Eisenhower submitted a soundly conceived long-range program for the Nation's highways. Democratic opposition resulted in no program being enacted. Democrats submitted a program in the Senate without any method of financing; in the House they submitted a highway program calling for increased taxes, amounting to as much as 100 percent in some cases, for highway users. Their own program was defeated by more votes than they polled to defeat the President's plan.

The administration requested and Congress approved a 40-percent increase in funds for improved facilities and services in national parks and an expansion in forest ranger service.

Because of the loss of lives and heavy damage caused by hurricanes almost every year along the Atlantic seaboard, Congress enacted a Republican-sponsored bill authorizing a $3 million study to determine possible means of protection.

The Federal Airport Act, at the suggestion of the administration, was amended by the 84th Congress to authorize grants totaling $252 million over a 4-year period for airport facilities in towns and cities. The money would be on a matching basis.

Completion of the inter-American highway between the United States and Mexico was authorized at an estimated cost of $25 million.

AGRICULTURE

The most controversial issue in the agricultural field in this Congress was price support. Without giving the flexible price support program approved last year by the 83d Congress a chance to take effect, House Democrats voted on May 5 for a return to the discredited rigid system of the Truman administration. The rigid system, still operative until this year's harvests, has resulted in the piling up in Government storage of more than $7 billion worth of surplus commodities. These surpluses overhang the markets, depress farm prices, require storage costs of a million dollars a day, and force the Government into large-scale efforts to dispose of commodities at home and overseas by sale, barter, and gift.

Of the 206 House Members voting for the rigid 90 percent of parity support bill, 185 were Democrats. Only 29 Democrats joined with 172 Republicans in the effort to prevent the Eisenhower farm program from being scuttled before it was even tried. In the Senate, however, the Democratic leadership was less partisan in its approach to this matter and made no move to try to pass the House bill.

Owing to the continued accumulation of commodities acquired by the Government as a result of rigid price supports, the Congress was called upon in this session to vote another increase in the borrowing authority of the Department of Agriculture's Commodity Credit Corporation. Increased twice last year up to $10 billion, CCC's borrowing authority this year was raised to $12 billion.

With the 1954 price-support law kept intact, the Department of Agriculture was able to move in the direction of controlling production of crop surpluses through a gradual changeover to flexible supports for this year's harvest of the basic commodities. These were the 1955 support rates for the commodities designated in the law as basic: Wheat, 82½ percent of parity; corn, 87 percent; rice, 85 percent; cotton, tobacco, and peanuts, 90 percent. Dairy support rates were established at 75 percent of parity.

Despite the surplus problem, aggravated by a prolongation of the unsound policies of the preceding Democratic administration, actions taken by the Republican administration to effect an orderly transition from a war to a peacetime farm economy have had encouraging results. Reduction in farmers' buying power has been checked. After plummeting 19 points, from 113 to 94, in the last 2 years of the Truman administration, the parity ratio (which measures prices received by farmers against those paid for goods and services) has been held to a further decline of only a few points. It has fluctuated within a narrow range between 87 and 86 over the past 9 months.

Foreign markets for farm products have expanded for the second consecutive year, reversing the sharp decline which began in 1952. In the 1953 export year sales were $2.9 billion, 4 percent more than the year before. In the 1954 export year exports were $3.1 billion, 10 percent more than the 1952 low point.

Because of a high level of national prosperity and a constantly growing population, the domestic market for farm products is also increasing both in quantity and quality.

Adjusted price supports and a vigorous marketing program have increased consumption, decreased surpluses, and improved prices in the dairy industry. Egg producers are also looking forward to a stronger market this fall.

Foremost among President Eisenhower's agricultural recommendations this year was his 15-point program to help the 1.5 million farm families of lowest income. The program includes extension work, credit, research, industrialization of rural areas, vocational training, and employment service. The Democratic-controlled Congress, however, paid only the slightest attention to it and enacted none of the substantive legislation the President requested for this program.

The farm legislation that was passed, in addition to the increase in CCC's borrowing authority, included:

The Farm Credit Act of 1955, increasing borrower ownership and control of the farm credit system under the Farm Credit Administration.

Broadening of authority for GI loans to eligible war veterans for farm-housing purposes.

Modification of the allotment formula for Rural Electrification Administration loan funds to permit the funds to be made available where and as needed.

Extensions of authority for emergency loans in nondisaster areas, and special livestock loans to drought-affected producers, and establishment of a 3-percent interest rate on disaster loans.

Removal of restrictions on soil conservation payments by repeal of section 348 of the Agricultural Adjustment Act.

Authority to Secretary of Agriculture to allot additional acreage to Minnesota, Montana, North and South Dakota farmers willing to plant durum wheat, now in short supply.

Extension of authority to recruit farm labor in Mexico.

An increase from $700 million to $1.5 billion in the amount of appropriations authorized for a 3-year period ending in 1957 to carry out title I of the Agricultural Trade Development and Assistance Act passed last year as Public Law 480 by the Republican 83d Congress. Title I authorizes the sale of Government-held surplus farm commodities for foreign currencies. A further change made in the act this year increased the Secretary of Agriculture's authority in negotiating sales agreements with foreign countries. President Eisenhower reported to Congress on July 12 this year that $1.2 billion of surpluses had been sold, distributed, or committed in the last year under all 3 titles of Public Law 480.

LABOR

Of a total of 11 measures requested or supported by the administration in the field of labor, a minimum wage bill was the only one of national importance passed, but it was in a form contrary to the President's recommendations.

The Eisenhower recommendation for an increase in the legal minimum wage rate from 75 cents to 90 cents per hour was a carefully considered effort to balance higher wages with living costs without increasing the danger of inflation. Congress, however, passed a bill providing for a $1 minimum.

Republicans unanimously supported legislation raising railroad retirement benefits in line with social-security benefits raised last year by the Republican 83d Congress.

A minor bill with administration support that was passed deals with Mexican farm laborers.

The following Eisenhower measures were not passed by the Democratic-controlled 84th Congress:

1. Taft-Hartley Act amendments—even those favored by organized labor;
2. The proposed Work Hours Act of 1955, establishing standards of hours of work and overtime pay;
3. The charge-back bill, to reimburse expenditures from the employees' compensation fund by employing agencies;
4. Amendments to the District of Columbia Unemployment Compensation Act;
5. Proposed insurance for nonoccupational disability in the District of Columbia;
6. Transfer of District of Columbia employment service to the District of Columbia;
7. Aid to the States in furthering industrial safety;
8. Increased benefits under the Longshoremen's and Harbor Workers' Compensation Act (includes unemployment compensation for District of Columbia employees in private industry);
9. Authority for more effective use of the special fund under the Longshoremen's and Harbor Workers' Act.

HOUSING

In comprehensive housing legislation, Congress increased the Federal Housing Administration's general mortgage insurance authorization by adding $4 billion to the amount outstanding July 1, 1955. The FHA

mortgage insurance ceiling on rental properties was increased from $5 million to $12½ million.

Title I, covering the home improvement program, was extended for 14 months to September 30, 1956, without change in the loans permissible under the program.

Provisions to liquidate the present defense housing program were approved. In its place a new military housing program (known as the Capehart Act), with expiration date of September 30, 1956, was enacted authorizing insured FHA loans up to $1,363,500,000 with the Federal National Mortgage Association empowered to make advance commitments on military mortgages not to exceed $200 million. Funds for slum clearance and urban renewal programs were increased $400 million over the years 1956 and 1957, with an additional sum of $100 million expendable at the discretion of the President. The basis for insured mortgages on cooperative housing and urban renewal programs was changed from "estimated value" to "estimated replacement cost," and the Federal National Mortgage Association was authorized to issue advance commitments on cooperative housing mortgages up to a total of $50 million, or $5 million for any one State.

A revolving fund of $48 million was authorized to be serially available in specified amounts to July 1958, to assist local public agencies in planning for community facilities. A companion program of $100 million was authorized for 40-year mortgage loans to small communities for the construction of water, sewer, gas, and related public projects.

A last-minute compromise between the two Houses brought agreement on a program of 45,000 public-housing units for the period ending July 31, 1956, eliminating certain restrictions in existing law.

The program of housing loans to educational institutions was revised and extended with the loan fund limited to $500 million of which $100 million may be made available for other educational facilities. The present farm-housing program was continued through the fiscal year 1956, with $112 million made available for direct loans on adequate farms, for potentially adequate farms, and for improvement and repair of farms.

A new program of FHA insurance on trailer parks was launched, with limits of $1,000 per trailer space, or $300,000 per mortgage. The law provides for greater independence of the Home Loan Bank Board and requires the Board to report to the President instead of to the Housing and Home Finance Administrator.

GENERAL WELFARE

Education

The Democratic majority ignored the school-construction program President Eisenhower proposed February 8, 1955. This program affirmed the principle of State and local responsibility for control and support of schools, but recognized the current emergency by proposing new methods of school financing. Through cooperation of Federal, State, and local governments, and private citizens approximately $7 billion would be made available for school construction over a 3-year period. It would build some 200,000 classrooms for 6 million children.

School construction and operation in areas affected by Federal activities have been substantially assisted by new funds appropriated for 1955 and 1956 under laws greatly improved by the Republican 83d Congress. With the $24 million appropriated for fiscal 1956 added to funds previously provided, Federal aid to school construction in federally affected areas totals $270,500,000 during President Eisenhower's administration. In addition, $75 million was appropriated in 1955 to assist in the operation of schools in districts affected by Federal activities.

Health

Salk vaccine program: Congress accepted the President's request to make available $30 million worth of Salk polio vaccine to the States for distribution up to February 15, 1956, for eligible children and expectant mothers. Under the plan approved by Congress the vaccine situation will be reconsidered in February next year. The distribution of the vaccine will be administered through such regulations as the Surgeon General determines and through the regular procedures of the United States Public Health Service in cooperation with State agencies.

Mental health: In the field of mental health, legislation was enacted authorizing $1,250,000 for a nationwide analysis and evaluation of the human and economic problems of mental illness. The program was placed under supervision of the Surgeon General, with authority to use $250,000 of the appropriation for research on mental illness in the first year and $500,000 for each of the following 2 years.

Air pollution: As a health measure affecting many cities in our Nation, a fund of not to exceed $5 million annually was voted for a 5-year research and technical assistance program on air pollution to be administered by the Department of Health, Education, and Welfare in cooperation with other Federal agencies, States, and local governments, and other public and private agencies.

Omnibus health program: The President's health program, which failed of action in this Democratic-controlled Congress, called for:

1. Extension of health insurance to more persons by Federal reinsurance of existing private, voluntary hospitalization and surgical programs.
2. Extension of group insurance to rural areas.
3. Greater and more detailed insurance coverage of sicknesses.
4. Health coverage for those of average or lower income against medical care costs in the home and physician's office as well as the hospital.
5. Improved medical care of people on relief rolls by separate Federal matching of State and local funds used for such purposes.
6. Strengthening of public health agencies and programs, particularly those providing services to mothers and crippled children.
7. Expansion of the training of practical nurses and specialists through grants to States and establishment of traineeships by the Public Health Service.
8. Federal mortgage insurance of private loans to stimulate construction of hospitals, clinics, nursing homes, and other facilities.
9. Broadening of mental health programs.
10. New Federal grants to States to improve programs dealing with juvenile delinquency.
11. Increased United States financial support of the U. N. health organization.

Social security

House Democrats introduced and in a single week whipped through the House a bill to extend social-security benefits and coverage. They acted without public hearings, under suspension of the rules barring all amendments, and limiting debate to only 40 minutes. Yet this bill would cost $2 billion annually and would raise social-security taxes by 2.5 percent beginning January 1, 1956.

Although favoring many provisions of the bill, House Republicans protested against inadequate study of such important proposals and the steamroller tactics used in securing passage of the bill. A scale of benefits would be created, Republicans asserted, "which must be supported by a social-security tax which, in the not too distant future, will be equal to and in many cases higher than the Federal income tax."

The bill lowers the eligibility age for women from 65 to 62; allows payments to disabled workers after age 50 instead of 65; brings under social security all professional groups, except doctors, who are not now covered; and continues beyond age 18 benefits for children who become totally disabled before 18.

The Secretary of Health, Education, and Welfare emphasized the great importance of the bill and urged extended hearings before the Senate Finance Committee which opened hearings on the bill July 27, 1955.

VETERANS' AND SERVICEMEN'S BENEFITS

Among the more important veterans' legislation enacted with bipartisan support were measures enlarging upon home-loan benefits for veterans engaged in farming.

One law extended for 2 years the authorization for direct loans to eligible veterans to buy or construct dwellings or construct or improve farmhouses. It also provides authority, for the first time, for direct loans to purchase a farm with a farmhouse.

Also, in order to place the farm veteran on comparable terms with the city veteran, Congress authorized loans for the construction, purchase, or repair of farm housing to be guaranteed or insured under the same terms as apply to residential housing.

Since the Veterans' Administration's responsibilities have increased greatly in the last decade, the President, by Executive order on January 14, 1955, set up the President's Commission on Veterans' Pensions. The purpose of this Commission is to make a comprehensive survey and appraisal of the structure, scope, and administration of the laws of the United States providing pension, compensation, and related nonmedical benefits to veterans and their dependents. These recommendations then will be submitted to the President regarding policies which, in the judgment of the Commission, should guide the granting of such benefits in the future. A fund of $300,000 was voted by Congress for continuation of this study. This action is a furtherance of the Republican administration's reorganization of the VA which took place when this administration took office in order to give the best service to the veteran at the least cost and to place the VA on a more efficient basis.

Congress, in this session, extended to July 1, 1959, Federal contributions of dependency allotments for more than 1 million enlisted personnel. Provision for a continuance of paychecks and family allotments for Korean war prisoners and soldiers missing in action was extended to July 1, 1956.

Congress passed a law extending for 2 years the period during which veterans who suffered the loss of one or more limbs or permanent impairment of vision may apply for the $1,600 payment on an automobile. This new law also extended the automobile benefit to a veteran whose qualifying disability occurred subsequent to discharge and who applies within 3 years. It gives a veteran whose qualifying disability was not determined as service connected until after discharge or expiration of filing period a 1-year period in which to apply.

Other veterans' and servicemen's legislation enacted during this session included the following:

Extension of educational and training benefits under the GI bill of rights to those enlisting before February 1, 1955, in the peacetime Defense Establishment.

Establishment of period of entitlement for outpatient dental care.

Establishment of time limit for applying for GI unemployment compensation by Korean war veterans with cutoff date of January 31, 1960, for receiving compensation.

Extension of Korean war veterans' applications for mustering-out pay retroactively from July 16, 1954, to July 16, 1956, for those veterans who were discharged before mustering-out pay took effect.

Permission for renewal of term insurance within 120 days after separation from the services.

Extension for 2 years of the existing provision for free importation of gifts from members of the Armed Forces abroad.

CIVIL AND POLITICAL RIGHTS

In the 1st session of the 84th Congress only one of the President's major requests in the field of civil and political rights became law. This was legislation to protect the right to vote in Federal elections of members of the Armed Forces stationed abroad and certain others serving overseas. The legislation provides in peacetime as well as during war for a simplified, uniform absentee ballot for use by such military and civilian personnel and their families. Due to Democratic opposition a provision for waiving payment of a poll tax as a condition of voting in Federal elections was stricken.

Other civil-rights measures requested by the President were either ignored or action on them was left uncompleted.

Hawaiian statehood was blocked by Democratic tactics in the House of tying statehood for Hawaii and Alaska together and then recommitting the bill to the House Committee on Interior and Insular Affairs by a 218 to 170 vote.

The Democratic majority failed to do anything about revision of the Immigration and Nationality Act.

Home rule for the District of Columbia was voted in the Senate but hung up in the House.

Legislation was enacted which provides for the first formal election in 81 years of District of Columbia delegates to national political party conventions where presidential candidates are selected.

COMMUNISM

In respect to the control of Communist activity in the United States, Republicans in the 84th Congress had the satisfaction of seeing that a party effort, sustained for more than a decade, was drawing increasing dividends. Both Republicans and Democrats joined in decisive action on two pieces of legislation dealing with this issue:

1. By unanimous vote the Senate adopted a resolution recognizing the Communist Party of the United States of America as a part of the international Communist conspiracy and registered the Senate's decision to vigorously continue committee investigations.

2. Republicans and Democrats in both Houses approved the setting up of a bipartisan commission to investigate the entire Government security system.

What made these two actions significant was this: It was evident that Democrats as a parliamentary group—and not a scattering of individual Democrats as in the past—acknowledged the validity of the position taken and held by the Republicans over the years.

Congressional investigations in this field during the 84th Congress were as follows: House Committee on Un-American Activities—Communist activity among youth and labor groups. Senate Subcommittee on Internal Security—Communist influences among American newspaper personnel, foreign language Communist publications in the United States, the Matusow case, activities of American citizens in Communist China, and further hearings on Senator BUTLER's (Republican, of Maryland) bill, S. 681, dealing with Communist influence in labor organizations. Senate Committee on Government Operations—the promotion of Major Peress.

During the 84th Congress a tabulation was made of the number of witnesses before congressional committees who, during the year 1954, invoked the fifth amendment. The total: 266 witnesses.

During the 84th Congress the newly organized Internal Security Section of the Department of Justice took action on legislation (granting of immunity to witnesses) passed during the 83d Congress. William Ludwig Ullman, offered immunity, still insisted on taking the fifth amendment. Action was filed against him; the court of appeals unanimously upheld the law; the case is now before the Supreme Court.

The Civil Service Commission states that 3,432 persons had employment in the Federal Government terminated because of security reasons in the period May 28, 1953, to March 31, 1955.

In the last year nine more convictions have been obtained under the Smith Act which provides for the prosecution of persons advocating the overthrow of Government by force and violence.

Shortly after the 84th Congress assembled, the Subversive Activities Control Board—following prolonged hearings—ordered the Labor Youth League to register under provisions of the Internal Security Act. A recommendation that a similar order be issued in the case of the National Council of Soviet-American Friendship was handed up last June 23. Almost simultaneously a similar recommendation was made in the case of the Veterans of the Abraham Lincoln Brigade. Hearings have been completed and opinions are forthcoming (but not yet issued) in the case of the Civil Rights Congress and the Jefferson School of Social Science.

GOVERNMENT ADMINISTRATION

Republicans in the 84th Congress continued to support and to enlarge the reforms and improvements in Government operations set afoot when a Republican administration took office. Republicans supported the extension until 1957 of the Reorganization Act under which President Eisenhower carried out 12 reorganization plans to make Government more efficient and less costly. While many of the recommendations of the second Hoover Commission were put in force by the Republican administration, the Democratic-controlled 84th Congress passed no legislation on this important subject of economy and efficiency in Government.

In the fiscal year ending June 30, 1955, the Republican administration spent nearly $10 billion less than the preceding Democratic administration in its last fiscal year (1953). Since January 1953 there has been a net reduction of 270,000 civilian employees of the Government.

Through legislation enacted by the 84th Congress, the civil service and other Government employment were improved and strengthened. Long overdue pay increases urgently needed to bring Government employees in equitable balance with the rise in cost of living and to improve the efficiency of Government services were provided. Among these were the increase in salaries of United States judges, attorneys, and Members of Congress. An average pay increase of 7.5 percent was provided for 1,073,262 Federal employees, 983,057 in the classified service and 90,205 others. Over 500,000 postal workers received an average pay increase of 8 percent. The reclassification of postal positions provided for in the postal pay act will eliminate inequities and improve the service. Legislation was enacted to improve conditions in the Foreign Service so as to make this important branch of Government more attractive as a career for men and women of exceptional talent and competence.

Other steps previously taken by the Republican administration in the personnel field include the extension of group life insurance, unemployment compensation, and other benefits to Federal workers to bring Government working conditions abreast of comparable practices in private business.

Senate and House Republicans unanimously supported the Senate joint resolution establishing a nonpartisan 12-member commission, patterned after the Hoover Commission, to study the operation of the entire Government security program and to recommend such changes as may be necessary to protect national security and preserve basic American rights.

At the same time the Republican administration raised the integrity and high standards of Government service by reforming the Internal Revenue Service and by prosecuting those who corrupted it; by ending practices of favoritism, influence, and corruption found in other departments and agencies; and by discontinuing secrecy and influence in Federal pardons of criminals.

Wherever possible in legislation enacted by the 84th Congress, Republicans supported the policies of the Republican administration which reversed the 20-year trend toward centralization of Government in Washington. Today, in sharp contrast with New Deal and Fair Deal administrations, the Republican administration is not seeking to dominate the country or to control the people's lives. It does not seek to socialize the economy. It does not agitate the Nation with emergencies and crises. It does not spend money wastefully or increase tax burdens. In legislation and administration, Republicans are practicing the principles that Government is a public trust; that it must treat all citizens with fairness and equality; that the wise principles of the Constitution must be preserved; and that the Federal Government should work in partnership with States, local communities, and private citizens to strengthen the security and advance the welfare of all our people.

REPUBLICAN ACHIEVEMENTS, JANUARY 1953 TO JULY 1955

FOREIGN AFFAIRS: THE CONFERENCE TABLE REPLACED THE BATTLEFIELD

Held meeting with the heads of Russia, Britain, and France at Geneva (July 1955) to find a common ground on which the foreign ministers later could negotiate concrete actions to relieve world tension. President Eisenhower scored a victory for the free world's efforts to promote peace with honor with his impressive offer to exchange full armament information under adequate safeguards.

Ended the stalemated war in Korea and reversed the previous irresolute foreign policy that had led to loss of 600 million people behind the Communist Iron Curtain in the decade 1943 to 1953.

Avoided involvement in the hot war in Indochina; took steps to aid Vietnam and build up its army.

Ratified mutual defense treaties with the Republic of China (Formosa), the Republic of Korea (South Korea), and the Southeast Asia Collective Defense Treaty, grouping together Australia, France, New Zealand, Pakistan, the Philippines, Thailand, Great Britain, and the United States.

Ended the military occupation of Western Germany and provided for the accession of the Federal Republic of Germany to the North Atlantic Treaty Organization.

Negotiated the Austrian State Treaty (signed by Austria, France, the Soviet Union, the United Kingdom, and the United States) by which Austria was reestablished as an independent state and the military forces of the Allied Powers were withdrawn.

Endorsed the President's authority to use the Nation's Armed Forces for the protection of Formosa and the Pescadores Islands—as a move to preserve peace in the Far East.

Continued foreign economic and military aid to the nations of the free world, with increasing attention to Asia.

Extended the foreign trade agreement program, permitting tariff reductions under regulations designed to protect American jobs and business.

Helped smash the Communist regime in Guatemala.

Took the initiative against communism in all parts of the world.

Reaffirmed official policy against Red China's admission to the United Nations.

Supported a United Germany (resolution of 83d Congress).

Condemned Soviet mistreatment of minorities and callous disregard of human rights (resolution of 83d Congress).

Moved for adoption by Western Hemisphere nations of the Caracas resolution declaring communism a threat to freedom and pledging full consultation in the event of aggression.

Negotiated arms pacts to strengthen Central American countries against Communist subversion.

Acted to oust Americans in the United Nations who have served the Communist cause.

Brought about a settlement of the oil controversy in Iran, preventing the threatened Communist subversion of that country.

Proposed an international pool of atomic energy resources for peaceful uses. Without waiting for its formal organization, the United States signed atoms-for-peace agreements with over 25 nations under which the United States furnishes enriched uranium for civilian uses. Further, the United States offered to furnish reseach reactors and to make available power reactors.

Passed the Refugee Relief Act to admit, over a 3-year period, up to 214,000 persons to the United States in excess of the quota limit.

Settled by negotiation the Italian-Yugoslav quarrel over Trieste which for years had threatened to cause war between the two countries.

Reiterated the traditional position of the Senate in favor of self-government and self-determination for all peoples in a move designed to give hope to the enslaved peoples of the satellite countries.

NATIONAL DEFENSE: INSTANT READINESS REPLACED UNPREPAREDNESS

Developed the greatest military strength the Nation has ever had when not in a shooting war—with emphasis on continuous combat readiness for any contingency.

Applied two-thirds of the national budget to national security (military defense, atomic-energy development, stockpiling of strategic materials, military aid abroad), compared with only 32 percent in 1950 and two-thirds in the peak years of the Korean war; by building up military muscle and cutting out waste fat, saved $8 billion in defense spending.

Put atomic and other new weapons into the Regular military arsenal for strategic and tactical use.

Tremendously increased the striking power of the ground, sea, and air forces through use of new weapons, making possible a reduction of manpower requirements. The Army now has a ratio of noncombat to combat personnel of 1 to 1 (under Democrats it took 2 men to back up every fighter). Increased Army firepower 80 percent over that of World War II.

Put more emphasis on modern airpower in the Air Force, Navy, and Marine Corps; raised the proportion of Air Force wings in the highest readiness state to three times what it was in 1952; doubled the number of Navy jet fighters; increased the number of Marine combat planes by one-third; increased funds for air research; approved Air Force Academy—another Republican first.

Built up the Marine Corps to full combat strength.

Launched the *Nautilus*, world's first atomic submarine, in 1954; the second, *Seawolf*, in July 1955; others are to follow.

Budgeted a fifth supercarrier of the *Forrestal* class.

Greatly strengthened our continental defenses; completed the early warning radar networks; extended radar eyes to the Far North; and began radar protection for the Atlantic and Pacific approaches; set up a new continental Air Defense Command with improved fighter-interceptor forces and antiaircraft weapons; coordinated communications systems over the Nation; installed Nike guided-missile battalions at key potential targets; budgeted for 1956 the greatest amount in any single year for continental defense.

Continued military aid to our allies to help equip and train the equivalent of more than 180 divisions, 551 combat ships, 278 air squadrons and supporting units.

Acquired new airbases in Spain and the Netherlands.

Tightened the security-risk program; acted to deny commissions to doctors and dentists who turn out to be security risks.

Made changes to improve the morale of service personnel, including a pay raise and fairer promotional systems; as a result, reenlistments reached record highs.

NATIONAL ECONOMY: PEACETIME PROSPERITY REPLACED WAR INFLATION

Achieved the greatest prosperity in history. The Republican record in peace is better than the New Deal record in war.

Halted inflations; stopped the decline in the buying power of the dollar; stabilized the cost of living. People have more dollars to spend—and each dollar buys more.

Prosperity this year tops the previous alltime high in 1953, which also occurred under Republicans. In the first 6 months of 1955:

Employment reached over 64 million, highest in history.

The average factory worker's pay rose to $76.11 a week, an increase of $4.61 over a year ago; plenty of overtime pay boosted incomes to record heights.

Personal income flowed to Americans at a yearly rate topping $300 billion for the first time in history.

Total production of goods and services smashed all records in the first half of 1955, rising in the second quarter to a yearly rate of $383 billion.

There was record output in such nondurable goods as paper, chemicals, petroleum, and rubber products.

Activity in textiles, apparel, and the shoe industries approached all-time peaks.

Steel mill output promises to equal or exceed the alltime record of 1953.

Automobile production had the best half year in its history.

New housing and other construction ran at an all-time high, and is expected to be 11 percent above the previous peak in 1954.

TAXATION: TAX CUTS REPLACED CRUSHING TAXES

Gave the American people a whopping $7.4 billion in tax cuts in 1954—the first tax cuts since the Republican 80th Congress in 1948—including:

Three-billion-dollar cut in individual income taxes (an average of 10 percent).

One-billion-dollar cut in excise taxes on household appliances, cosmetics, and other items of everyday use.

Two-billion-dollar cut by abolishing the excess-profits tax which was restricting the expansion of businesses and jobs.

One-billion-four-hundred - million - dollar cut by liberalized deductions and fairer tax treatment of millions of persons and thousands of businesses under the 1954 tax code.

Held the line in 1955 against unfair and unwise tax cuts proposed by Democrats because those cuts could be inflationary; refused to let Democrats fool the American people with schemes to lower their tax bills on the one hand, and raise their cost of living on the other.

Overhauled the Nation's tax laws into a new code, closing over 50 loopholes. Supported action closing two loopholes later discovered in this code.

Cleaned up the mess found in the Federal tax-collecting agency under Democrats; weeded out grafters and crooks; intensively prosecuted tax cases.

Collected record-breaking amount of back taxes and penalties from delinquent taxpayers—more than twice as much as the previous record in 1950 under Democrats.

GOVERNMENT FINANCE: SOUND POLICIES REPLACED RECKLESSNESS

Stimulated record-breaking prosperity; maintained the value of the dollar; clamped the lid on inflation; counteracted recession.

Advanced two-thirds of the way toward balancing the Federal budget; proposed a budget for 1956 to take the Government three-fourths of the way toward black-ink operations.

Compared with the last year the Truman budget operated (fiscal year 1953), Republicans reduced actual spending by $6.5 billion in the first full fiscal year (1954) of Republican control; by almost $10 billion in 1955; and by almost $12 billion (estimated) in 1956.

Reduced requests for new spending authority from $72.2 billion in the last Truman budget (1954) to $58.6 billion in the 1956 Eisenhower budget.

Extended the maturity of the Federal debt; moved more of the debt away from banks, where it can contribute to inflation, and into the hands of long-term investors.

HOUSING: BUILDING BOOM REPLACED GOVERNMENT PROMISES

Brought home ownership within the reach of additional thousands of American families by enactment of the Housing Act of 1954 which—

Permits lower downpayments, lower monthly payments, longer repayment periods, and increased mortgage limits.

Increased authorization for FHA mortgage insurance.

Authorized 35,000 additional federally aided public-housing units.

Tightened laws to prevent windfall profiteering and to protect homeowners from abuses under home-repair and improvement program.

Inaugurated vigorous prosecution program to recover windfall profits and to prosecute violators of Federal housing laws.

Empowered Federal Housing Administration to insure mortgages for construction and rehabilitation of homes in neighborhoods threatened with blight.

Continued direct home and farmhouse loan programs for veterans.

Continued program of FHA insurance of private construction of rental housing at AEC sites and permanent military installations.

Under a Republican administration private housing construction boomed, providing employment for some 5 million persons and adding greatly to national prosperity. Fifty-five percent of the 47 million American families own their homes.

LABOR: FAIRNESS REPLACED MISGUIDED FAVORITISM

Brought to the Nation's workers the highest standard of living in history.

An alltime record of 64 million Americans have jobs.

Wages climbed to new highs.

Workers had a net gain because, while wages rose, the cost of living remained stable.

Gave tax cuts which were the equivalent to a wage increase for every taxpayer; workers now keep more of what they earn.

Promoted harmonious labor-management relations, resulting in less time and wages lost on account of strikes; since Republicans took office there has been greater worker-industry peace than in any comparable post-World War II period.

Extended unemployment compensation insurance coverage to 4 million more people—the first major extension since the program began.

Urged States to modernize their unemployment compensation; 23 States increased

jobless pay benefits and 7 lengthened the payment period.

Recommended and supported legislation raising the minimum wage.

Blacklisted minimum wage violators and recovered back wages for underpaid employees—in the most vigorous enforcement program since passage of the Davis-Bacon Act of 1935.

Recovered for workers $6.5 million due them from employers who violated either the Fair Labor Standards Act or the Walsh-Healey Act.

Extended railroad retirement benefits for 1½ million workers.

Speeded procedures of National Labor Relations Board for handling elections, settling disputes, and disposing of unfair labor practice cases.

Expanded vocational rehabilitation program; strongly enforced child labor laws and health and safety standards; pushed apprentice-training and on-the-job training programs; helped veterans return to preservice employment.

AGRICULTURE: PEACETIME PROGRESS REPLACED WAR DISLOCATIONS

Aided farmers in the difficult transition from war to peace, adjusting outmoded Federal programs to current needs and minimizing the changeover; brought solid progress, as follows:

Per capita farm income increased in 1953–54, despite the decrease in total farm income.

Farm buying power remained stable in the past year.

Farm lands and buildings increased in market value by $2 billion in the past year.

Farm markets abroad expanded for the second consecutive year. Domestic markets increased, too, both in terms of quantity and quality of farm products demanded.

Whole agricultural industries improved. For example, dairy farming, in the doldrums when Democrats left office, is enjoying increased consumption, decreased surpluses, and improved prices. Government holdings of surplus butter were cut in half in the last year.

Enacted long-range farm program to provide an effective floor under farm prices while avoiding accumulation of price-depressing surpluses. Program provides for flexible price supports, effective with the 1955 harvests.

Worked aggressively to eliminate burdensome surpluses of farm commodities resulting from the rigid price support system put into effect by Democrats. Disposed of more than $1 billion worth of farm surpluses at home and abroad in the past year through barter arrangements, sales for foreign currencies, expansion of the school lunch program, and distribution to the needy.

Increased grain storage capacity in order to make effective price support operations in these years of record harvests.

Provided larger loan authorizations for rural electrification loans and for rural telephone loans.

Gave emergency assistance to frost- and drought-stricken farmers and leadership in setting up a long-range land-use program.

Extended social-security benefits to self-employed farm operators and to farm workers.

Enacted legislation permitting the Agriculture Department for the first time to work in partnership with small local watershed groups, with initiative and leadership remaining with the local organization.

Organized in less than a year 30 new soil conservation districts with 16 million acres of farm and ranch land.

Proposed a 15-point program to better the condition of more than a million farm families with yearly cash incomes under $1,000. The Democratic 84th Congress ignored the proposal.

VETERANS: PEACE REPLACED WAR

Gave 5 percent increase in pensions and pay for veterans of all wars and their widows and dependents.

Gave Korean veterans the same benefits and preferences as World War II veterans in war housing, civil-service appointments, and GI training; extended period for initiating training under the GI bill.

Raised funds for building veterans' hospitals to record amount; speeded construction.

Continued direct home and farmhouse loan programs for veterans; supported legislation liberalizing direct farmhouse loans and permitting Government-guaranteed loans to veterans for farmhouse purchase, construction, and repair; increased revolving funds so more direct loans could be made.

Continued Federal contributions to dependency allotments for more than 1 million enlisted personnel.

Continued paychecks and family allotments under the Missing Persons Act for Korean war prisoners and soldiers missing in action.

Provided automatic renewal of term insurance policies and simplified handling of veterans' life-insurance policies.

Extended the period for granting military service credits toward old-age and survivors insurance, assuring many servicemen of larger retirement payments.

Increased Federal payments for veterans cared for in State soldiers' homes.

NATIONAL RESOURCES, WATER DEVELOPMENT, AND PUBLIC WORKS: PARTNERSHIP REPLACED PATERNALISM

Authorized the St. Lawrence Seaway project which will open the heartland of America to the world's ocean sailing vessels.

Approved the largest Federal nationwide roadbuilding and improvement program in history, and proposed a vast interstate roadbuilding program which the Democratic 84th Congress rejected.

Ended antagonism to local and private power development; permitted the Federal Power Commission to license local public-utility districts and private power companies to pay for and construct their own power projects. This resulted in many offers to build new power projects without Federal funds.

Authorized what may be the third largest public power dam in the Nation—Priest Rapids Dam on the Columbia River; other dams approved.

Approved construction of the St. Lawrence River power project by the State of New York and Province of Ontario, expected to generate the second largest amount of power of any similar project in the country.

Provided for upstream watershed protection and flood prevention under local control—reserving a 20-year trend toward Federal decisions on need for, and location of, such projects.

Extended the Water Facilities Act from 17 States to all 48 States in a move to conserve the Nation's soil and water resources.

Authorized new projects, including Trinity River and Santa Margarita projects, California; Michaud Flats and Glendo unit, Idaho; Talent division, Rogue River Basin, Oreg.; units in Niobrara Basin, Nebr.; Yellowtail Dam, Mont.; Deer Creek, Utah; Owl Creek, Wyo.; and Roza power unit, Washington.

Authorized over $1 billion for navigation, flood control, and beach-erosion projects throughout the Nation.

Sponsored legislation enacted in the 84th Congress authorizing Federal loans to local irrigation districts for building, on Federal reclamation projects, water-distribution systems to be locally owned and operated.

Made available thousands of small tracts of land for constructive use as homesites, community parks, and business sites; supported legislation to open more than 7 million acres of public lands to mineral development.

Improved Western grazing lands through reseeding programs, water-spreading systems, and encouragement of soil and moisture conservation practices by range users.

Returned to the States their rights to submerged lands and resources off their coasts out to their historical boundaries—an area comprising about one-tenth of the area of the Continental Shelf and about 17 percent of the mineral resources.

Kept for the Federal Government submerged lands and resources beyond State boundaries—an area comprising about nine-tenths of the area of the Continental Shelf and about 83 percent of the mineral resources. Private industry has already signed leases totaling almost $250 million; in all, an estimated $6 billion is expected for the United States Treasury from leases in the area.

Permitted—for the first time—multiple mineral development of the same tracts of public lands to encourage domestic sources of vital materials.

Inaugurated long-range programs for mining and metallurgical research; intensified study of thorium, the second most important radioactive metal; continued synthetic fuels research.

Improved facilities in national parks.

COMMUNISM: ACTION REPLACED COVERUP

Inaugurated an era of cooperation between Congress and the Executive in combating communism in the United States—a drastic change from the previous administration's 20 years of vacillation, obstruction, and coverup.

Enacted long-needed Communist-control laws which (1) outlaw the Communist Party; (2) grant immunity to witnesses before congressional committees (now being tested in the courts); (3) impose heavier penalties for concealing persons from arrest; (4) impose heavier penalties on bail jumpers; (5) deny a Government pension to any Federal employee convicted of a felony; (6) revoke the citizenship of persons convicted under the Smith Act of seeking to overthrow the Government by force and violence; (7) make peacetime spying a capital offense; and (8) require registration of all printing presses owned or used by Communists.

Set up Internal Security Division in the Justice Department to give exclusive attention to vigorous prosecution of antisubversive laws.

Obtained convictions of 57 persons under the Smith Act.

Ordered the Communist Party to register under the Internal Security Act; the order is on appeal in the courts. Other decisions by the Subversive Activities Control Board are in the mill.

Deported over 260 subversive aliens—more deportations in 2½ years than during the preceding 20 years.

Weeded out more than 3,000 security risks from Federal jobs; in addition, more than 5,000 resigned for security reasons.

Vigorously pushed congressional investigation of various Communist activities, revealing, among other things, the promotion of a known spy, Harry Dexter White. In 1953–54, 571 witnesses invoked the fifth amendment.

Reaffirmed determination to pursue congressional probes by joining Democrats in January 1955 in passing Senate Resolution 18 which declared committees should vigorously investigate the Communist international conspiracy.

Revoked the notorious Truman loyalty order; revised and improved—though did not perfect—security system in Government. The entire problem is to be resurveyed by a new bipartisan commission which is to make recommendations for improvements.

HEALTH, EDUCATION, AND WELFARE: PROPER AID REPLACED INCREASING INTERVENTION

Established Health, Education, and Welfare Department.

Voted funds for school construction and operation to full extent allowed by law where schools are crowded because of Federal activities.

Voted full amounts authorized for school-lunch program.

Developed program of State and local studies on educational problems, with national consideration scheduled at a White House conference this fall.

Authorized Federal Office of Education to contract with universities, colleges, and other educational agencies for research, surveys, and demonstrations on educational problems.

Approved—for the first time—payment of Federal funds to States for diagnostic or treatment centers, hospitals for the chronically ill, rehabilitation facilities, and nonprofit nursing homes.

Increased grants for research on cancer, heart, mental health, and arthritis.

Supported legislation requested by the President for research on air and water pollution.

Broadened vocational rehabilitation program to include training of doctors, physical therapists, occupational therapists, and other specialists.

Sponsored a nationwide health program stressing Federal reinsurance of private hospitalization and surgical insurance plans (still before Congress).

Extended social-security coverage to 10 million more people in the first major increase since 1935. For the first time, 9 out of 10 gainfully employed workers are covered.

Increased social-security benefits to those already on social-security rolls, with proportionate increases for dependents and survivors. Liberalized many other social-security features.

CIVIL RIGHTS: PERFORMANCE REPLACED PREACHMENTS

Wiped out virtually all segregation in Armed Forces units; also in veterans' hospitals as rapidly as medical considerations permitted.

Appointed Negroes to more important Government posts than ever before.

Established Government Contract Committee to promote equal job opportunities on all Government work done by private industry.

Established President's Committee on Government Employment Policy to end discrimination in Federal jobs.

Filed a friend-of-the-court brief with the Interstate Commerce Commission urging an end to segregation in interstate travel.

Ended segregation in restaurants, theaters, hotels, and schools in the Nation's Capital.

ATOMIC DEVELOPMENT: SHARING REPLACED MONOPOLY

Inaugurated peacetime development of atomic energy by private enterprise, ending Federal monopoly which limited work to war purposes.

Revised the Atomic Energy Act to permit (1) sale for public use of electricity developed by AEC—the first such power was delivered in July 1955; (2) joint Government-industry financing of civilian power reactors—the country's first nuclear powerplant is now under construction and other projects are being considered; and (3) privately financed nuclear powerplants—one firm has already applied for a license to build the first atomic plant without Government funds.

Continued spending for nuclear research on general reactors and civilian power reactors.

Launched the atoms-for-peace program to demonstrate America's sincere desire to harness nuclear energy to benefit—not destroy—mankind.

Proposed Federal funds to construct an atomic-powered merchant ship to show the feasibility of such transportation.

GOVERNMENT ADMINISTRATION: CONSTITUTIONAL GOVERNMENT REPLACED DICTATORIAL ACTION

Replaced extremist New Deal Democrats who tried to draft striking American workers into the Army and seized private property illegally.

Reversed the 20-year trend toward centralization of power in Washington.

Sold to private enterprise 25 federally owned synthetic rubber plants and the Inland Waterways Corporation; and disposed of many businesstype and commercial enterprises conducted by the Defense Department and civilian agencies in competition with private enterprise. Discontinued the RFC. All branches of the Government resurveyed their commercialtype activities, and in July 1955 recommended those which the Government could let private industry perform at less cost to the taxpayers.

Approved and put into effect 12 reorganization plans to improve the operations and efficiency of Government departments and agencies, and to lower the cost of government.

Established the Commission on Organization of the Executive Branch of the Government to study Government functions and operations. By July 1955 the Commission had made over 300 recommendations, which, if entirely adopted, would save an estimated $10 billion.

Established the Commission on Intergovernmental Relations to study Federal-State-local functions and fiscal resources and recommend proper allocation thereof.

All Government departments and agencies cooperated with these Commissions and wherever possible without legislation adopted many of their recommendations to improve the executive branch.

Where legislation was required, Republican Members of Congress sponsored appropriate measures.

Reduced the number of Government employees by more than 250,000.

SECRECY IN GOVERNMENT AND FREEDOM OF THE PRESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared on the subject of Secrecy in Government and Freedom of the Press, together with the exhibits I have attached.

There being no objection, the statement and exhibits were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

SECRECY IN GOVERNMENT AND FREEDOM OF THE PRESS

One of the unfortunate facts of the age we are living through is the impact of the Soviet Communist conspiracy upon our free democratic institutions. We may hope that in the long run the example of our free society in the world will make some impression on the totalitarian states and gradually modify their police states in the direction of freedom.

But we cannot be unaware of the reverse danger to ourselves. The threat posed to our security by the methods of international communism is not only the immediate one of attack or subversion. A less direct threat, but one the effects of which we can see even now in our midst, is the gradual change that the mere existence of the Communist conspiracy in the world works upon the accepted standards and precepts of our democratic society.

In subtle ways, each day, gradually over the years, transformations are being wrought that weaken and alter our democracy. In our efforts to combat the menace of international communism, we all too frequently ape the totalitarian methods.

In response to the methods of infiltration, espionage, and internal subversion of the Communist conspiracy, we have reacted with numerous safeguards—sometimes carefully thought out but more often makeshift and faulty. In adopting these security measures we tell ourselves that they are only temporary, that we will someday be able to dispense with them when they are no longer needed.

We retain a vision of a democratic society while accepting in reality curtailments of that democracy in the name of security.

The expectation that we will someday be able to eliminate these abridgements to our democracy and return to the freer society we have always known may be a false one. For, as we adopt such measures, they not only become imbedded, difficult to dislodge, but they work subtle transformations that are themselves destructive of our democratic institutions. An acceptance of curtailment of freedom is apt to come about—and I am afraid it has already come about—that dulls our senses to the appreciation of democracy. The fine lines that must be drawn between the methods of the free state and the police state, between democracy and totalitarianism, become blurred and are lost sight of. Still worse, our dulled senses come to accept uncritically further inroads upon our freedoms, inroads in no way necessitated by the needs of meeting the Communist threat.

There are many instances of this gradual erosion of our freedom. I wish to discuss only one of them here today, though, in actual fact, no one factor can be singled out from the mass psychological change that underlies this threat to our democratic society. I wish to discuss today the abridgement of freedom of the press that is taking place in numerous and subtle ways in the United States at this time.

When the founders of our Nation wrote into the Constitution that the "Congress shall make no law abridging the freedom of the press" they were embodying in our law a fundamental tenet of a free society—that the people must have all the facts if they are to participate and act intelligently in governing themselves, that the press must be free to get the facts upon which the people can base their thought and actions.

Congress, though elected by the people, can in no way abridge that freedom of the press and so deny the people access to the facts. For the press in this respect is the people's representative. As the Congress makes the laws and the Executive enforces the laws, the press provides to the people the information upon which their judgments of the laws and the lawmakers are based. A free press is as vital to the functioning of our Government as is any of the three branches of the Government itself. As Thomas Jefferson wrote to President Washington:

"No government ought to be without censors: and where the press is free, no one ever will. If virtuous, it need not fear the fair operation of attack and defense. Nature has given to man no other means of sifting out the truth either in religion, law, or politics."

When we consider what freedom of the press means in terms of the daily functioning of the working press we soon see that this freedom is today being seriously abridged.

We see that what the bill of rights has specifically forbidden the Congress to do by law is being done in myriad other ways and just as effectively.

Newsmen here in Washington tell me that it is becoming increasingly difficult for them to get the news. Barriers of every sort are set in their way.

The American Society of Newspaper Editors, Sigma Delta Chi, and other organizations are seriously concerned with this problem. In the past the newsmen themselves have been the greatest defenders of freedom of the press and of the public's right to know.

They still are vigilant against every encroachment upon their news gathering activities and their right to publish what they learn. But the magnitude and nature of some of the new restraints on the flow of information are such that all of us in government and all other citizens should be deeply concerned in order that our right of access to information be preserved.

If the newspaper community indicates that it wishes such an expression of our support, I will introduce at the beginning of the next session a resolution that will place the Congress on record in a way that will insure greater access to information.

At this time I wish to indicate what some of these new problems are that confront newsmen as they try to report the activities and policies of our Government.

I have already called to the attention of the Senate, in February of this year, that the excessive number of executive sessions being held by congressional committees poses a serious obstacle to the reporting of the news.

Whenever we exclude newsmen from a hearing or committee session we are excluding the 165 million Americans whose public business is being transacted there. We are not above reproach in this problem of secrecy, often in matters where no secrecy is required.

I would not presume to discuss the affairs of the other body, but I note that the chairman of the House Rules Committee recently objected to the fact that all hearings of the House Appropriations Committee are held in closed session. Not even Members of Congress are admitted.

I would like to call the attention of the Senate to some of the more recent developments that tend to constrict the flow of information on which the American people must base their judgments. Not the least of these, I am told by responsible newsmen, is simply the increasing difficulty of getting people to talk—to tell them the facts they need on which to write their stories. It is less and less possible for a reporter to call up someone in an executive agency or department and learn the facts of a situation upon which that individual may be better qualified to speak than anyone else.

Sometimes the call will be referred on to someone higher up, or the individual contacted will just be reluctant to talk to the newsman at all. This is a serious problem for news reporters.

It means the drying up of their news sources, or it means a dearth of information available. It is a problem for the reporter in the pursuance of his daily task, but I would suggest that it is an even more serious problem for the American people and the Government itself.

For this shroud of silence that has descended over the Government prevents not only the American people from knowing what their Government is doing but prevents the Government itself from functioning as it should. We in the Government are more dependent than we may realize upon the information that is gathered for us and presented to us daily by the press, radio, and TV news services.

I would not attempt to say what precisely is the cause of this reluctance on the part of the people in the executive branch to talk with newsmen. It probably stems from a number of causes. In some instances it is an established policy of a department—and I will take that up later.

But perhaps it more often arises just from a desire to play it safe and not get involved in controversy.

This symptom goes to the heart of the situation I am discussing here. Whatever its causes, it is indicative of a tightening up on the flow of information on governmental matters that should be public knowledge.

A more formal tightening up on information resulted recently from the Department of Defense directive on clearance of information issued on March 29. Here we get into the area in which information definitely becomes a matter of security. I do not suggest for a moment that there are not data and information that genuinely require secrecy and security measures of the most guarded sort. Until and if the day ever comes when the Soviets agree to exchange complete military information with us, we will have to maintain strict security measures to insure that our most vital secrets are protected.

But the March 29th Defense Department directive did not stop at that. Let me read to you one paragraph—which has proved to be a very controversial paragraph—from that directive:

"Such review and clearance shall be related not only to a determination of whether release of the material would involve any technical or substantive violation of security but also to a determination of whether release or publication of the material would constitute a constructive contribution to the primary mission of the Department of Defense."

Note the concluding phrase: "Whether release or publication of the material would constitute a constructive contribution to the primary mission of the Department of Defense."

Some question has been raised as to just what the Department of Defense would consider constitutes a "constructive contribution to the primary mission" of the Department. This question was most notably spelled out in an exchange of letters between J. Russell Wiggins, executive editor of the Washington Post and Times Herald, and R. Karl Honaman, Deputy Assistant Secretary of Defense for Public Affairs. Mr. Wiggins is chairman of the Freedom of Information Committee of the American Society of Newspaper Editors.

Mr. Honaman was formerly Director of the Office of Strategic Information which he set up in the Department of Commerce last November.

Here is what Mr. Wiggins wrote to Mr. Honaman on May 16:

"Ever since Secretary Wilson's order, I have wondered if the Department realized the extent to which this order has cast doubt upon all information emanating from the Defense Establishment. When an organization makes a deliberate statement that it is going to release only information that is self-serving, it is bound to have a very damaging effect upon public credibility."

In reply to this, on June 2, Mr. Honaman has this to say:

"Your letter of May 16 raised some questions which call for our thoughtful consideration. A particular reason to my mind is the fact that Mr. Wilson's directive of March 29 has been interpreted to mean that he wants to limit available information to that which is 'self-serving,' to quote from your letter.

"I am very sure that there was not in Mr. Wilson's mind any thought that we should limit the availability of information to that which is self-serving. In fact, I am sure that information which is only self-serving would not be constructive, and I surmise that in some cases there have been examples where things have not been constructive because they were self-serving.

"The public is eager to be informed of the activities of the Department of Defense, and needs to have this information in order to effectively play its part as citizens. There are, nevertheless, many cases where demands for information which take up the time of people with busy schedules do not truly meet the requirement of being useful or valuable, nor yet very interesting to the public. These are tests that should be met. Thus, I would substitute for self-serving, public serving, and I am sure that this is part of the interpretation of constructive.

"Beyond this is the question of information that will help an enemy to build his military potential. There may be cases where it is necessary to accept some risk along this line, but the test of usefulness should also be applied in cases like this. You have, of course, heard me discuss this question on a number of occasions, and I think the application of balanced judgment, balancing risk against usefulness is certainly within the purview of constructive as the order intended it to be. An excellent example of the way to accomplish our objective is to be found in the handling of the NIKE information several weeks ago.

"I am very sure that in time we will come to realize that the concern that has been expressed over the use of the word constructive will be found not to be justified, and that adequate information will flow, along with the exercise of appropriate care, not to harm our country."

That was R. Karl Honaman replying to J. Russell Wiggins. And here, further, is the letter that Mr. Wiggins wrote to Mr. Honaman on June 10:

"The trouble with releasing only information that is constructive or public serving is the difference of opinion that often arises in construing the terms. An official inside the Defense Department is not likely to regard as constructive, information that discloses his own errors. Persons on the outside of the Department may very well regard these disclosures as constructive and public serving. The real difficulty is that even conscientious people, after a long experience in government, have a great deal of difficulty in distinguishing between their own interests and those of the government. They are pretty likely to think that anything which puts them in a bad light is not constructive. These judgments cannot be made objectively by persons involved in the decisions that are under study. They can only be made objectively by persons who are not involved—by persons who are not in the government.

"The most arbitrary governments in the history of the world have frequently professed the desire to publish all constructive information. In order to insure that the information released was constructive, the Nazis and the Fascists preferred the staged and ordered and planned use of propaganda devices and frowned upon any information obtained by other methods.

"I have no objection to the kind of presentation of Nike information in which we participated a few weeks ago, unless it is the intent and purpose of the Department to limit the dissemination of Nike information solely to such planned and packaged presentations.

"In a democratic society there ought to be a continuous flow of information from the government to the people, and that information ought to include not only the facts which the government wishes released but some facts which citizens have obtained contrary to the wishes of government. Any other system makes the government the sole judge of what the people are to be told. This, I think you will agree, is an indefensible philosophy in a free society."

Now the significant fact that I think should be pointed out about this directive of the Department of Defense is that there is not any real consideration of security in the concept of "material that would constitute a constructive contribution to the primary mission of the Department of Defense." Any material that involved security considerations would not be released at all—it would be classified and stamped "Top Secret," or "Secret," or "Confidential" and

locked up in filing cabinets with combination locks. No reporter would expect to get classified information, and no one in the Defense Department would give out such information unless steps were first taken to declassify it. We can only conclude that the "constructive contribution" stipulation applies to information that is not in any way secret.

I understand that this directive and another promulgated at the same time have caused considerable confusion and difficulty in obtaining news from the Pentagon. The other order reduced public information personnel by one-half or one-third and replaced military public information chiefs with civilians.

Veteran Pentagon reporters inform me that the civilian public information people often do not have the technical knowledge that the military information officers had. As the directive further ordered that all material be passed upon by an information officer before being given out, the news gathering activities of reporters covering the Defense Department have been severely handicapped. And I would point out to you that the Department of Defense spends three-quarters of the money we appropriate, employs three-quarters of the people employed by the Federal Government, and carries on activities that are at the core of our foreign policy as well as our Nation's security.

I attach hereto as part of my remarks an article that appeared in the New York Times of March 31, 1955, headlined "Wilson Cuts, Curbs Information Staff."

(See exhibit 1.)

Also I would like to have included for purposes of the RECORD at this point, a copy of the Defense Department directive of Mar. 29, 1955, numbered 5230.9 entitled "Clearance of Department of Defense Public Information."

(See exhibit 2.)

Further, I would like to have included at this point in my remarks an article that appeared in the New York Times of April 7, 1955, headlined "News Curbs Stir Pentagon Dispute" which says about the Pentagon, following the issuance of the directives of which I have spoken, "Meanwhile newsmen were not getting much news out of the place. While waiting for the fight to simmer down, they were doing miles of extra legwork in the vast structure trying to get to news sources through back doors."

I ask that the article be included in my remarks.

(See exhibit 3.)

At a news conference held on April 12, Secretary of Defense Charles E. Wilson, defended his directives for control of Defense information. But according to the New York Times, of the following day, concerning the "constructive contribution" requirement for the giving out of information, Secretary Wilson indicated—and I quote from the Times—"that he was concerned with questions of propriety and criticism of his department and its policies as well as with defense secrets."

I attach the article from the New York Times of April 13, headlined "Censorship Move Denied by Wilson."

(See exhibit 4.)

I contend that events subsequent to the issuance of this "constructive contribution" directive have borne out whatever fears newsmen and others of us concerned about the public's right of access to information might have had that the order would be used for purposes other than preventing the leaking of information useful to a potential enemy.

Secretary Wilson may be understandably concerned with questions of propriety and criticism of his department and its policies, but what he does not seem to understand is that in government, in a democracy, this criticism is healthy and constructive.

Let us consider what have been some of the uses—and I should say "abuses"—of security classification since Secretary Wilson promulgated his famous order on March 29.

I am not sure but that the first instance of the abuse of classifying information would not have occurred anyway, even without the new directive. But it shows how the security classification can be used for matters other than security.

I am speaking of the reclassifying of the documents bearing on General of the Army Douglas MacArthur's views on the need for Soviet Army support before an invasion of the Japanese home islands. I think we all remember how the Yalta papers were released—that they were "leaked" to one newspaper after the State Department had earlier said that the publication of the papers would adversely affect our Nation's security.

Part of the controversy following the release of the Yalta papers concerned whether military advice had been given that the Soviet Union must be brought into the Pacific war before we attempted an invasion of the Japanese home islands.

A number of sources indicated that General MacArthur had given such advice. The General denied this. Newsmen asked that they be allowed to see the original documents pertaining to General MacArthur's position in the matter. The documents had already been utilized by historians, and newsmen learned that they had been declassified. Certain extracts pertinent to the dispute were marked and a general agreement made for their release. But just when they were about to be given out to the press, the documents were reclassified "confidential."

I attach as an exhibit the Defense Department memorandum, dated April 2, 1955, which declassified these documents:

(See exhibit 5.)

The memorandum declassifies the documents and states that the Department interposes no objection to the press examining them—with consideration for the fact that the documents, if reported in full, would reveal information about the planning and organization of United States Forces for the mounting of a major seaborne invasion. Newsmen would have respected this restriction, just as they have, during wartime, cooperated in maintaining secrecy on matters clearly requiring security.

While the memorandum makes clear that the documents had been declassified, actually they had been without classification since the time when the President's order had gone into effect doing away with the classification of "Restricted"—the lowest of all the security classifications. Yet at the very moment when they were to be given to the press they were reclassified "Confidential." This apparently was done under Secretary Wilson's new Information Directive of March 29. Whatever was the reason—and I am sure I do not know if there was one at all—the documents have not to this day been made available to newsmen. I am informed by newsmen that they still are trying to get the Pentagon to release this information to newsmen, but without success.

When it suits the administration's purposes to release documents, such as the Yalta papers, though their release may adversely affect our Nation's security, there is no hesitation about "leaking" such documents to a newspaper. And when it suits the administration's purposes to reclassify documents and put a "Confidential" label on them, as in the case of the MacArthur documents, there is no hesitation to so pervert the use of the security classification.

This is the manipulation of information for political gain and goes beyond even the problem of access to information with which I am here concerned.

Not only are newsmen being denied access to information in the name of security, but by official leaking some information to newsmen and then classifying other information without justification, the press of this country is being made the unwilling party to a propaganda stunt. That the propaganda stunt failed makes it no less reprehensible on the part of the administration.

I will not dwell longer on this particular instance of the press being denied information for reasons other than security. There are too many other examples I wish to present to the Senate. It points up rather clearly, however, that hand in hand with this excessive secrecy goes the temptation to manipulate information, to give out only what suits the administration's political purpose and not give out what may be inconvenient or embarrassing.

For the next example of the administration and the Defense Department's interesting new approach to information, we need a little background briefing. R. Karl Honaman spoke to the convention of the American Society of Newspaper Editors on April 22. Mr. Honaman was on that day still director of the Office of Strategic Information that he had set up in the Department of Commerce. But 4 days later he was to be introduced to newsmen at a press conference by Secretary Wilson as the new Deputy Assistant Secretary of Defense for Public Affairs. On April 22, Mr. Honaman told the newspaper editors of the problem of keeping strategic information of a technical and military nature from any potential enemy. To illustrate that he recounted the following story—and I quote Mr. Honaman:

"This example concerns guided missiles. An engineer without intelligence experience applied to a defense contractor for a job. While he was waiting for security clearance, he decided to check up on the guided missile program, as far as he could, to see what he could find out. He consulted published information only, such as was available in a public library in one of our large cities. This included newspapers, technical magazines, Government publications, and so forth. He worked on this project on his own for 3 months. At the end of this exercise he wrote a report on the United States guided-missile program. His report, 45 pages long, included 15 pages of charts which gave very accurate information on the characteristics of our weapons. He included detailed information which gave for each its name, model designation, manufacturer, guidance system, method of propulsion, length, diameter, range, and maximum altitude. He also included certain reasonable deductions concerning the high-level plans and policies of our whole guided missile program. This report was accurate and reasonably complete. In fact it was so accurate that it was found necessary to classify it. Yet, all the information put in that report was gathered from information readily available to anyone who wanted to take the trouble to bend his mind to that kind of study."

Now, that was R. Karl Honaman as he spoke to the American Society of Newspaper Editors on April 22 of this year. Four days later Mr. Honaman was introduced to the press at a press conference by Secretary Wilson as the new Deputy Assistant Secretary for Public Affairs.

It was at this press conference that the Department of Defense admitted that three technical items, not previously cleared but still classified, were included in the military information compiled in the Senate Republican Policy Committee Pamphlet titled "National Defense Under the Republican Administration—Today and Tomorrow."

In addition to much other information on the details of our military forces and weapons, the pamphlet gave, in particular, information on our guided-missile program. More than a dozen types of guided missiles were described in detail, even to their propulsion systems, and information was given as to how they would be utilized in combat. This was just the sort of compilation of pre-

viously published data that Mr. Honaman had described in his talk to the American Society of Newspaper Editors.

When it had been done by a private individual, the compilation was promptly classified as security information that should not be given out to the public, though no information was included that had not already appeared in public print.

But when the Senate Republican policy committee made such a compilation and brought it out as a political pamphlet to support the administration's reductions in our Military Establishment, the Defense Department did not classify it, though it was admitted that three of the items appearing in the pamphlet had never been declassified.

When this was called to the attention of the President at a press conference, he was not too sure of the details, but he promptly labeled it "a blunder." Yet the Defense Department did not classify the Republican policy committee's pamphlet. There is an obvious and blatant inconsistency here in the way in which the Pentagon administers its rules on security of information.

I attach as an exhibit the article from the New York Times of April 27, 1955, headlined "G. O. P. Evades Net on Defense News," and the article from the New York Times of April 28, 1955, headlined "President Limits Field of Secrecy."

(See exhibits 6 and 7.)

It might be worth mentioning here that in the latter article reference is also made to the President's remarks at his press conference on April 27, in which he said:

"I think today to hold secret any document of the world war, including my own mistakes, except only when they are held there by some past agreement with a foreign nation, that has not yet been abrogated, it is foolish. Everything ought to be given out that helps the public of the United States to profit from past mistakes, to make decision of the moment; that is current information."

It would be helpful if the President would make his views more emphatically known to the people in the Defense Department who have so far denied to newsmen the documents of World War II giving General MacArthur's position on bringing the Soviet Union into the war. All too often we see the situation of the President politely chastizing his officialdom, but such criticism not resulting in change of official policy. The President appears to be for expanded access to information, but his administration acts to the contrary.

Mr. President, I attach also an editorial that appeared in the Washington Post and Times Herald of April 28, 1955, titled "Bailing Out a Blunder."

(See exhibit 8.)

In the month of May a further instance of withholding information from the American people for questionable reasons occurred. The appearance of formation flights of new Soviet jet planes over Moscow around May Day was known in all the capitals of the world and was certainly known in Moscow. But this information was not immediately given to the American people. It would have indicated that the Soviet Union was catching up or perhaps overtaking us in the production of long-range jet bombers. This news seriously places in question the reductions the administration is making in our ground forces on the supposed basis of our strategic air superiority.

There was hesitation, there was delay. Finally, when it became clear that the news of these flights, published in other countries, would inevitably be picked up and reported in this country, the administration did release some information about the Soviet bombers. The release was late and reluctant.

But, as Hanson Baldwin, the military expert, said, writing in the New York Times on May 19: "The wording of the announcement was terse to a point of obscurity and the motivation decidedly mixed."

Mr. Baldwin has reference to the fact that the announcement seemed aimed more at heading off criticism by Members of the Senate of the reductions in ground forces than it did at genuinely giving the facts to the Congress, the press, and the American people. As Mr. Baldwin concluded in his article: "All this can, and should, be told to Congress and the American people—but not in a sudden 'crash' release issued not for information but for effect and restricted to partial truth. Last week's release about the new Soviet planes is the best possible illustration of what is wrong with Secretary of Defense Charles E. Wilson's formula for the release of military news that is constructive. The word 'constructive,' in this instance, was translated to mean for political advantage and service effect."

Mr. Baldwin's charge that only the "partial truth" was revealed in the administration release was borne out after the magazine Aviation Week carried the full data on the new Soviet planes, and the Defense Department then finally confirmed the omitted significant details.

Robert Hotz, editor of Aviation Week, wrote that the American people "should be shocked by what appears to be deliberate deception practiced against them by some of the highest civilian officials in their Government. These officials have concealed the unpleasant but true and complete facts of the Russian air display behind a vague and incomplete Department of Defense press release."

Mr. Hotz went on in the editorial in Aviation Week to say:

"Even more serious than the growing threat of Russian airpower is the deception being practiced officially by top-level civilians in Government that denies the American people the facts they must know if they are to make the intelligent judgments necessary to insure our survival as a Nation. The complete story of the Russian air display * * * was known to top civilian officials in the Defense Department and presumably in the White House, where the official press release was edited and cleared for publication."

Then Mr. Hotz asks:

"Why was the whole story withheld from the American people?

"Why were facts that were available to every resident of Moscow and hundreds of non-Russian observers who were in the Soviet capital between April 24 and May 7, 1955, denied to the American press and people?

"Why are the pictures of these aircraft taken by foreign observers still concealed in the Pentagon under the guise of military security?

"Why does not President Eisenhower use the leadership endowed by his position to tell the American people the complete story of the Moscow air show and what it means to the future of this country?

"If the executive branch of the Government does not fully discharge its responsibility to tell the American people the facts on Russian airpower it is clearly the duty of the legislative branch to formally investigate and put the whole story on public record."

And, finally, Mr. Hotz concluded:

"This alarm over Russian airpower is no shallow plea for a boost in the fiscal 1956 military budget. It is no false cry of 'wolf' from professional soldiers. The crisis is real. The country is facing one of its most dangerous hours. If freedom and democracy are to survive the American people must be told the whole truth.

"Intelligent decisions cannot be made in a dark aura of public ignorance and official secrecy."

I am trying to confine myself in these remarks primarily to pointing out instances in which I think the use of classification and secrecy has been perverted from its true purpose. As I have stated already, there is no question that some information and technical data must be kept from a potential enemy. But I think we can clearly see in some of the instances I am citing how secrecy is being extended beyond its justifiable use of protecting the Nation. Actually, the overzealous use of secrecy serves to weaken the Nation and gives us a sense of false security.

There is always that temptation for public officials to cover up their own mistakes or withhold information that might be inconvenient or embarrassing if revealed. And beyond covering up mistakes or embarrassing facts a further risk is involved in our having to maintain security over the flow of some information. That is, that by the manipulation of information, by releasing a little here and withholding a little there, a false picture can be built up to support an administration policy that would be insupportable if all the facts were revealed.

The psychological warriors are apt to become so enthused over their propaganda successes in the international realm that they are tempted to use psychological warfare on the American people.

Since they alone know the secrets, they come to feel that only they can decide policy. Then public opinion becomes something to manipulate, to mold to support the policy. The danger in this is that the policymakers might sometimes be wrong. Then there is no correcting influence of the press, or of the Congress, or of the people. I think we saw an instance of that earlier this year when a policy decided upon in complete secrecy was sent over to the Congress as a fait accompli—it could only be accepted and could not be altered.

I wish to include at this point some remarks that were made on this subject by the former assistant to the President for National Security Affairs, Robert Cutler. Much comment has already been made about General Cutler's remarks, and I am not sure that all of it has been justified.

But General Cutler does state rather boldly the need he feels for keeping a good many of the facts upon which policy is based, and perhaps some of the policy itself, from the American people. He is careful to state that he is speaking only of classified information, though he has some hesitations about making public much unclassified information that might in some way be of value to an enemy.

General Cutler's remarks are rather lengthy and carefully thought out. They are contained in an address made before the Associated Harvard Clubs meeting in Cincinnati on May 14, 1955, and are titled "Some Considerations Affecting the Publication of Security Information in Time of Propaganda War." I suggest, to my colleagues, that General Cutler's address be carefully studied. I shall not include its entire text in the RECORD, but do quote pertinent sections.

General Cutler poses some questions which I think need answering. He says, toward the conclusion of his address:

"In this world, where freedom as never before struggles rawly for survival, what is the role of free speech and free press in the United States with respect to publication of secret security matters? Is it enough today merely to assert these great principles in order to enjoy the right of their exercise in these secret and sensitive areas? Or should free speech and free press here validate their right to be heard? I suggest in these areas, they must make clear how they will contribute to our survival; they must prove to us that the widespread, public disclosure of our secret projects will make the free world stronger, and the neutrals better disposed will rally the subject peoples and will put the Communist regimes at disadvantage."

I think that General Cutler answers himself with his own question. He suggests that

free speech and free press must validate their right to be heard—he is speaking only with respect to the secrets of the councils where high policy is made, I am well aware. But that he could raise the question discloses the error to which those on the inside of the highest councils are subject. They come to feel so certain that they are the only ones who know enough to make policy that they begin to question the very purpose of that policy itself—the preservation of a free society. It is no longer secrecy that must justify itself, but rather free speech and the free press that are the upstarts, subject to question and perhaps censure. Others have criticized General Cutler's remarks more harshly than I do here, and I would like to include that comment in the RECORD at this point. I attach as an exhibit a column by Joseph and Stewart Alsop called "Security Versus Democracy" that appeared in the Washington Post and Times Herald on June 15, 1955, and an editorial titled "Secrecy a la Mode" published in the Washington Post and Times Herald on June 21, 1955.

(See exhibits 9 and 10.)

I would just like to return for a moment to the Department of Defense and its approach to information and security. While I have spoken a great deal of the Defense Department in these remarks, I do not intend to overemphasize its part in the problems of the free press in covering news in Washington. The Defense Department is one of the most difficult places for a newsman to attempt to gather the news, both because of its sprawling vastness and complexity and also because by its nature so much more of the information in which the Department of Defense deals is classified in one way or another.

And then we have the recent tightening up on information at the Pentagon under Secretary Wilson's directive of March 29 and by the new Deputy Assistant Secretary of Defense for Public Affairs, Mr. Honaman.

But I do not wish to give the impression by speaking at such length that the Defense Department alone presents a problem to the conscientious newsman trying to do his job of keeping the American people informed as to what is going on in their Government. Other agencies and departments present an equal challenge to the continuance of a free press—some more than others—and I intend to speak of some others in a moment.

But right now I would like to mention one additional attempt that has been made in the Defense Department to tighten up on the flow of information. All Army field commands have been sent forms "to help channel the thinking" and that is the Army's phrase, not mine—"to help channel the thinking" of information officers in answering questions from the press and other inquiries.

The forms are called "Balance Sheets for Strategic Information," and, interestingly enough, are the same forms that Mr. Honaman instituted in the Office of Strategic Information at the Department of Commerce before he moved over to the Defense Department. The forms help to channel the thinking of the field officers so as to decide whether giving out the information requested would be helpful or harmful to the interests of the United States. Note, here again, that we are not dealing with secret or classified information.

On the form the information officer is supposed to check under "Helpful to U. S." or "Harmful to U. S.," the "Net Effect on Military Power," the "Net Effect on Industrial Power," the "Effect on Morale," "Other Strategic Angles," and "Other considerations"—which has after it in parentheses "(Anything you can think of)."

I attach a copy of the "Balance Sheet for Strategic Information," and I also include the letter that was sent out explaining how this "balance sheet" is to be used.

(See exhibits 11 and 12.)

Now, the trouble with forms such as these, sent to information officers throughout the Army to remind them—and I quote from the letter—"that there are other considerations in connection with the release of material than simply whether the information is classified or privileged"—the trouble with such forms as these is that any officer receiving them will be inclined to play it on the safe side and not risk giving out information if it might, by the remotest possibility, be harmful to the interests of the United States. This is the great problem of the tightening up of information throughout the Government.

All people called upon to interpret such directives are going to be overly cautious and hesitate to respond to questions from reporters or anyone else who might make the inquiries. There is no penalty to being too secretive, but you might get in trouble if you give out information that might be harmful to the best interests of the United States. Little wonder that newsmen are finding their jobs increasingly difficult in Washington. The surprising thing is that they can get anyone to talk with them at all.

One of the most recent—and I might say most blatant—examples of the misuses of classifying information, I have already called to the attention of the Senate.

I am speaking of Secretary Wilson's explanation of why he had classified and withheld from the press General Ridgway's final report to him. General Ridgway, retiring as Chief of Staff of the Army, sent a letter to Secretary Wilson on June 27 which contained strong criticism of the administration's reductions in our ground forces. Secretary Wilson asked the Army to classify the letter "Confidential." The Army explained at the time that the classification was only temporary to permit study and review.

Over 2 weeks later the New York Times, having obtained a copy of the letter and found that there was nothing secret in it, published the Ridgway criticisms of the administration's cutbacks in our armed strength.

The Defense Department then released the letter—an admission that there was nothing secret about it. And then, Secretary Wilson, with his usual remarkable candor, is reported to have said that "he had ordered the Army to put a confidential stamp on the nonsecret document because he did not wish to add in any way to the problems of President Eisenhower and of Secretary of State Dulles at the Geneva Conference."

Apparently Secretary Wilson had read the letter sent out with Mr. Honaman's "balance sheets" declaring "there are other considerations in connection with the release of material than simply whether the information is classified or privileged."

I wish that Secretary Wilson and Mr. Honaman would stress that one of the "other considerations in connection with the release of material" is that the American people have a right to know a great deal of the information that is now being kept from them. All the stress and implications of these official directives are presently in the other direction.

Secretary Wilson has himself disclosed this attitude in classifying "confidential" a nonsecret document solely because he did not wish to add to the problems of President Eisenhower and the Secretary of State.

I submit that this is a classic example of the way in which the classifying of information is being perverted to cover up mistakes or merely for the convenience of someone who would rather not be criticised.

Democracy thrives on criticism. To be sure, it is the misfortune of the public official to be inconvenienced almost daily by having to reply to criticism.

The official can be relieved of that inconvenience only at the expense of our democratic institutions.

The classification and subsequent release of the Ridgway letter points up another problem in this whole matter, the difficulty of proving that there is material being held back that is in no way secret. Only when information is later declassified for some reason—as in this case—can we know that there was really no legitimate reason for classifying it in the first place. With the tendency to be overzealous and overcautious in maintaining secrecy, there is undoubtedly a great deal of material classified that should not be. But who is to complain? The newsmen and the public cannot know what is being withheld from them. Certainly those who are being protected by concealing information adverse to themselves are not going to reveal it. And anyone who violates the security regulations is subject to prosecution.

I think we may well have to institute some such system as that suggested by our former colleague, Senator Benton, that the public interest in these matters be protected by the appointment of "people's advocates" to serve in each department or agency that classifies information.

Men drawn from the newspaper field, or with other suitable background, in these posts could then fight for the release of information to the public as the security-minded officials presently fight for the withholding of information.

They could make the argument for disclosure thus "forcing clarification of the reasons for nondisclosure and with the right of appeal to the Secretary of the Department."

I have spoken mostly of the problem of getting information and news from the Department of Defense. But, as I have already said, other departments and agencies of the Government present an equal problem to the newsmen. Equally, there have been cases of concealment and unnecessary secrecy—of self-serving security classification—in other parts of Government.

I know of numerous instances of newsmen encountering difficulties in trying to get news out of the other agencies and departments. As I have already mentioned here on other occasions, the charge has been made that newsmen have even been investigated, and intimidated, and harrassed for having been too diligent in ferreting out news that someone would rather not have disclosed. I must say I was shocked when I first learned of these charges. The idea that a reporter might be subjected to the harrassment of being investigated and having his friends subjected to similar pressures as retaliation for doing an honest job of reporting strikes me as an enormity not to be countenanced in a free society. I have since inquired about this among some of our most responsible journalists here in Washington and they have assured me that they have heard of such instances. But they point out that it is difficult to make any charge against the agency that is doing the investigation. Such agency need only say that the investigation is being carried out to see whether there has been any violation of security or of the espionage laws, but the reporter usually gets the idea quite clearly that the investigation is aimed at him more than at the security of the Nation. As I have stated in the past, I consider this a most serious matter which deserves the attention of the Congress.

Another complaint that members of the press have voiced is that some members of the Cabinet seldom meet with the press. As the Freedom of Information Committee of the American Society of Newspaper editors reported in April: "Public access to execu-

tive departments of the Government, through the formal press conference, certainly has been, on the whole, far from adequate in the past year, and has been notably inadequate in the first quarter of 1955."

I believe that the heads of Departments have an obligation to meet with the reporters with some regularity to permit the news reporters to question them about the activities of their departments. I am afraid the attitude is too often that expressed by the Chief of the Department of Agriculture foreign service when he was asked at the time of the Wolf Ladejinsky security case if Government business is not public business—"It is not and you know it" he replied to the press.

Secretary Benson backed him up in this when he was later asked about it, by saying: "We give the public information, but there are times when it is not to the public benefit to make certain announcements concerning governmental functions." This sort of attitude is injurious to the democratic process.

I have mentioned in the past how information concerning radioactive fallout was withheld by the Atomic Energy Commission for many months, until February 15 of this year, when publication of information by Dr. Ralph Lapp and the Alsop brothers finally forced the AEC to release the facts on a development already known in the other nations of the world, but which the administration was afraid to give to the American people. During this long period civil defense planning was retarded and the American people did not have the true facts upon which to base their judgments about the nature of hydrogen warfare and what consideration it should have in our foreign policy. There is here an example of the attitude revealed among the "Q-cleared" that there are some things that only the select few can know—that the public cannot be trusted to make the right decisions and therefore cannot be trusted with the true information.

Another example of concealment purely for concealment's sake—that is for the convenience of the department concerned—was the secrecy of the Department of Agriculture earlier this year when it increased the rate on disaster loans to farmers from 3 percent to 5 percent. This was not information that could lose for us the struggle against international communism. But it was information that the Department of Agriculture knew would not be greeted with enthusiasm by the farmers of America. So the Department of Agriculture just played it cozy and did not tell anyone about it. Not until a number of months later did a reporter get wind of the news. One more example of how nice it would be for government officials if only they did not have newsmen nosing around turning up unpleasant facts.

And, of course, the prize example of concealment is the deal known as Dixon-Yates. I do not have to go into all the details here to convince anyone that the administration would rather not have had this transaction discovered. They certainly went to great lengths to keep it quiet. Here is an instance of a major change in public policy being taken by the administration in secret with every attempt made to keep anyone from finding out about it. Not only was the press kept away—everyone else and especially the Congress have been kept from finding out what has been going on in the Budget Bureau, at the Atomic Energy Commission, in the White House, and over the telephone lines between the White House and the home of the Chairman of the Securities and Exchange Commission. I submit that in Dixon-Yates we have disclosed what happens when secrecy comes to pervade the Government.

We are now not concerned with information from the Department of Defense or the National Security Council; there is no element of security involved, except for the security of the administration. Nothing concerning the building of a powerplant in West Memphis, Ark., should be classified. But the curtain of secrecy that has gradually been enshrouding this administration has so spread out from the agencies in which security measures must be taken that we now have matters of the utmost public interest being concealed and covered up.

Dixon-Yates gives us a sample of what Government would be like if the present trend toward exclusion of the press and tightening up on the flow of information continues. Not only are important public policies altered without discussion or any public knowledge, but serious departures from proper ethical and legal practices are covered up and, in fact, concealed.

The use that has been made of the Presidential directive concerning the privilege of communications between the executive branch poses a serious challenge to the investigative and legislative authority of the Congress. Certainly, if the Congress cannot find what is going on in this highly dubious situation, neither the press nor the people can hope to know the truth about their Government.

One of the most serious threats presented in a long time to the right of access of the Congress, the press, and the American people to information about possible wrongdoing in Government is posed by the use in this case of the privilege for communications within the executive branch.

First, the entire transaction is hidden within the secrecy of the Bureau of the Budget and the Atomic Energy Commission, and now that the facts have begun to come out the Congress and the press are prevented from getting at the truth by the refusal of members of the executive branch to talk.

I am afraid that here we have the attitude that Government business is not public business carried to its logical extreme.

We have no idea how many similar deals may be hidden behind that cloak of concealment that has been enveloping the administration. But if we are to have Government of the people, and by the people, and not just for the administration, we are going to have to reverse this trend and carry on the public business in public.

I have not tried here to give the definitive and final word on the subject of secrecy in Government and freedom of the press.

A great many more examples and a great many other problems plaguing the newsmen in Washington could be cited. But I have sought to call the attention of the Senate to the increasing seriousness of the denial to the press—and consequently to the American people—of access to information. I have tried to make clear that I recognize that given the present international situation and the nature of the Communist conspiracy, it is necessary to take some security measures to deny to any potential enemy vital secrets and security information.

But, at the same time there are at least two possible abuses of classifying information for security purposes.

One is that overcautiousness will lead to an excess of security and secrecy so that facts will be unnecessarily classified. Some of the unnecessarily classified information may be information that the American people should have in order to form their judgments upon which the informed public opinion of a democracy must rest.

The other possible abuse is the misuse of the secrecy label to cover up mistakes or to so manipulate information that a false picture is presented to the American people. I have tried to present recent examples that illustrate both of these abuses.

This entire problem of secrecy and security of information is, of course, one that the Commission on Government Security will look into. During the hearings on the resolution to set up the Commission, J. Russell Wiggins, chairman of the Freedom of Information Committee of the American Society of Newspaper Editors, presented testimony which I commend to my fellow Senators as a most incisive analysis of this whole problem and most eloquent in its support of the importance of a free press to our democracy.

Also, before the subcommittee, testimony was presented that indicated just how excessive secrecy might work to the detriment of our Nation. We cannot yet know what a price we may have to pay in the long run for the stifling of science through too much secrecy, or the possible retarding of our industry that may result from the loss of that atmosphere of free interchange of information in which it has thrived. All of these dangers and others I pointed out in my statement during the debate on the establishment of a Commission on Government Security.

As I have said, I am sure that the Commission will study and make recommendations concerning this whole area of the problem of maintaining security of information in a democracy without destroying the democracy.

Here, today, I have tried to focus on one aspect of that problem—how to maintain freedom of the press and truthfulness of information while not revealing vital secrets to a potential enemy. As I have indicated, if the newspaper community supports such a move, I intend to take up the matter early in the next session and see what we can do to insure that the right of access of the press and of the public to information about our Government is not taken away little by little.

I fear that in some of the instances I have cited here today we have seen how that right of access to information embodied in freedom of the press has been diminished by abuses of secrecy.

I am afraid that which the Congress has been specifically prohibited by the Constitution from doing—"that Congress shall make no law abridging the freedom of the press"—is being done instead by executive directives, by political manipulation, and by fear.

I heard President Eisenhower speak some eloquent words on this subject when he addressed the United Nations anniversary meeting in San Francisco a short time ago. He told the delegates from countries all over the world:

"The charter recognizes that only those who enjoy free access to historical and current facts and information, and through objective education learn to comprehend their meaning, can successfully maintain and operate a system of self-government. Our Republic, likewise, maintains that access to knowledge and education is the right of all its citizens—and of all mankind."

Those are noble words, and I hope that the President will reconsider in their spirit some of the measures presently being taken in his executive departments.

EXHIBIT 1

[From the New York Times of March 31, 1955]

WILSON CUTS, CURBS INFORMATION STAFF

(By Anthony Leviero)

WASHINGTON, March 30.—The Secretary of Defense ordered the Armed Forces today to reduce public-information personnel by one-half or one-third. He also imposed restrictions on what officials could say or write.

He directed the replacement of military public-information chiefs by civilians. This

means the removal of 1 rear admiral, 1 major general, and 2 brigadier generals from key Pentagon positions.

Secretary Charles E. Wilson issued two orders for the changes. Both appeared to have been pushed through hurriedly as a result of recent incidents.

Among them was the background press session held by Adm. Robert B. Carney, Chief of Naval Operations, last week that led to published reports that the Red Chinese might begin their attack on the Chinese offshore islands around the middle of April.

Two articles by Navy men on active service hastened the issuance of the written restrictions. One was by Rear Adm. Daniel V. Gallery. In it he advocated that United States troops captured by Communists should, to avoid brainwashing, sign false confessions and even give some factual information. He sent an information copy of the article to the Secretary of the Navy but did not submit it for advance review, according to a Navy spokesman. Many high officials were shocked by his proposal.

The other was a two-part article by Comdr. Eugene P. Wilkinson, captain of the atomic submarine *Nautilus*, about the cruises of the vessel. At the Navy's direction, he held a news conference today at New London, 1 week in advance of publication of the first article. Reporters had protested his articles on the ground that they had been denied information about the vessel on security ground.

REPORTERS PROTEST

Reporters did not react favorably to the directive to remove professional military men from the top information posts. Some freely expressed their views to C. Herschel Schooley, civilian Director of Information of the Defense Department, when the orders were issued.

They said that in the past some civilian public relations men in the three armed services had tended to become promoters of their particular chiefs and to slight or cover up activities in their departments.

On the other hand, the advent of distinguished combat officers in information positions during and since World War II has enabled the press to get much information that otherwise would be denied by crusty publicity-shy units at the General Staff level.

Moreover, the professional military men, while sometimes lacking experience in press needs, have a technical competence lacked by civilians that has often expedited the release of information about a highly complex military establishment.

A civilian without press experience is the topmost information official in the Defense Department. He is Robert T. Ross, a former Member of Congress, who is Assistant Secretary of Defense for Legislative Liaison and Public Affairs. Next below him is Mr. Schooley, with a centralized group of civilians and military officers from the three services to handle the vast demands of the press and veterans' and other civic and industry organizations.

The order imposing restrictions on what civilians and military officials may say or write was followed a few hours later by the force reduction. The chief points of the two orders were:

The information activities will be operated "within the letter and spirit of current Congressional directives."

The personnel reduction both in the field and in the Pentagon will eliminate between 200 to 300 persons from information activities.

Pending the elimination of the military information chiefs the Secretaries of the Army, Navy and Air Force will assume responsibility for public information activities.

Each service secretary is requested to "develop a constructive (public information) program consistent with national security and the objectives and policies of the Department of Defense."

Military and civilian personnel planning a news release or speech will have to submit it for clearance at least 3 days before issuance to the public. Some information officials said this made no exception for emergency situations requiring prompt official comment on an unexpected development.

Official personnel "shall not make any commitment to furnish manuscripts to any outside publication unless prior clearance is obtained from the service secretaries or the Secretary of Defense."

All manuscripts must be submitted to the same officials or their designees for clearance before submission to an editor or publisher.

Official personnel may not do outside writing during working hours, and must be on "an exact parity" with nonofficial writers "with respect to accessibility and use of technical or other information."

Clearance of an article will be based not only on security considerations but also on the test whether it is a "constructive contribution to the primary mission of the Department of Defense."

Civilians paid a salary of about $14,500 a year would replace these three service information chiefs: Rear Adm. William G. Beecher, Navy; Maj. Gen. Gilman C. Mudgett, Army; Brig. Gen. Brook Allen, Air Force; and Brig. Gen. Frank Wirsing, Marine Corps.

EXHIBIT 2

DEPARTMENT OF DEFENSE DIRECTIVE, MARCH 29, 1955

CLEARANCE OF DEPARTMENT OF DEFENSE PUBLIC INFORMATION

I. Purpose: This directive prescribes a uniform policy and procedure for the review of manuscripts concerning military matters prepared by military personnel and civilian employees for publication. It also prescribes guidelines for the official clearance of speeches, press releases, photographic material and other information.

II. General principles guiding the release of information: The people of the United States are properly interested in the Department of Defense and the steps it is taking to protect the national security. The Department of Defense has an obligation to inform the public within the limitations of security and policy with respect to the Department's activities and to provide the public with accurate factual and other proper information regarding the Army, Navy, Air Force and Marine Corps.

Information provided should be timely and presented to the public through the usual news media (press, magazines, journals, radio, television, etc.) in a manner consistent with the ethics and procedures normally followed in dealing with such media. The public information efforts of the Department of Defense, while essential, should always be consistent with the Department's major role of insuring national security.

III. Security and policy review: Defense information released to the public through news media by military or civilian personnel of the Department of Defense, such as speeches, press releases, and photographic material, shall be submitted to the Secretary of Defense through the Assistant Secretary of Defense (Legislative and Public Affairs) or other designees for review and clearance not less than 3 days in advance of the release of such information to the public.

Military and civilian personnel shall not make any commitment to furnish manuscripts to any outside publication unless prior clearance is obtained from the appropriate Secretary of a military department, and the Secretary of Defense or their designees. All such manuscripts on military matters written by military and civilian personnel for outside publication shall be submitted for review and clearance by the appropriate Secretary of a military department and the Secretary of Defense or their designees before submission to the publisher or editor.

Such review and clearance shall be related not only to a determination of whether release of the material would involve any technical or substantive violation of security but also to a determination of whether release or publication of the material would constitute a constructive contribution to the primary mission of the Department of Defense.

IV. Writing for publication by defense personnel: Personnel of the Department of Defense, military and civilian, who write for outside publication not in connection with their official duties on any subject or in any form shall ascertain that such activity will not interfere or conflict in any way with their regularly assigned duties. Such activity will not be conducted during normal working hours, or accomplished with the use of Department of Defense facilities, or personnel. Such writers will be on an exact parity with outside professional writers with respect to accessibility and use of technical or other information for manuscripts or articles written for publication.

V. Implementation: It is requested that the Secretaries of the military departments issue such supplementary guidelines implementing this directive as they consider necessary or appropriate to accomplish the purposes hereof.

It is recognized that certain types of information—for example, information released by local commands not having overriding national defense policy implications—cannot be cleared in full compliance with the requirements of this directive. To provide adequate leeway in such cases it is appropriate for the Secretary of any military department to submit to the Secretary of Defense for approval supplemental general instructions governing the clearance of such matters.

VI. Responsibility: All personnel shall assume personal responsibility for their speeches, articles and information releases being consistent with the national security and the policies and objectives of the Department of Defense.

VII. Relationship to other directives: All other directives or memoranda or parts thereof to the extent they are inconsistent with the provisions of this directive are modified accordingly or rescinded as appropriate.

VIII. Effective date: This directive is effective immediately.

C. E. WILSON,
Secretary of Defense.

EXHIBIT 3

[From the New York Times of April 7, 1955]

NEWS CURBS STIR PENTAGON DISPUTE—CONFUSION, RESISTANCE, CUT IN PUBLIC INFORMATION FOLLOW ISSUANCE OF WILSON ORDERS

(By Anthony Leviero)

WASHINGTON, April 6.—The Pentagon is experiencing one of the greatest internecine battles since the big conflict over unification of the Armed Forces ended in 1947.

In the great labyrinth on the Potomac River, passive resistance, seemingly deliberate slowdown, and honest confusion have followed the issuance of Charles E. Wilson's directive for strict controls on the release of information.

The Secretary of Defense put out two orders at once last week, one on controls and the other ordering the services to supplant their military information chiefs with civilians.

Meanwhile, newsmen were not getting much news out of the place. While waiting for the fight to simmer down, they were

doing miles of extra legwork in the vast structure, trying to get to news sources through back doors.

The battle essentially is between civilian forces, headed by C. Herschel Schooley, Director of Information for the Defense Department, and the military information officials. The military men are not organized, and some are well intentioned, but some are engaging in undercover psychological and guerrilla warfare against the edicts.

CONTROVERSIAL PROVISION

The basic cause of the strife was the following provision governing approval of information before its official release.

"Such review and clearance shall be related not only to a determination of whether release of the material would involve any technical or substantive violation of security but also to a determination of whether release or publication of the material would constitute a constructive contribution to the primary mission of the Department of Defense."

Another important factor is that the orders not only directed the supplanting of two generals, an admiral, and a colonel with civilian information officials but also required the armed services to reduce their public information personnel by one-third to one-half.

As a result of the directives, some service officials have been rejecting the most trivial and routine queries and referring them to the combined four-service information office operated by Mr. Schooley.

Formerly a reporter could go directly to a Navy, Army, Air Force, or Marine Corps information office and get a ready answer to a question. Now he is told to take it to the Defense Department level.

At the top level, the query is referred back to the pertinent service for an answer, which is then given to the reporter. This may take several days.

SOME RESULTS OF DIRECTIVES

Mr. Schooley has been under continuous bombardment of queries that he considers trivial or ludicrous. Here are some in which the constructive contribution provision figured:

The Navy submitted a new prayer guide for approval.

When a reporter for the Army-Navy-Air Force Journal obtained requested obituary material on a Marine Corps brigadier general it was marked "reviewed and cleared" by a Navy captain.

A reporter who requested the present assignment of Rear Adm. Daniel V. Gallery, who recently wrote a controversial magazine article on brain-washed prisoners of war, was referred by a Navy lieutenant to the Defense Department for the answer.

Last Friday night, the Army, which had agreed to release parts of some wartime documents, suddenly reclassified them confidential, though there was no legal authority to do so. Previously they had been marked "restricted," a category abolished by President Eisenhower. An Army spokesman said that even if they had not been made "confidential," he could not release them without a construction contribution review. The following morning the papers were declassified again but were turned over to Mr. Schooley, who still has them.

OFFICIALS TAKE NO CHANCES

Some of the service officials said that they simply could not take chances in view of the constructive contribution provision. Some were seeking interpretations, but as a matter of fact not all officials at the Defense Department level were sure of all the answers.

Mr. Schooley denied press criticism to the effect that the clause was intended to prevent unfavorable publicity. He noted that all three service Secretaries concurred in the directives at a recent meeting.

Some service officials also believed that they had found a loophole whereby they could evade the order to supplant military information chiefs with civilians paid $14,800 a year.

They suggested the Secretary or one of the Assistant Secretaries in each service could assume the chief responsibility, while retaining the present professional military men in essentially the same capacity.

But Mr. Schooley said nothing doing. He added that one or two of the service Secretaries had made overtures on this at a meeting last Monday, and Mr. Wilson and Robert B. Anderson, Deputy Secretary of Defense, "nailed that hard and quick."

Mr. Wilson also rejected a proposal to put in civilians as middlemen between the military men and the Secretaries.

All this has been going on while Mr. Wilson has been home sick with a cold. Some heads may be knocked together when he returns.

EXHIBIT 4

[From the New York Times of April 13, 1955]

CENSORSHIP MOVE DENIED BY WILSON—SECRETARY DEFENDS HIS CURB ON GIVING INFORMATION

(By Anthony Leviero)

WASHINGTON, April 12.—Charles E. Wilson, Secretary of Defense, defended today his directive for control of Defense information, denying that it was censorship.

He said in a news conference that the widespread publication of technical information in the hydrogen bomb age made national security a "greater problem than ever before in history."

He declared he would be willing to pay hundreds of millions of dollars to get the same kind of information about the Soviet Union as that country gets about the United States in its newspapers and periodicals.

The Secretary outlined a dilemma created by the great outpouring of technical information in a free and highly industrialized society. He said "our top folks" felt too much was being published as a result of rivalries between corporations with defense contracts and between the Armed Forces, and of the enterprise of a free press and the historical tendency of scientists to report all the latest developments.

Mr. Wilson said the administration was grappling with a complex problem the solution of which was not seen clearly yet. He remarked that perhaps it might be a good idea to consult a group of editors and publishers about it.

He disclaimed any intention to try to influence publishers but he made clear that he wished to keep a tight rein on spokesmen of his own Department.

During World War II this country carefully combed through all German technical and professional journals obtained through secret agents or neutral capitals. Often it was possible to gain from these nonsecret periodicals valuable data on weapons and equipment months before they were encountered on the battlefield.

Administration officials, including the President, now see this process applied by Russia to the United States, and Mr. Wilson's controversial directive was one effort to reduce the flow of technical data that gave away too much American information.

In the 70-minute news conference, Mr. Wilson was bombarded with far more questions about his "constructive contribution" provision than about other aspects of the directive of March 29.

In this discussion Mr. Wilson indicated that he was concerned with questions of propriety and criticism of his Department and its policies as well as with defense secrets.

The directive provides that defense information, before it is released, must be reviewed not only for security but also to determine whether it would "constitute a constructive contribution to the primary mission of the Department of Defense."

Critics have assailed this as an effort to obtain conformation or suppression of disagreeable facts. In a formal statement with which he opened the conference, Secretary Wilson reiterated this point.

He said the directive was also "intended to avoid criticism of service rivalry in the release of information."

Mr. Wilson was asked whether there was a typographical error in his directive, whether it should read "criticism and service rivalry."

It was suggested to him that criticism of unnecessary rivalry between the services would make a constructive contribution. But he replied that what was intended was that the departments should refrain from making statements that laid them open to criticism for rivalry.

"The last thing I would be a party to," said Mr. Wilson, "would be a cover-up of anything that ought to be exposed for the good of the country. The criticism is likely to be constructive."

Mr. Wilson said no effort would be made to muzzle any defense official who appeared before a congressional committee. But one Defense Department source said that material was censored out of a statement prepared by Gen. Nathan F. Twining, Air Force Chief of Staff, for presentation to a congressional committee.

The statement was passed by the security review branch of the Defense Department's Office of Public Information, but was cut out by a higher official.

It was understood that the censored portion dealt with the Falcon, an air-to-air guided missile, and other similar new weapons previously discussed in a speech by Trevor Gardner, Assistant Secretary of the Air Force.

Although Mr. Wilson denied that any recent incident has provoked his order and said it had been in preparation for months, other sources had said the Gardner speech had precipitated the action.

EXHIBIT 5

MEMORANDUM FOR DIRECTOR, OFFICE OF PUBLIC INFORMATION, DEPARTMENT OF DEFENSE, APRIL 2, 1955

Subject: GHQ, USAF in the Pacific Downfall Strategic Plan; GHQ, USAF in the Pacific Staff Study Operations Olympic; GHQ, USAF in the Pacific, Staff Study Operations Coronet; GHQ, USAF in the Pacific Downfall Strategic Plan—G2 Estimate of the Enemy.

1. As a result of press inquiries, the subject documents have been reviewed by the Department of the Army, and declassified.

2. The Department takes the position that no security is involved but that the documents, taken collectively and reported in full, or distributed to the press without control, would reveal information considered vital to an enemy in regard to the planning and organization of United States forces for mounting of a major seaborne invasion on a hostile shore.

3. The Department interposes no objection to the press examining the documents in the presence of an appropriate Department of Defense official who is aware of the position taken in paragraph 2 above.

4. Subject documents are forwarded to Department of Defense for appropriate action under the Department of Defense Directive No. 5230.9, 29 March, 1955, subject: Clearance of Department of Defense Public Information.

5. Request return of documents when they have served their purpose.

T. S. RIGGS,
Brigadier General, GS, Deputy Chief of Information and Education.

EXHIBIT 6

[From the New York Times of April 26, 1955]

GOP EVADES NET ON DEFENSE NEWS—DEPARTMENT OFFICIALS ASSERT PAMPHLET USED ITEMS NOT CLEARED FOR PUBLICATION

WASHINGTON, April 26.—The Pentagon conceded today that its new rules, designed to block publication of uncleared information, had been evaded by Republicans.

A pamphlet published in March by the Senate Republican Policy Committee contained information about three military items that had not been approved for publication, the Department said. Robert T. Ross, Assistant Secretary of Defense, asserted, however, that the disclosures revealed "no significant technical information" and did not constitute "a breach of security."

These comments were made at a Pentagon press conference, at which Secretary of Defense Charles E. Wilson tried to clarify his new regulations about what might and might not be released for publication. Pressed to clarify his rule that no information should be released that did not make a "constructive contribution" to the Department's mission, Mr. Wilson said it was impossible to do so.

"LET'S SEE HOW IT WORKS"

"I don't know how to define good judgment," the Secretary asserted. "If you just let us operate for a while, we'll all understand it. Let's see how it works."

Mr. Wilson introduced his new Deputy Assistant Secretary for Public Affairs, R. Karl Honaman. Mr. Honaman made it clear that his mission was to tighten the information clamps.

Mr. Honaman comes to his new job from the Department of Commerce. He headed the Office of Strategic Information there. In that position, he incurred sharp editorial criticism by his advocacy of voluntary censorship of "strategic" nonsecret technical information.

The Republican pamphlet, National Defense Under the Republican Administration—Today and Tomorrow, has been heavily criticized by Democrats in Congress. They assert the pamphlet violated the new secrecy orders.

The Commission on Organization of the Executive Branch of the Government headed by former President Hoover also came in for criticism during the press conference.

Thomas P. Pike, Assistant Secretary of Defense for Supply and Logistics, labeled some of the Commission's recent reports as not factual, misleading, and out of date.

EXHIBIT 7

[From the New York Times of April 28, 1955]

PRESIDENT LIMITS FIELD OF SECRECY—CONFINES SECURITY IN NEWS TO TECHNICAL MILITARY DATA HELPFUL TO ENEMIES

WASHINGTON, April 27.—President Eisenhower asserted today that he confined security in the news wholly to technical military information that could be of help to a potential enemy.

As if to back up his position, he revealed that he had personally looked into the exclusion of reporters from a White House conference on the distribution of the Salk antipolio vaccine. He noted that another vaccine conference this morning was open to reporters.

A recent order by Secretary Charles E. Wilson on the release of information from the Department of Defense and the handling of the vaccine conference of last Friday by Mrs. Oveta Culp Hobby, Secretary of Health, Education, and Welfare, have drawn protests from editors and reporters.

CITES A BLUNDER

The President also told his news conference that he thought a blunder had been made by the Senate Republican policy committee in a pamphlet that gave some information on new weapons and equipment.

Mr. Wilson said yesterday that he thought the pamphlet was all right. It was issued by the Republicans to combat Democratic attacks on defense cutbacks.

Somebody, said the President, "gave out information that I wouldn't have given out, at least." He went on that "for some 2 years and 3 months I have been plagued by inexplicable undiscovered leaks in this Government."

"I just don't believe that it is justifiable to release anything that applies to secret war plans, war policies, war purposes, and war equipment of this Government," he said.

Such information, he said, was what "foreign intelligence systems spend thousands and thousands of dollars to get unless we give it to them for nothing."

"And since we don't get it for nothing, I just don't believe in that kind of a trade," he said.

He described as "foolish" the holding secret of any document of the World War, "including my own mistakes," except any involving some past agreement still in effect with a foreign nation.

Without mentioning the rivalry among the Army, Navy, and Air Force in making public announcements, he observed that technical military secrets should not be put out "merely because of a desire of one section of the [Defense] Department to be first to make such an announcement."

Mr. Wilson's order directed that all information from any branch of the armed services must be cleared through his own information office.

EXHIBIT 8

[From the Washington Post and Times Herald of April 28, 1955]

BAILING OUT A BLUNDER

Consistency obviously is no virtue to Secretary Wilson, but he and his friends must be having a hard time keeping a straight face. What they have said, in effect, is that a compilation of military information published by the Republican Policy Committee does not constitute a violation of security even though it includes some items not previously released; but if anyone else should disclose such data, off to the dungeons with him. President Eisenhower demonstrated both a more acute sense of smell and a nicer sense of propriety yesterday by labeling the release a blunder.

How serious were the affronts to security, if any, we do not know. The brochure, entitled "National Defense Under the Republican Administration," contained descriptions of Air Force and Navy guided missiles—descriptions of the sort that the services themselves have been forbidden to give out. Possibly, however, the disclosure was not very important in itself. What is significant is that Mr. Wilson apparently has developed a double standard. It is not hard to imagine the screams that would have emanated from Mr. Wilson's office if a Democratic committee had undertaken a similar disclosure for political purposes.

All of this illustrates again the ineptness with which Mr. Wilson is approaching the information problem. The danger is that the present blunder will serve as an excuse for clamping down even more on information in which the people have a legitimate interest and which they need to judge public affairs. No one can object when responsible defense officials decide, on grounds of military security, that certain information about weapons and plans ought to remain classified. Some of the breaches of security in the past have resulted from the vying for publicity among the services. It is wholly proper that this kind of information should be controlled as an administrative matter. But there is a vast difference between the sort of control based on security considerations and Mr. Wilson's efforts to bottle up information that does not make a constructive contribution to the primary mission of the Defense Department. This may be an appropriate formula to apply in General Motors, but it is an indefensible standard for the conduct of public business.

Fears on this score will not be relieved by the appointment of R. Karl Honaman, lately head of the misnamed Office of Strategic Information in the Department of Commerce, as Deputy Assistant Secretary of Defense for Public Affairs. Mr. Honaman is an able man who no doubt was a very good director of publication for the Bell Telephone Laboratories. Here again, however, there is a great difference between a private company's interest in putting out information to its advantage and what ought to be the responsibility of the Defense Department in making available all information that does not bear on security. The burden of proof ought to be on those who would withhold information. Instead, it seems to have been transferred to those who would release it.

By the way, what ever happened to the Defense Department's promise to make public General MacArthur's World War II messages to the Joint Chiefs of Staff?

EXHIBIT 9

[From the Washington Post and Times Herald of June 15, 1955]

MATTER OF FACT

(By Joseph and Stewart Alsop)

SECURITY VERSUS DEMOCRACY

Until very recently, the American people's right to know the basic facts of their national situation was never questioned for an instant. The people's right to know was properly regarded as the mainspring of our democracy.

Now, however, no one seems to doubt the American Government's right to bamboozle people by the concealing of the life-and-death facts. The Eisenhower Administration is actively seeking to install a peacetime censorship in America. The censorship has as yet aroused very little opposition. And there was no word of protest, or even comment, when the thinking behind that censorship was unblushingly confessed a few weeks ago.

The confession was made by the former secretary of the National Security Council, Robert Cutler, in a speech to the Associated Harvard Clubs. The Cutler views on the measure of truth that ought to be told the people have been specially commended to the White House staff by the President himself. This incredible speech, then, can be taken as accurately reflecting the official White House line.

In a morass of somewhat self-satisfied verbiage, Cutler makes two central points. First, he declares that the people should be told no fact included in any document classified confidential or above and should be especially kept from knowing any facts about thermonuclear or other weapons; the status of our own defense effort; intelligence from the rest of the world which, of course, includes the status of the enemy defense effort and enemy intentions, and the reasons for our national security policies and character of our current diplomacy.

In short, all facts of real significance—all the vast paraphernalia that goes into executive decision-making—are to be kept from the American people. This is because of Cutler's second point. Theirs is not to reason why, he in effect, says of the American people. According to Cutler, national decision should be made, not by the people, but by the President alone. At best, the Nation is to have a sort of pale privilege of post-audit on the President's decisions. "The people," Cutler generously says, "may always call [him] to an accounting, for [his] acts and omissions to act.

The brackets are Cutler's and if you read his speech, you will wonder why he did not also capitalize the words "him" and "his." He has need to believe that the President possesses divine attributes; for none but a president-deity could accommodate the Cutler system and the American system.

Our system, although Cutler forgets it, happens to be a democracy. In a democracy, the people are the masters; and even such high officials as the Secretary of the Security Council and the President, himself, are the people's servants. And any democratic government will surely fail if its masters, the people, are successfully kept in the dark about the national situation.

The facts that Cutler would withhold from the people, on the ground that they are classified, are almost all the facts which define the national situation of this Republic. Such problems as the relative status of our own defense effort and the Soviet defense effort now have as much bearing on our national situation as the existence of the Atlantic and Pacific Oceans; and maybe they have more bearing. And if the Cutler recipe is followed in a free society—and the administration is going to any lengths to follow that system—three things automatically happen.

First, the society is automatically crippled because the people do not know the challenges that confront them, and therefore do not rise to meet those challenges.

Second, the society is crippled in another way, too. The official leadership starts whining that the "people won't stand for" doing the necessary things, whose necessity they, themselves, have hidden from the people.

Third, the temptation to cover up failures, instead of correcting them, becomes altogether irresistible to the leaders. For it is ridiculous to talk to the people about "holding the President accountable for his acts and omissions to act" when the people are being thoroughly and continuously bamboozled, and bamboozlement is established high policy.

All three of these results of the Cutler system are already beginning to appear in America. They must inevitably add up, in the end, to a kind of creeping national paralysis in the face of the deadly dangers of our times. And for what purpose, one asks, are we risking national paralysis by withholding the truth from our people?

For no purpose whatever, is the ironical answer. For even Cutler has not dared to suggest that we sacrifice the outward trappings of a free society, our budget is still public. The locations of our war plants, the patterns of our urban centers, all our new starts in industry, are not yet hidden matters. A great flood of technical publications will tell any subscriber who wishes to purchase them the current state of our military-industrial progress. And from these and other public sources, the Soviet intelligence is able to deduce with ease all those facts Cutler and others like him would hide from our people.

In short, the Cutler system, which is also the Eisenhower administration system, is not merely antidemocratic. Worse still, it is plain silly, unless its real purpose is to prevent those political embarrassments which officials of all governments have always wished to avoid.

EXHIBIT 10

[From the Washington Post and Times Herald of June 21, 1955]

SECRECY A LA MODE

Censorship is a horrid word, and you won't catch anyone in the administration endorsing such a repugnant concept. Publicly, that is. The fact remains that despite the sanctimonious denials something very akin to censorship—call it gray censorship or suppression of information—is fast spreading through the Government.

The latest example comes again from the Defense Department, which recently instituted a rule whereby the release of information was to be judged by whether it made a "constructive contribution" to the department's mission. R. Karl Honaman, Deputy Assistant Secretary for Public Affairs, has devised a "balance sheet for strategic information" to aid field commanders in deciding what nonclassified information should be released. Mr. Honaman was lately director of the misnamed Office of Strategic Information in the Department of Commerce, where he attempted to transfer to the press the responsibility for withholding information which the Government was unwilling to classify.

Among the criteria listed on the new balance sheet are "effect on miltary power," "effect on industrial power" and "effect on morale." These are to be used in weighing the release of information which bears no military security classification. If they are to be applied literally, it is hard to see how anything but the most innocuous information will be given out. Take, for example, a scandal in defense procurement. Would news of this make a constructive contribution to the Defense Department? Would it not have a bad effect on morale? The safe thing would be to suppress it.

Put this together with other tendencies in the administration. Cabinet members, with several conspicuous exceptions, seem to be holding progressively fewer press conferences. Not infrequently there is an air of hostility toward the press, and sometimes there are reprisals against reporters who manage to get information anyhow. The hush-hush over the problems of nuclear fallout is an example of suppression. The much advertised Operation Alert of last week could just as well have been Operation Asleep so far as the public was concerned. Not only did it seemingly ignore fallout, but there are no standards by which the public can judge the operation's success or failure except what the administration may choose to tell.

Robert Cutler, former executive secretary of the National Security Council and now a consultant to the President, enunciated in a speech last month a philosophy toward information that may be described as a sort of creeping aunty-knows-bestism. That is, information, even nonclassified information, is not something that belongs to the people for judgment of public affairs; it is a commodity to be manipulated to the Government's advantage. Undoubtedly the men who hold this view are sincere and patriotic. But their philosophy, even in a period of cold war, is a dangerous one for a country in which the successful operation of government depends on public enlightenment. For the idea that information is something that belongs to the Government to use as it sees fit comes perilously close to the concept of government for government's sake.

EXHIBIT 11

Form SEC-248
(5-2-55)

U. S. DEPARTMENT OF COMMERCE
OFFICE OF THE SECRETARY

BALANCE SHEET FOR STRATEGIC INFORMATION

Checking 1 column only for each line will help you to decide whether dissemination of information will help or harm the interests of the United States, in net balance, all things considered

Item	Helpful to United States		Balances	Harmful to United States	
	Much	Little		Little	Much
Net effect on military power (consider how information will help United States military power and that of hostile nations. Strike balance).					
Net effect on industrial power (consider effect on ability of United States and of hostile nations to build stronger economic foundation for military power).					
Effect on morale (from strategic angle consider effect on United States morale, on hostile morale, on world opinion).					
Other strategic angles (for example, does it reveal our weak points and strong points in way to help enemy decide where, when, how to attack or sabotage, undermine, or avoid us)?					
Other considerations (anything you can think of): ---------- ---------- ----------					

In my judgment, in light of above, net effect of the dissemination of this information would be helpful ------ harmful ------, to the interests of the United States.

---------- (Date)

---------- (Name)

---------- (Department)

---------- (Title)

EXHIBIT 12

JUNE 2, 1955.

DEAR ———: No doubt you are aware of the program of the Office of Strategic Information, Department of Commerce, for the control of the flow of technical information which is unclassified, but which is strategically valuable to enemy or potential hostile nations.

In furtherance of its program, that Office has prepared a check sheet, Balance Sheet for Strategic Information, for use in determining whether the release of a particular item of information will help or harm the interest of the United States. A pad of these forms is forwarded herewith (enclosure 1).

It is considered that this check sheet provides useful guidance with respect to the considerations which should be weighed in determining whether to release a given item of information. Those concerned with the release of information must necessarily think in general terms about whether the release of the information in question would be harmful to the United States. The considerations suggested by this guide are fairly obvious and are implicit in the overall judgment regarding release. However, the check sheet does serve to channel this thinking.

We here have found this form of interest with respect to the factors to be considered. We do not expect those concerned to accomplish any such form in connection with each proposed release. The usefulness of the form is rather in reminding, in a concrete way, those concerned that there are other considerations in connection with the release of material than simply whether the information is classified or privileged.

The enclosed pad of forms is made available to you for your information and such use as you may find appropriate.

Sincerely,

T. S. RIGGS,
Brigadier General, GS,
Acting Chief of Information and Education.

ADDITIONAL ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 2, 1955, be presented to the President of the United States the following enrolled bills and joint resolution:

S. 135. An act for the relief of the Elkay Manufacturing Co. of Chicago, Ill.;

S. 463. An act to authorize the issuance of commemorative medals to certain societies which Benjamin Franklin was a member, or sponsor in observance of the 250th anniversary of his birth;

S. 878. An act to amend the act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character;

S. 1093. An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes;

S. 1159. An act for the relief of Wilma Ann Schilling and her daughter, Ingertraud Rosalita Schilling;

S. 1296. An act for the relief of Maria Anna Coone;

S. 1577. An act to amend the acts granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate toll bridges across the Connecticut River;

S. 1730. An act for the relief of Anna Marie Hitzelberger Scheidt and her minor child, Rosanne Hitzelberger;

S. 1758. An act to amend the Bankhead-Jones Farm Tenant Act, as amended, to modify, clarify, and provide additional authority for insurance of loans;

S. 1965. An act to repeal a particular contractual requirement with respect to the Arch Hurley Conservancy District in New Mexico;

S. 2198. An act to extend the period of restrictions on lands belonging to Indians of the Five Civilized Tribes in Oklahoma, and for other purposes;

S. 2403. An act to authorize the dual employment of custodial employees in post office buildings operated by the General Services Administration, and for other purposes;

S. 2511. An act to amend the Agricultural Adjustment Act of 1938, as amended;

S. 2604. An act to increase the borrowing power of the Commodity Credit Corporation;

S. 2630. An act to facilitate the establishment of local self-government at the communities of Oak Ridge, Tenn., and Richland, Wash., and to provide for the disposal of federally owned properties of such communities; and

S. J. Res. 91. Joint resolution to authorize the Secretary of Commerce to sell the steamship *La Guardia.*

ADDITIONAL BILLS AND JOINT RESOLUTION INTRODUCED

Additional bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LEHMAN:

S. 2757. A bill for the relief of Sebastiano Lombardo; to the Committee on the Judiciary.

By Mr. McCLELLAN (for himself and Mr. FULBRIGHT):

S. 2758. A bill to authorize Federal taxpayers to maintain an action to test the constitutionality of a certain appropriation; and for other purposes; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 2759. A bill to amend the Boulder Canyon Project Adjustment Act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. WATKINS when he introduced the above bill, which appear under a separate heading.)

By Mr. CLEMENTS (for himself and Mr. KNOWLAND):

S. J. Res. 104. Joint resolution equalizing the salaries of employees in the Senate press galleries with those of employees in the House of Representatives press galleries; considered and passed (an original joint resolution).

(See the remarks of Mr. CLEMENTS when he introduced the above joint resolution.)

ADDITIONAL MATTERS ORDERED TO BE PRINTED IN THE RECORD

By Mr. KEFAUVER:

Summary of hearings and results of investigation by Subcommittee on Juvenile Delinquency of the Committee of the Judiciary, dealing with the relationship of pornographic materials to juvenile delinquency.

CONCLUDING REMARKS OF THE VICE PRESIDENT

Mr. HUMPHREY. Mr. President, I am about to move that the Senate stand in adjournment——

The VICE PRESIDENT. Will the Senator withhold his motion so that the Presiding Officer may make a statement?

Mr. HUMPHREY. I withhold my motion.

The VICE PRESIDENT. The Presiding Officer does not wish this occasion to pass without expressing appreciation to the Members of the Senate, particularly to the acting majority leader and the minority leader, for the remarks concerning the Presiding Officer, and for the cooperation they have extended throughout this session, which was essential to maintaining the dignity of this great legislative body.

I wish also to express appreciation to the President pro tempore, who is not with us now, and to Senators on both sides of the aisle, but particularly those on the majority side, since most of the Presiding Officers, who presided over the Senate in the absence of the Vice President came from that side.

The junior Senator from Kentucky [Mr. BARKLEY], particularly has served frequently in that capacity, and his great experience was not lost to the Senate. It was fortunate that he was able to perform that duty on his return to the Senate during this session.

Finally, as Presiding Officer, I wish to express my appreciation to all during this session who have given advice which is essential to the smooth operation of the Senate, those who sit immediately in front of the Presiding Officer's desk. Having served in the Senate both as a Senator and as President of the Senate, I know the Senate could not properly conduct its business without the Parliamentarian and his assistants to advise the Presiding Officer on the rulings to be made.

So I express best wishes to the Members of the Senate, to their staffs, and to the staff of the Senate for a happy period of rest and relaxation until the next session.

Mr. MORSE. Mr. President, will the acting majority leader permit me to add to the eulogies a word for the wonderful little gentlemen, the pages of the Senate, for the wonderful service they have rendered, and the fine work they have performed?

Mr. HUMPHREY. I deem it a high privilege to be occupying the seat of the majority leader as a sort of acting-acting majority leader, and I wish to associate myself with the kind comments, and well-deserved comments, which have been made with respect to the Presiding Officer, the Vice President of the United States, the President pro tempore of the Senate, the minority leader, and, of course, as I said earlier, the majority leader.

On behalf of my distinguished colleagues, I also should like to say to the pages, to the staff of the Senate, to the doorkeepers, the clerks, those in the press and radio galleries, and to each and every one, a word of appreciation and gratitude for the kindliness, courtesy, and cooperation which has been extended to us.

I know that I bespeak for all when I say that I hope and pray that God in His infinite wisdom may see on safe journeys all those who go to their homes in distant places, and may this Republic of ours continue to be strong, mighty, and righteous.

In that spirit, Mr. President, in accordance with the terms of Senate concurrent resolution (S. Con. Res. 57) heretofore adopted, I move that the Senate do now adjourn sine die.

The motion was agreed to; and (at 12 o'clock p. m.) the Senate adjourned sine die.

ENROLLED BILLS SIGNED AFTER SINE DIE ADJOURNMENT

Pursuant to the order of the Senate of August 2, 1955,

The following bills were signed after the sine die adjournment by the Vice President, which had previously been signed by the Speaker of the House of Representatives:

On August 3, 1955:

S. 125. An act for the relief of the State of Illinois;

S. 197. An act for the relief of Vincenzo Santagata;

S. 198. An act for the relief of Fillipo Mastroianni;

S. 204. An act for the relief of Fred P. Hines;

S. 393. An act for the relief of Chicko Suzuki;

S. 550. An act for the relief of John Axel Arvidson;

S. 714. An act for the relief of Alfio Ferrara;

S. 730. An act granting the consent of Congress to the States of Kansas and Oklahoma to negotiate and enter into a compact relating to their interests in, and the apportionment of the waters of the Arkansas River and its tributaries as they affect such States;

S. 732. An act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York city area, and for other purposes;

S. 1014. An act for the relief of Henry Duncan;

S. 1033. An act for the relief of Ann Arbor Construction Co.;

S. 1041. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes;

S. 1077. An act to provide for settlement of claims resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947;

S. 1189. An act to permit national banks to make 20-year real-estate loans, and 9-month residential construction loans;

S. 1415. An act for the relief of Anna Mertikas;

S. 1681. An act for the relief of Cecile Doriac and her minor child;

S. 1792. An act to amend the Federal Employees' Group Life Insurance Act of 1954;

S. 1899. An act to authorize the improvement of the Amite River and its tributaries;

S. 1906. An act to authorize the Pueblos of San Lorenzo and Pojoaque in New Mexico to sell certain lands to the Navaho Tribe, and for other purposes;

S. 1917. An act to authorize the construction within Grand Teton National Park of an alternate route to United States Highway No. 89, also numbered U. S. 187 and U. S. 26, and the conveyance thereof to the State of Wyoming, and for other purposes;

S. 2049. An act to provide recognition of the 50th anniversary of the Devils Tower National Monument, Wyo., the first national monument, established by the President of the United States pursuant to the Antiquities Act of 1906; to authorize the addition of certain land to the monument, to permit land exchanges, and for other purposes;

S. 2088. An act for the relief of Ladislav Mencl;

S. 2126. An act to extend and clarify laws relating to the provision and improvement of housing, the elimination and prevention of slums, the conservation and development of urban communities, the financing of vitally needed public works, and for other purposes;

S. 2295. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments;

S. 2339. An act to authorize the Secretary of the Interior to include capacity to serve the town of Glendo, Wyo., in a sewerage system to be installed in connection with the construction of Glendo Dam and Reservoir, and for other purposes;

S. 2514. An act to declare the portion of the waterway of West Haven and New Haven, Conn., known as the West River, northerly of a line running north 85°54'43.5" east from a point whose coordinates in the Corps of Engineers Harbor Line System are north 4,616.76 and west 9,450.80, a nonnavigable stream;

S. 2576. An act to amend the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, and for other purposes;

H. R. 5168. An act to provide for retirement of the Government capital in certain institutions operating under the supervision of the Farm Credit Administration; to increase borrower participation in the management and control of the Federal Farm Credit System, and for other purposes;

H. R. 6122. An act to remit the duty on certain bells to be imported for addition to the carillons of The Citadel, Charleston, S. C.;

H. R. 6182. An act to amend the Federal Property and Administrative Services Act of 1949 to make temporary provision for making payments in lieu of taxes with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

H. R. 6198. An act to provide for the sale of certain war housing projects to the Housing Authority of Beaver County, Pa., for use in providing rental housing for persons of limited income;

H. R. 6199. An act to amend the act of October 14, 1940, to authorize the sale of personal property held in connection with housing under such act;

H. R. 6373. An act to amend the Domestic Minerals Program Extension Act of 1953 in order to extend the programs to encourage the discovery, development, and production of certain domestic minerals;

H. R. 6382. An act to amend the International Claims Settlement Act of 1949, as amended, and for other purposes;

H. R. 6887. An act to extend for 1 year the application of section 108 (d) and to amend section 2053 of the Internal Revenue Code of 1954;

H. R. 6994. An act to provide for entry and location, on discovery of a valuable source material, upon public lands of the United States, classified as or known to be valuable for coal, and for other purposes;

H. R. 7117. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1956, and for other purposes; and

H. R. 7289. An act to authorize the States to organize and maintain State defense forces, and for other purposes.

On August 4, 1955:

S. 664. An act for the relief of Mecys Jauniskis;

S. 756. An act to authorize the appropriation of accumulated receipts in the Federal aid to wildlife-restoration fund established by the Pittman-Robertson Act and to authorize the expenditure of funds apportioned to a State under such act for the management of wildlife areas and resources;

S. 2039. An act to authorize the Secretary of the Interior to lease any unassigned lands on the Colorado River Indian Reservation, Arizona, and for other purposes;

S. 2127. An act to amend the Small Business Act of 1953;

S. 2296. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments;

S. 2391. An act to amend the Defense Production Act of 1950, as amended, and for other purposes;

S. 2501. An act to provide grants to assist States to meet the cost of poliomyelitis vaccination programs, and for other purposes;

H. R. 191. An act to regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes;

H. R. 929. An act for the relief of Mrs. Maria Del Mul;

H. R. 1003. An act for the relief of Mrs. Lorenza O'Malley (de Amusategui), Jose Maria de Amusategui O'Malley, and the legal guardian of Ramon de Amusategui O'Malley;

H. R. 1235. An act for the relief of Vera Gregovich Kenter;

H. R. 1319. An act for the relief of Vasilios Linkopoulos;

H. R. 1641. An act for the relief of Mary Mancuso;

H. R. 1909. An act for the relief of Rodolfo Pugeda de la Cerna;

H. R. 2079. An act for the relief of Ingrid Liselotte Poch;

H. R. 2235. An act for the relief of Mrs. Margarete Gick Scordas;

H. R. 2339. An act for the relief of Monika Schefbanker;

H. R. 2704. An act for the relief of Kazuko Iwata Rausch;

H. R. 2897. An act for the relief of Chung Poik Cha and her minor child, Myra Poik Cha;

H. R. 2907. An act for the relief of Thomas F. Harney, Jr., doing business as the Harney Engineering Co.;

H. R. 2916. An act for the relief of Mrs. Elfrieda Schoeppe;

H. R. 3063. An act to confer jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claims of the Bartlett Springs Co. and certain others;

H. R. 3195. An act for the relief of Rolf Hugo Neuman;

H. R. 4048. An act making recommendations to the States for the enactment of legislation to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes;

H. R. 4508. An act for the relief of Henry T. Quisenberry;

H. R. 4544. An act for the relief of Andrew Carrigan;

H. R. 4643. An act for the relief of Mrs. Lee Shee Yee (also known as Lee Lai Koon);

H. R. 4734. An act to amend the provisions of the River and Harbor Act of 1954 which authorize the Secretary of the Army to reimburse local interests for work done on a dredging project at Los Angeles and Long Beach Harbors, Calif., during a period ending on July 1, 1953, by extending that period to November 7, 1953;

H. R. 5074. An act for the relief of Miss Blanca Lina Rionegro;

H. R. 5082. An act for the relief of Mrs. Koto Nakagawa;

H. R. 5469. An act to extend the authority of the Corregidor Bataan Memorial Commission, and for other purposes;

H. R. 5908. An act for the relief of Mrs. Johanna Eckles;

H. R. 5913. An act for the relief of Mock Jung Shee (Mock Jung Liu);

H. R. 6102. An act to change the name of Garza-Little Elm Dam, located in Denton County, Tex., to Lewisville Dam;

H. R. 6634. An act to provide for the conveyance of 1 8/10 acres of land, more or less, within the Grapevine Dam and Reservoir project to the city of Grapevine, Tex., for sewage disposal purposes;

H. R. 6741. An act for the relief of Elfriede Rosa (Kup) Kraft;

H. R. 7195. An act to provide for the adjustments in the lands or interests therein acquired for reservoir projects in Texas, by the reconveyance of certain lands or interests therein to the former owners thereof;

H. R. 7244. An act to provide for the striking of medals in commemoration of the 120th anniversary of the signing of the Texas Declaration of Independence and the Battles of the Alamo, Goliad, and San Jacinto in the year 1836;

H. R. 7245. An act to amend Public Laws 815 and 874, 81st Congress, which provide for assistance to local educational agencies in areas affected by Federal activities, and for other purposes;

H. R. 7618. An act to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended;

H. R. 7684. An act to authorize the Atomic Energy Commission to pay the salary of a Commissioner during the recess of the Senate, and for other purposes; and

H. R. 7746. An act to provide tax relief to a charitable foundation and the contributors thereto.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED AFTER SINE DIE ADJOURNMENT

The Secretary of the Senate presented to the President of the United States the following enrolled bills and joint resolution:

On August 3, 1955:

S. 72. An act to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands;

S. 91. An act for the relief of Luzia Cox;

S. 987. An act to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to reestablish their common boundary;

S. 1621. An act to authorize adjustment by the Secretary of Agriculture of certain obligations of settlers on projects developed or subject to the act of August 11, 1939, as amended, and for other purposes;

S. 1757. An act to amend the act known as the Agricultural Marketing Act of 1946, approved August 14, 1946;

S. 1759. An act to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico;

S. 1894. An act to provide for the granting of career-conditional and career appointments to certain qualified employees;

S. 1894. An act to provide for the participation of the United States in the International Finance Corporation;

S. 2087. An act to amend the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, so as to permit per capita payments to the individual members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, to be made quarterly;

S. 2098. An act to amend Public Law 83, 83d Congress;

S. 2237. An act to amend the act of May 26, 1949, to strengthen and improve the organization of the Department of State, and for other purposes; and

S. J. Res. 73. Joint resolution to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt.

On August 4, 1955:

S. 2126. An act to extend and clarify laws relating to the provision and improvement of housing, the elimination and prevention of slums, the conservation and development of urban communities, the financing of vitally needed public works, and for other purposes; and

S. 2576. An act to amend the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, and for other purposes.

On August 5, 1955:

S. 125. An act for the relief of the State of Illinois;

S. 197. An act for the relief of Vincenzo Santagata;

S. 198. An act for the relief of Fillipo Mastroianni;

S. 204. An act for the relief of Fred P. Hines;

S. 393. An act for the relief of Chicko Suzuki;

S. 463. An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member, founder, or sponsor in observance of the 250th anniversary of his birth;

S. 550. An act for the relief of John Axel Arvidson;

S. 664. An act for the relief of Mecys Jauniskis;

S. 714. An act for the relief of Alfio Ferrara;

S. 730. An act granting the consent of Congress to the States of Kansas and Oklahoma to negotiate and enter into a compact relating to their interests in, and the apportionment of, the waters of the Arkansas River and its tributaries as they affect such States;

S. 732. An act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes;

S. 756. An act to authorize the appropriation of accumulated receipts in the Federal aid to wildlife-restoration fund established by the Pittman-Robertson Act and to authorize the expenditure of funds apportioned to a State under such act for the management of wildlife areas and resources;

S. 1014. An act for the relief of Henry Duncan;

S. 1033. An act for the relief of Ann Arbor Construction Co.;

S. 1041. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

S. 1077. An act to provide for settlement of claims resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947;

S. 1189. An act to permit national banks to make 20-year real-estate loans, and 9-month residential construction loans;

S. 1415. An act for the relief of Anna Mertikas;

S. 1681. An act for the relief of Cecil Doriac and her minor child;

S. 1792. An act to amend the Federal Employees' Group Life Insurance Act of 1954;

S. 1899. An act to authorize the improvement of the Amite River and its tributaries;

S. 1906. An act to authorize the Pueblos of San Lorenzo and Pojoaque in New Mexico to sell certain lands to the Navaho Tribe, and for other purposes;

S. 1917. An act to authorize the construction within Grand Teton National Park of an alternate route to U. S. Highway 89, also numbered U. S. 187 and U. S. 26, and the conveyance thereof to the State of Wyoming, and for other purposes;

S. 2039. An act to authorize the Secretary of the Interior to lease any unassigned lands on the Colorado River Indian Reservation, Arizona, and for other purposes;

S. 2049. An act to provide recognition of the 50th anniversary of the Devils Tower National Monument, Wyo., the first national monument, established by the President of the United States pursuant to the Antiquities Act of 1906; to authorize the addition of certain land to the monument, to permit land exchanges, and for other purposes;

S. 2088. An act for the relief of Ladislav Mencl;

S. 2127. An act to amend the Small Business Act of 1953;

S. 2295. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments;

S. 2296. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments.

S. 2391. An act to amend the Defense Production Act of 1950, as amended, and for other purposes;

S. 2339. An act to authorize the Secretary of the Interior to include capacity to serve the town of Glendo, Wyo., in a sewerage system to be installed in connection with the construction of Glendo Dam and Reservoir, and for other purposes;

S. 2501. An act to provide grants to assist States to meet the cost of poliomyelitis vaccination programs, and for other purposes; and

S. 2514. An act to declare the portion of the waterway of West Haven and New Haven, Conn., known as the West River, northerly of a line running north 85 degrees 54 minutes 43.5 seconds east from a point whose coordinates in the Corps of Engineers Harbor Line System are north 4,616.76 and west 9,450.80, a nonnavigable stream.

APPROVAL OF SENATE BILLS AND JOINT RESOLUTIONS AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had approved and signed bills and joint resolutions of the Senate of the following titles:

On August 3, 1955:

S. 741. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years; and

S. 1855. An act to amend the Federal Airport Act, as amended.

On August 4, 1955:

S. 667. An act to exempt meetings of associations of professional hairdressers or cosmetologists from certain provisions of the acts of June 7, 1938 (52 Stat. 611), and July 1, 1902 (32 Stat. 622), as amended;

S. 1177. An act for the relief of desert land entrymen whose entries are dependent upon percolating waters for reclamation;

S. 1741. An act to exempt from taxation certain property of the Jewish War Veterans, United States of America National Memorial, Inc., in the District of Columbia;

S. 2176. An act to repeal the requirement that public utilities engaged in the manufacture and sale of electricity in the District of Columbia must submit annual reports to Congress;

S. 2177. An act to repeal the prohibition against the declaration of stock dividends by public utilities operating in the District of Columbia;

S. 2427. An act to provide for the payment of compensation to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia, for duty performed on their days off, when such days off are suspended during an emergency;

S. 2592. An act to increase the mileage allowance of United States marshals and their deputies from 7 cents per mile to 10 cents per mile; and

S. 2630. An act to facilitate the establishment of local self-government at the communities of Oak Ridge, Tenn., and Richland, Wash., and to provide for the disposal of federally owned properties of such communities.

On August 5, 1955:

S. 665. An act to revive section 3 of the District of Columbia Public School Food Services Act;

S. 847. An act to authorize the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes;

S. 1051. An act to amend section 8a (4) of the Commodity Exchange Act, as amended;

S. 1093. An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes;

S. 2237. An act to amend the act of May 26, 1949, to strengthen and improve the organization of the Department of State, and for other purposes;

S. 2375. An act to provide for 5-year terms of office for members of the Subversive Activities Control Board with one of such terms expiring in each calendar year; and

S. 2428. An act to increase the salaries of officers and members of the Metropolitan Police force, and the Fire Department of the District of Columbia, the United States Park

Police, and the White House Police, and for other purposes.

On August 9, 1955:

S. 34. An act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases;

S. 38. An act for the relief of Joseph Jerry Earl Sirois (also known as Jeremie Earl Sirois);

S. 56. An act authorizing construction of certain public works on the Mississippi River for the protection of St. Louis, Mo.;

S. 71. An act for the relief of Ursula Else Boysen;

S. 72. An act to provide that certain lands acquired by the United States shall be administered by the Secretary of Agriculture as national forest lands;

S. 85. An act for the relief of Rosetta Ittner;

S. 86. An act for the relief of Wilhelmine Schelter;

S. 91. An act for the relief of Luzia Cox;

S. 100. An act for the relief of Hermine Lorenz;

S. 119. An act for the relief of David Wei-Dao Lea and Julia An-Fong;

S. 135. An act for the relief of the Elkay Manufacturing Co., of Chicago, Ill.;

S. 141. An act for the relief of Pauline Ellen Redmond;

S. 167. An act for the relief of Ernesto DeLeon;

S. 176. An act for the relief of Gerda Irmgard Kurella;

S. 181. An act for the relief of Manhay Wong;

S. 191. An act for the relief of Liselotte Warmbrand;

S. 197. An act for the relief of Vincenzo Santagata;

S. 235. An act for the relief of Melanie Schaffner Baker;

S. 238. An act for the relief of Andreas Georges Vlastos (Andreas Georges Vlasto);

S. 240. An act for the relief of Mrs. Helena Planinsek;

S. 254. An act for the relief of Giussepina Cervi;

S. 293. An act for the relief of Miss Cecile Patricia Chapman;

S. 326. An act for the relief of Leopoldine Maria Lofolad;

S. 346. An act for the relief of Klara Anna Maria Fleischer;

S. 394. An act for the relief of Ali Hassan Waffa;

S. 397. An act for the relief of Maria Bertagnolli Pancheri;

S. 430. An act for the relief of Hedwig Marie Zaunmuller;

S. 463. An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member, founder, or sponsor in observance of the 250th anniversary of his birth;

S. 464. An act to authorize the Secretary of the Interior to issue patents for certain lands in Florida bordering upon Indian River;

S. 466. An act for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos;

S. 470. An act for the relief of Edith Winifred Loch;

S. 474. An act for the relief of Maria Elena Venegas and Sarah Lucia Venegas;

S. 476. An act for the relief of Harold Swarthout and L. R. Swarthout;

S. 503. An act for the relief of Cirino Lanzafame;

S. 518. An act for the relief of Elsa Alwine Larsen;

S. 535. An act to provide for the conveyance to the State of North Dakota, for use as a State historic site, of the land where Chief Sitting Bull was originally buried;

S. 606. An act for the relief of Gisela Hofmeier;

S. 707. An act for the relief of Christos Paul Zolotas;

S. 714. An act for the relief of Alfio Ferrara;

S. 843. An act for the relief of Gerda Graupner;

S. 878. An act to amend the act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character;

S. 884. An act for the relief of Gabor Lanyi;

S. 1014. An act for the relief of Henry Duncan;

S. 1033. An act for the relief of Ann Arbor Construction Co.;

S. 1035. An act for the relief of Ambrose Anthony Fox;

S. 1105. An act for the relief of Mrs. Lieselotte Emilie Dailey;

S. 1126. An act for the relief of Dimitrios Antoniou Kostalas;

S. 1138. An act to continue the effectiveness of the act of July 17, 1953 (67 Stat. 177), as amended, providing certain construction and other authority;

S. 1155. An act for the relief of Iva Druzianich (Iva Druzianic);

S. 1159. An act for the relief of Wilma Ann Schilling and her daughter, Ingertraud Rosalita Schilling;

S. 1167. An act to amend the Soil Conservation and Domestic Allotment Act;

S. 1187. An act to amend section 5221 of the Revised Statutes, relating to voluntary liquidation of national banks;

S. 1210. An act to amend the Public Buildings Act of 1949 to provide a 5-year limitation on the period of leases of space for Federal agencies in the District of Columbia;

S. 1266. An act for the relief of Helene Margareta Jobst;

S. 1296. An act for the relief of Maria Anna Coone;

S. 1340. An act to authorize the conveyance by quitclaim deed of certain land to the Brownsville Navigation District of Cameron County, Tex.;

S. 1496. An act for the relief of Ruriko Hara;

S. 1512. An act to amend section 107 of title 28 of the United States Code so as to eliminate separate divisions and reduce the number of places of holding regular terms of the United States District Court for the District of Nebraska;

S. 1521. An act for the relief of Garabed Papazian;

S. 1577. An act to amend the acts granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate toll bridges across the Connecticut River;

S. 1621. An act to authorize adjustment by the Secretary of Agriculture of certain obligations of settlers on projects developed or subject to the act of August 11, 1939, as amended, and for other purposes;

S. 1706. An act for the relief of Spyridon Saintoufis and his wife Efrossini Saintoufis;

S. 1730. An act for the relief of Anna Marie Hitzelberger Scheidt, and her minor child, Rosanne Hitzelberger;

S. 1757. An act to amend the act known as the Agricultural Marketing Act of 1946, approved August 14, 1946;

S. 1758. An act to amend the Bankhead-Jones Farm Tenant Act, as amended, to modify, clarify, and provide additional authority for insurance of loans;

S. 1899. An act to authorize the improvement of the Amite River and its tributaries;

S. 1906. An act to authorize the Pueblos of San Lorenzo and Pojoaque in New Mexico to sell certain lands to the Navaho Tribe, and for other purposes;

S. 1917. An act to authorize the construction within Grand Teton National Park of an alternate route to United States Highway 89, also numbered U. S. 187 and U. S. 26, and the conveyance thereof to the State of Wyoming, and for other purposes;

S. 1965. An act to repeal a particular contractual requirement with respect to the Arch Hurley Conservancy District in New Mexico;

S. 1974. An act for the relief of Rosa Birger;

S. 2049. An act to provide recognition of the 50th anniversary of the Devils Tower National Monument, Wyo., the first national monument, established by the President of the United States pursuant to the Antiquities Act of 1906; to authorize the addition of certain land to the monument, to permit land exchanges, and for other purposes;

S. 2081. An act to amend the Veterans' Readjustment Assistance Act of 1952 to provide that education and training allowances paid to veterans pursuing institutional on-farm training shall not be reduced for 12 months after they have begun their training;

S. 2087. An act to amend the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, so as to permit per capita payments to the individual members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, to be made quarterly;

S. 2127. An act to amend the Small Business Act of 1953;

S. 2197. An act to authorize the Secretary of the Interior to distribute equally to members of the Kaw Tribe of Indians certain moneys to the credit of the tribe in the United States Treasury;

S. 2269. An act for the relief of Mualla S. Holloway;

S. 2277. An act authorizing the Administrator of General Services to convey certain land to the city of Sioux Falls, S. Dak., for park and recreational purposes, for an amount equal to the cost to the United States of acquiring such lands from the city;

S. 2297. An act to further amend the Agricultural Adjustment Act of 1938, and for other purposes;

S. 2339. An act to authorize the Secretary of the Interior to include capacity to serve the town of Glendo, Wyo., in a sewerage system to be installed in connection with the construction of Glendo Dam and Reservoir, and for other purposes;

S. 2351. An act to authorize the conveyance of certain war-housing projects to the city of Norfolk, Va.;

S. 2391. An act to amend the Defense Production Act of 1950, as amended, and for other purposes;

S. 2403. An act to authorize the dual employment of custodial employees in post office buildings operated by the General Services Administration, and for other purposes;

S. 2511. An act to amend the Agricultural Adjustment Act of 1938 as amended;

S. 2514. An act to declare the portion of the waterway of West Haven and New Haven, Conn., known as the West River, northerly of a line running north 85° 54′ 43.5″ east from a point whose coordinates in the Corps of Engineers harbor line system are north 4,616.76 and west 9,450.80, a nonnavigable stream;

S. 2566. An act to amend title 14, United States Code, so as to provide for compensatory absence of Coast Guard military personnel serving at isolated aids to navigation, and for other purposes;

S. 2573. An act to amend the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended;

S. J. Res. 91. Joint resolution to authorize the Secretary of Commerce to sell the steamship *La Guardia;* and

S. J. Res. 92. Joint resolution to authorize the Secretary of Commerce to sell the steamship *Monterey.*

On August 11, 1955:

S. 92. An act for the relief of Irene C. (Karl) Behrman;

S. 125. An act for the relief of the State of Illinois;

S. 198. An act for the relief of Filipo Mastroianni;

S. 214. An act for the relief of Ahmet Suat Maykut;

S. 223. An act for the relief of Mary Freida Poeltl Smith;

S. 239. An act for the relief of Apostolos Vasili Percas;

S. 352. An act for the relief of Isaac Glickman, Reghina Glickman, Alfred Cismaru, and Anna Cismaru;

S. 388. An act for the relief of Petre and Liubitza Ionescu;

S. 393. An act for the relief of Chieko Suzuki;

S. 644. An act for the relief of Mecys Jauniskis;

S. 730. An act granting the consent of Congress to the States of Kansas and Oklahoma to negotiate and enter into a compact relating to their interests in, and the apportionment of, the waters of the Arkansas River and its tributaries as they affect such States;

S. 732. An act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes;

S. 987. An act to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to reestablish their common boundary;

S. 1044. An act for the relief of Edward Naarits;

S. 1189. An act to permit national banks to make 20-year real-estate loans, and 9-month residential construction loans;

S. 1337. An act for the relief of Joseph Vyskocil;

S. 1353. An act for the relief of Mrs. Jeanette S. Hamilton;

S. 1367. An act for the relief of Antonio Jacoe;

S. 1391. An act granting the consent of Congress to the States of California and Nevada to negotiate and enter into a compact with respect to the distribution and use of the waters of the Truckee, Carson, and Walker Rivers, Lake Tahoe, and the tributaries of such rivers and lake in such States;

S. 1395. An act to amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton," approved August 20, 1954;

S. 1397. An act providing for the conveyance of certain lands to St. Louis Church of Dunseith, Dunseith, N. Dak.;

S. 1415. An act for the relief of Anna Mertikas;

S. 1522. An act for the relief of Lieselotte Brodzinski Gettmen;

S. 1541. An act for the relief of Ernest Fraenkel and his wife, Hanna Fraenkel;

S. 1581. An act for the relief of Constaninos Pantermalis;

S. 1681. An act for the relief of Cecile Doriac and her minor child;

S. 1759. An act to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico;

S. 1792. An act to amend the Federal Employees' Group Life Insurance Act of 1954;

S. 1894. An act to provide for the participation of the United States in the International Finance Corporation;

S. 2088. An act for the relief of Ladislav Mencl;

S. 2098. An act to amend Public Law 83, 83d Congress;

S. 2126. An act to extend and clarify laws relating to the provision and improvement of housing, the elimination and prevention of slums, the conservation and development of urban communities, the financing of vitally needed public works, and for other purposes;

S. 2198. An act to extend the period of restrictions on lands belonging to Indians of the Five Civilized Tribes in Oklahoma, and for other purposes;

S. 2260. An act granting the consent of Congress to the States of Arkansas, Louisiana, Oklahoma, and Texas to negotiate and enter into a compact providing for the apportionment of the waters of the Red River and its tributaries;

S. 2270. An act for the relief of Nadia Noland and Samia Ouafa Noland;

S. 2295. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments;

S. 2296. An act to amend section 313 of the Agricultural Adjustment Act of 1938, with respect to tobacco allotments;

S. 2312. An act for the relief of certain Korean war orphans;

S. 2575. An act for the relief of Mrs. Gertrud Hildegard Nichols;

S. 2604. An act to increase the borrowing power of Commodity Credit Corporation; and

S. J. Res. 73. Joint resolution to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt.

On August 12, 1955:

S. 541. An act for the relief of Martin Aloysius Madden;

S. 550. An act for the relief of John Axel Arvidson;

S. 756. An act to authorize the appropriation of accumulated receipts in the Federal aid to wildlife restoration fund established by the Pittman-Robertson Act and to authorize the expenditure of funds apportioned to a State under such act for the management of wildlife areas and resources;

S. 1077. An act to provide for settlement of claims resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947;

S. 1849. An act to provide for the granting of career-conditional and career appointments to certain qualified employees;

S. 2168. An act to amend the Fair Labor Standards Act of 1938 in order to increase the national minimum wage, and for other purposes;

S. 2253. An act to reemphasize trade development as the primary purpose of title I of the Agricultural Trade Development and Assistance Act of 1954;

S. 2501. An act to provide grants to assist States to meet the cost of poliomyelitis vaccination programs, and for other purposes; and

S. J. Res. 82. Joint resolution to authorize the Secretary of the Interior to execute a certain contract with the Toston Irrigation District, Montana.

On August 14, 1955:

S. 2039. An act to authorize the Secretary of the Interior to lease any unassigned lands on the Colorado River Indian Reservation, Ariz., and for other purposes; and

S. 2576. An act to amend the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes," approved January 14, 1933, and for other purposes.

SENATE BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the Senate, notified the Secretary of the Senate that, on the following dates, he had disapproved bills of the Senate of the following titles, together with his reasons for such actions:

On August 5, 1955:

AMENDING THE SUBVERSIVE ACTIVITIES CONTROL ACT

S. 2171. I am withholding approval of S. 2171, an act "To amend the Subversive Activities Control Act so as to provide that upon the expiration on his term of office a member of the Board shall continue to serve until his successor shall have been appointed and shall have qualified."

The language of this bill is incorporated in identical terms in S. 2375, which I have approved today. Under the circumstances, approval of S. 2171 is unnecessary and would result in a nullity and possible confusion.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 5, 1955.*

FRED P. HINES

On August 12, 1955:

S. 204. I have withheld my approval of S. 204, 84th Congress, an act for the relief of Fred P. Hines.

The bill would direct the Administrator of Veterans' Affairs to pay to Mr. Fred P. Hines the sum of $778.78, which sum represents the amount claimed as the cost of private hospital and medical expenses incurred in connection with the treatment of a disability not connected with his active military service in the Spanish-American War.

On July 20, 1953, I submitted a message to the Senate (S. Doc. No. 62, 83d Cong.) returning without my approval S. 152, 83d Congress, a bill identical to this bill except that S. 204 eliminates the payment of attorney fees in connection with the claim. No new evidence has been submitted in the interim, and the legislative history of the current bill contains no information which would justify a change in my position in the matter.

Under the circumstances and for the reasons set forth in my earlier message, I could take no other action than to withhold approval of S. 204.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 12, 1955.*

AMENDING THE CIVIL SERVICE RETIREMENT ACT

S. 1041. I am withholding approval of S. 1041, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

This bill would provide additional retirement benefits to those Federal and District of Columbia employees who also have been, are now, or in the future may become employees of the States or of State instrumentalities on Federal-State programs financed either wholly or in part by Federal funds, in five types of agricultural programs and in programs of vocational education.

The bill is not approved because it would (1) make improper use of Federal funds to pay for services never received by it, (2) result in an unsound shifting of fiscal responsibility from State to Federal Government, (3) set an undesirable precedent, and (4) constitute an unsound approach to a desirable goal of increased employee mobility.

First, and most important, these additional retirement benefits would not be based upon Federal employment but on State employment. States and State in-

strumentalities are responsible for paying for services rendered to them, and there is no assertion that such obligations are not met. Federal retired pay is a basic element in the compensation system provided by the Federal Government in exchange for work performed by its employees. To provide additional compensation payable out of the Federal civil-service retirement fund on the basis of work performed for another employer appears to be an unnecessary and improper use of Federal funds.

Second, the financing principle followed in this bill is unsound. The Federal civil-service retirement fund has been built up by contributions from Federal employees and from the Federal Government as an employer. Under the bill the affected employees would now pay retirement contributions for their State service as if it had been Federal service but since the ultimate annuity payments would average several times such contributions, the major portion of the cost of this bill would be borne by Federal taxpayers. This shift of fiscal responsibility from the actual employer, the State or State instrumentalities, to the Federal Government would be accomplished with no corresponding transfer of funds. This unsound fiscal policy could become an even more serious matter if the program were to be extended to all employee groups having similar claims.

Third, the bill appears to establish an undesirable precedent for making similar payments on the basis of employment in many other Federal-State cooperative programs. The record on the bill indicates that over 80 such programs have already been identified. Extension of similar benefits to employees of all such programs would lead far afield.

Fourth, although the bill seems to have the sound objective of encouraging transfers of employees between State and Federal employment, I do not believe that it moves toward this objective in a proper manner. A firmer, more acceptable step would be to extend the Federal old-age and survivors system to include Federal employees. With employees of an increasing number of States also covered under that system, both Federal and State retirement systems would share a common base and all OASI benefits would be preserved in moving from one employer to another. Recommendations to the Congress will be made on this matter early in the next session.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 12, 1955.*

REPORT OF COMMITTEE ON BANKING AND CURRENCY AFTER SINE DIE ADJOURNMENT ENTITLED "SUMMARY OF ACTIVITIES" (S. REPT. NO. 1306)

Pursuant to the order of the Senate of August 1, 1955,

Mr. FULBRIGHT, from the Committee on Banking and Currency, on August 10, 1955, submitted a report of that committee entitled "Summary of Activities," which was ordered to be printed.

INTERIM REPORT OF ALEXANDER HAMILTON BICENTENNIAL COMMISSION (S. DOC. NO. 89)

Pursuant to the order of the Senate of July 30, 1955,

Mr. MUNDT, on September 20, 1955, submitted an interim report of the Alexander Hamilton Bicentennial Commission, pursuant to section 6, Public Law 601, 83d Congress, to establish a Commission for the Celebration of the Two Hundredth Anniversay of the Birth of Alexander Hamilton, which was printed.

SUMMARY OF ACTIVITIES—REPORT OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE SUBMITTED AFTER ADJOURNMENT SINE DIE (S. REPT. NO. 1307)

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, pursuant to the order of the Senate of August 1, 1955, submitted on September 23, 1955, a report of that committee entitled "Summary of Activities," which was ordered to be printed.

APPOINTMENTS AFTER SINE DIE ADJOURNMENT

Under the authority of the order of the Senate of August 2, 1955, the Vice President, subsequent to the sine die adjournment, made appointments to the following commissions, joint and special committees, and subcommittee authorized by law or resolution of the Senate:

To the Boston National Historic Sites Commission: Mr. SALTONSTALL.

To the District of Columbia Auditorium Commission: Mr. Neely, Mr. McNamara, Mr. Beall, Dr. George Johnson, Dean of Howard University Law School, Mr. Barney Balaban of New York, Mrs. Eugene Meyer of Washington, D. C., and Mrs. James H. Rowe, Jr., of Washington, D. C.

To the Franklin Delano Roosevelt Memorial Commission: Mr. IVES, Mr. CASE of New Jersey, Mr. HUMPHREY, and Mr. LEHMAN.

To the Theodore Roosevelt Centennial Commission: Mr. O'MAHONEY and Mr. MUNDT.

To the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution: Mr. ANDERSON, Mr. SALTONSTALL, Mr. SMITH of New Jersey, Mr. SYMINGTON, and Mr. MARTIN of Pennsylvania.

To the Committee on Disarmament: Mr. HUMPHREY, chairman, Mr. BARKLEY, Mr. SPARKMAN, Mr. WILEY, Mr. HICKENLOOPER, and Mr. KNOWLAND, from the subcommittee of the Committee on Foreign Relations, as appointed by the chairman of the Committee on Foreign Relations; Mr. BYRD, Mr. SYMINGTON, Mr. BRIDGES, and Mr. SALTONSTALL, from the Committee on Armed Services, and Mr. PASTORE and Mr. BRICKER, from the Joint Committee on Atomic Energy.

To the Special Committee on the Senate Reception Room: Mr. JOHNSON of Texas, chairman, Mr. RUSSELL, Mr. MANSFIELD, Mr. MILLIKIN, and Mr. BRIDGES.

To the Committee on Invitation from the British Parliament: Mr. HUMPHREY, Mr. MANSFIELD, Mr. BARKLEY, Mr. PAYNE, Mr. CURTIS, and Mr. GOLDWATER.

To the Commission on Government Security; Mr. Stennis of Mississippi, Mr. Cotton of New Hampshire, Loyd Wright, Past President of the American Bar Association, of Los Angeles, California, and Dr. Susan Riley, Professor of Education, George Peabody College, Nashville, Tennessee.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 2, 1955:

SECURITIES AND EXCHANGE COMMISSION

Harold C. Patterson, of Virginia, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1960.

DEPARTMENT OF LABOR

Newell Brown, of New Hampshire, to be Administrator, Wage and Hour Division, Department of Labor.

REJECTION

Executive nomination rejected by the Senate August 2, 1955:

POSTMASTER

The nomination of Margaret E. Smith to be postmaster at Montreat in the State of North Carolina.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 2, 1955

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou God of all our days, may our hearts expand with gratitude for the many mercies which Thou hast bestowed upon us.

Wilt Thou continue to give us the glad assurance that no needed blessing wilt Thou ever withhold from us if we do justly, love mercy, and walk humbly with the Lord.

We thank Thee for the high and holy privilege we have had of working together in the service of our God, our country, and humanity.

Grant that when we come to the closing hour of this session of the Congress we may receive the benediction of Thy grace, "Well done, thou good and faithful servant."

May the Lord bless us and keep us; may the Lord make His face to shine upon us and be gracious unto us; may the Lord lift upon us the light of His countenance and give us peace.

Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that