Roland M. Dorr, Kensington.
Oliver Wolcott, Kent.
Robert J. House, Killbuck.
Ernest L. McConnell, Kirkersville.
John W. Meadows, Lucasville.
Arthur R. Miller, Madison.
Bernard W. Iffland, Metamora.
Glenn W. Duffy, Morristown.
Samuel H. Wolf, New Paris.
Albert F. Warnecke, Ottoville.
Murry N. Johnson, Pataskala.
Margaret L. Hess, Petersburg.
John F. Crawford, Sardinia.
Virgil O. Hutchison, Smithville.
William O. Ochsner, Strongville.
Richard A. Campbell, Sylvania.
William Paul Wilcoxon, Uhrichsville.
Edward J. Oswald, Unionport.
Seth W. Huntley, Vinton.
Harold D. Brenneman, Warsaw.
Clark Wickensimer, Washington Court House.
Everett J. Pearson, West Milton.

OREGON

Clarence A. Christianson, Cornelius.
Lyle B. Dannen, Halsey.
Myrtle E. Gibbs, Long Creek.
Ruth E. McLeod, Maupin.
Wayne E. Dexter, Scappoose.

PENNSYLVANIA

Francis E. Redding, McSherrystown.
Wilbur M. Hall, Montgomery.

SOUTH CAROLINA

Nellie E. Hodge, Alcolu.
John W. Stevenson, Carlisle.
Sara M. Campbell, Clio.
John M. Harrelson, Drayton.
Joseph W. Milling, Jr., Ridgeway.
B. George Price III, Walterboro.

TENNESSEE

Cordie L. Majors, Ramer.

VERMONT

Perley C. Brainerd, Bradford.
Roy H. Jarvis, Grafton.
Ralph S. Nealy, Jericho.
Kenneth H. Neill, Johnson.
Ballou L. Towne, Morrisville.
Alice P. Waterman, North Thetford.

VIRGINIA

Merrel M. Nash, Jr., Bayside.
Mary G. Arnold, Bishop.
Emerson N. Lamb, Blue Ridge.
Radford C. Montgomery, Buchanan.
Ivan L. Potts, Colonial Heights.
Daniel Jackson Kilby, Culpeper.
Ray W. Redd, Draper.
Thomas E. Caldwell, Fincastle.
Allen S. Trevvett, Glenallen.
Harry H. Kimberly, Jr., Hampton.
John H. Norris, Jr., Kinsale.
Robert H. Sipe, McGaheysville.
Elna T. Gooding, Oakton.
Fred M. Mullins, Pound.
Irving L. Wood, Ridgeway.
Nancy E. Wood, Rock Castle.
Francis A. Holdren, Vinton.

WISCONSIN

Jean E. Herschleb, Arlington.
Helen G. Klus, Armstrong Creek.
Glenn W. Meyer, Birnamwood.
Martin N. Ross, Cambria.
John A. Wimme, Nelsonville.
George W. Gessert, Plymouth.

WYOMING

Emilene A. Weisenberger, Bairoil.
Virginia C. Bennion, Cokeville.
Priscilla Butwell, Frontier.
Dale E. Howery, LaGrange.
Harry L. Estes, Thermopolis.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 16, 1956

The House met at 12 o'clock noon.

The Reverend Myron C. Cole, D. D., First Christian Church, Portland, Oreg., offered the following prayer:

Almighty God, in whom we live and move and have our being, grant Thy divine benediction upon us. As the builders of a great nation, we have inherited that which is truth, beauty, and goodness; therefore, impel us ever forward with the motives upon which our Nation was founded and that which will make America great.

Our Heavenly Father, forgive us where we err. Let us not indulge in pious phrases, but let us be ever bound together in the search for the truth which makes men free and we will give Thee the honor and the glory.

We pray for the leaders of our Nation. Bestow upon them honor, integrity, and all that which is of Thy nature and will bring Thy will upon the earth.

Through Jesus Christ our Lord. Amen

The Journal of the proceedings of Thursday, April 12, 1956, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On April 6, 1956:

H. R. 374. An act to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Tuolumne County, Calif., and for other purposes;

H. R. 1082. An act for the relief of Golda I. Stegner;

H. R. 1855. An act to amend the act approved April 24, 1950, entitled "An act to facilitate and simplify the work of the Forest Service, and for other purposes";

H. R. 2946. An act for the relief of Eugene Dus;

H. R. 3233. An act to amend title 18 of the United States Code, so as to make it a criminal offense to move or travel in interstate commerce with intent to avoid prosecution, or custody or confinement after conviction, for arson;

H. R. 5889. An act to provide for the conveyance of certain lands of the United States to the town of Savannah Beach, Tybee Island, Ga.;

H. R. 6461. An act to amend section 73 (i) of the Hawaiian Organic Act;

H. R. 6463. An act to ratify and confirm section 4539, Revised Laws of Hawaii, 1945, section 1 (b), Act 12, Sessions Laws of Hawaii, 1951, and the sales of public lands consummated pursuant to the terms of said statutes;

H. R. 6574. An act to amend section 2 of title IV of the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937 (50 Stat. 680), as amended;

H. R. 6625. An act to provide for the transfer of title to certain land and the improvements thereon to the Pueblo of San Lorenzo (Pueblo of Picuris), in New Mexico, and for other purposes;

H. R. 6807. An act to authorize the amendment of certain patents of Government lands containing restrictions as to use of such lands in the Territory of Hawaii;

H. R. 6808. An act to amend section 73 (1) of the Hawaiian Organic Act;

H. R. 6824. An act to authorize the amendment of the restrictive covenant on land patent No. 10,410, issued to Keoshi Matsunaga, his heirs or assigns, on July 20, 1936, and covering lot 48 of Ponahawai house lots, situated in the county of Hawaii, T. H.;

H. R. 7236. An act to amend section 8 (b) of the Soil Conservation and Domestic Allotment Act with respect to water conservation practices;

H. R. 8100. An act to authorize the loan of two submarines to the Government of Brazil; and

H. J. Res. 112. Joint resolution to release reversionary right to improvements on a 3-acre tract in Orangeburg County, S. C.

On April 9, 1956:

H. R. 1892. An act for the relief of Dr. Lu Ho Tung and his wife, Ching-hsi (nee Tsao) Tung.

On April 10, 1956:

H. R. 1005. An act for the relief of Alice Duckett;

H. R. 1495. An act for the relief of Joseph J. Porter;

H. R. 1667. An act for the relief of Lieselotte Boehme; and

H. R. 4039. An act for the relief of Julian, Dolores, Roldan, and Julian, Jr., Lizardo.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3481. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes; and

S. Con. Res. 36. Concurrent resolution requiring conference reports to be accompanied by statements signed by a majority of the managers of each House.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4909. An act relative to the consolidation of the National Tax Association, a corporation, organized under the laws of the District of Columbia, with the Tax Institute, Inc., a corporation organized under the membership corporations law of the State of New York, in accordance with the applicable provisions of the membership corporations law of the State of New York.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10004. An act making supplemental appropriations for the fiscal year ending June 30, 1956, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. YOUNG to be the conferees on the part of the Senate.

SUPPLEMENTAL APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10004) making supplemental appropriations for the fiscal year ending June 30, 1956, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. CANNON, KIRWAN, WHITTEN, PRESTON, RABAUT, TABER, WIGGLESWORTH, JENSEN, and CLEVENGER.

THE ADJUDICATION OF CERTAIN CLAIMS OF FEDERAL EMPLOYEES

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5862) to confer jurisdiction upon United States district courts to adjudicate certain claims of Federal employees for the recovery of fees, salaries, or compensation, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. FRAZIER, TUCK, and HILLINGS.

THE STATE OF ISRAEL

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, I am privileged today to extend congratulations to the Israeli people upon the occasion of the eighth anniversary of the establishment of the State of Israel as a free and independent nation.

Events in the intervening years have proved that the friendship between Israel and the United States has been one of the vital partnerships in the free world. On this historic day we are reminded of the fact that in a brief span of 8 years the State of Israel has made tremendous social, political, and cultural gains and is today recognized as a bulwark of democracy, and has proved to be our faithful and loyal ally in the Middle East.

The astounding progress made in this relatively short period of time has electrified the world, as it was achieved in the face of an uphill fight against what appeared to be insurmountable obstacles. The people of Israel have conclusively demonstrated their devotion to a cause demanding rigid austerity and great sacrifices.

The Government of Israel must continue to have the encouragement and help of our country. I have always derived great satisfaction in supporting legislation extending assistance to the valiant people of this young nation.

We are all aware of the fact that there is presently an alarming situation in the Middle East which affects not only the security of the United States but the peace and tranquillity of the entire free world. The security of the State of Israel and the stability of the Middle East are vital to the defense of the free world against Communist aggression and are consequently American interests of the highest priority.

I am convinced that we must take immediate preventive action to overcome the threats of war in that vital region of the world. The first and most essential step would be to permit Israel to purchase defensive arms in this country to counterbalance the delivery of Soviet arms to Egypt.

This administration should immediately consider entering into a mutual security pact with Israel and should institute a complete and immediate investigation of all aspects of our Middle East policy with a view to resisting Communist imperialism in that vital area of the world.

LOSSES FOR SALE

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, the other day one of my constituents mailed me a copy of a communication to stockholders from the chairman of the board of Botany Mills, seeking proxies for approval of a recapitalization plan for the company. Upon obtaining the necessary number of proxies, Botany's management proposed to acquire a profit-making, taxpaying company. It was anticipated that Botany's losses could then be deducted from the other company's profits so that neither would pay any taxes.

Our most important asset—

Said the chairman of Botany Mills in his request for proxies—

is our Federal tax loss carry forward of over $13 million.

The loser in this operation is the United States Treasury and the taxpayers of the Nation.

The foregoing is no isolated example of smart management or sharp lawyers taking advantage of a hitherto undisclosed loophole in the tax law. For a decade and a half, deals of this kind have been in progress. And the practice goes on. A perfectly legitimate section of the tax law designed to permit the losses of 1 year to offset the profits of preceding and succeeding years, is being perverted by speculators who have seized upon the merger device to offset the gains of one corporation with the losses of another.

The result is that the Government loses money, or the legitimate burdens of one group of taxpayers are shifted to other taxpayers already shouldering their fair share. Another consequence is that the merger movement is accelerated beyond reasonable needs. This often results in the closing of mills, creation of unemployment, demoralization of whole communities. In addition, this unwholesome practice is laying the foundation for further disrespect for the tax law. It adds to the growing feeling that our high tax rates are but a sham designed to spring the trap on the unwary and those whose taxes are withheld at the source, but to allow the well-informed schemer a loophole through which he can escape.

Lest you think that the example I cited is an isolated one, I refer you to almost any issue of the Wall Street Journal. Here are some advertisements that appeared last Monday:

Three hundred thousand tax loss carryover for sale or merger.

For sale or merger: Long-established truck and trailer parts company—good expansion potential—tax loss.

The composer of an advertisement the week before must have had his tongue in his cheek as he wrote that he would sell his large tax loss at a sacrifice:

For sale: Finest fancy grocery and liquor business. Large tax loss carryover. Sacrifice for quick sale.

The opening paragraph of an article in a commercial journal recently had this to say:

Prior to the passage of the 1954 Internal Revenue Code, businessmen and their lawyers in seeking to acquire corporate ventures were often confronted with the anomalous situation that the purchase price of a business increased in inverse proportion to its success in operation, i. e., the greater the operating losses the higher the asking price. The answer to this financial paradox quite obviously is found in the tax benefits afforded the purchaser by the loss carryover provisions of the then existing revenue laws.

Let us briefly look at the law which makes possible this deviation from normalcy. The Congress long ago recognized that there was a problem to be dealt with. For more than 15 years, the law has permitted the Commissioner of Internal Revenue to disallow any deduction, credit, or other allowance where the principal purpose of the acquisition of another corporation is the evasion or avoidance of Federal income tax. The originators of this provision thought they had licked a rapidly growing practice for avoiding wartime income and excess-profits taxes. The trouble was, however, that the courts would not agree with the Commissioner as to when the principal purpose of the acquisition was the evasion or avoidance of taxes. In the 1954 revision of the Internal Revenue Code, further steps in the tightening-up process were taken. The new law established a prima facie presumption that the principal purpose is tax evasion or avoidance where the consideration paid in acquiring a corporation or its property is substantially disproportionate to the tax basis of the property acquired plus the tax value of other benefits, such as loss carryovers. The law also denied the carryover if all of the three following factors exist: First, if 50 percent or more

of a corporation's stock changes ownership during a period of 2 years; and, second, such change occurs as a result of a purchase or redemption of stock; and, third, the corporation does not continue to carry on a trade or business substantially the same as before the stock-ownership change.

That the new law does not go far enough is amply evidenced by what I have just said and quoted. If any further proof is needed, let me cite the opening words of an address before the eighth annual Federal tax conference of the University of Chicago Law School:

Despite the sustained efforts of the Treasury Department and the Congress to prevent the use of loss corporations for tax avoidance, corporations with large operating loss carryovers continue to be sold at a premium.

It is my conviction that the Treasury and the tax-writing committees of the Congress are still not prepared to go far enough to protect the rights of the taxpayers of the Nation. Those of us who like to see independent small businesses preserved and who fear the steady rise in mergers and consolidations, look with concern on these mergers and consolidations which are inspired by the operation of the tax law. We are concerned, too, with the effect on the spirit of enterprise itself. It is, indeed, unwholesome when a company which has a bad year or two, instead of trying to work out its own problem and get back on to the black side of the ledger, turns instead to an effort to make a good deal at the expense of the Government just by selling out or merging with someone in search of a tax situation.

It is my firm conviction that income taxes should apply to all who have income. No corporation should be permitted to avoid its fair share by selling to, or buying out, another corporation just because it has a tax loss. Fair taxation involves paying taxes on profits earned by corporations; it abhors their ability to escape the payment of taxes by manipulation of capital structure. I call on the Treasury Department and the tax-writing committees of this Congress to draft a tax law which will preserve the legitimate deduction of losses by corporations which have suffered them, but will at the same time prevent tax-inspired mergers which must offend the conscience of any right-thinking man. Congress should make it impossible for any corporation to boast that our operating loss is our most important asset.

A BILLION-DOLLAR DANGER

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma.

There was no objection.

Mr. EDMONDSON. Mr. Speaker, one of the Nation's most important crops, which had a total value in 1955 of $1,230,895,000, is under attack today by a small Mediterranean invader which threatens the destruction of America's alfalfa production.

I am speaking of a little insect no larger than the head of a pin, which is known as the spotted alfalfa aphid. First reported in 1954, when it is suspected the aphid was brought in as an unwelcome hitch-hiker on an American bomber flying from the Mediterranean area, the aphid caused a loss in the first year to alfalfa growers of $4 million in New Mexico, one-half million in Arizona, and one-third million dollars in California.

Apparently the condition was abated somewhat in 1955, but early reports this year from throughout the country indicate that the aphid has spread to the following States: California, Nevada, Arizona, Utah, Idaho, Texas, Oklahoma, Missouri, Kansas, Arkansas, Nebraska, and Louisiana.

In my own State of Oklahoma, where I met last week with State and Federal agricultural officials, alfalfa growers and feed dealers, an entomologist of the Oklahoma A. and M. College informed us that the loss in Oklahoma alone could easily reach $16 million this year, if drastic control measures are not started at once.

The tragic part of it is that the infestation is heaviest in drought hit areas, where many farmers are financially unable to pay the bill for control measures, which involve repeated spraying by airplane at heavy cost per acre.

Unless all farmers in an infested area join in control measures, spraying by a portion of the farmers is of little value because the aphid reproduces at a phenomenal rate and a crop completely cleared in 1 week may be completely reinfested by a neighboring field 8 or 10 days later.

In order to meet this danger, which experts tell us could threaten the alfalfa production of the Nation in a short time, the entire Oklahoma delegation in the House and the Senate today will introduce an emergency control bill. This bill will authorize expenditure of $15 million for control measures between now and June 30, and such additional sums as may be necessary in the new fiscal year. It also provides for $5 million to be expended on a crash-research program as to control method.

Several members of the House Agriculture Committee are joining in sponsorship of this legislation, and we earnestly hope it will receive early favorable consideration in this Congress.

WOODROW WILSON CENTENNIAL CELEBRATION

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks, and to include extraneous matter.

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

There was no objection.

Mr. HARRISON of Virginia. Mr. Speaker, I take this opportunity to invite the Members of the House to participate, on Saturday, April 28, in a motor pilgrimage to Staunton, Va., the birthplace of Woodrow Wilson.

As a feature of the observance of the 100th anniversary of Mr. Wilson's birth, the Woodrow Wilson Centennial Celebration Commission, which is a bipartisan Federal agency, will join next week in a program recalling the achievements and ideals of this great Christian statesman and educator.

On the 28th, which is the anniversary of the adoption of the League of Nations Covenant, Assistant Secretary of State Walter S. Robertson, as the personal representative of President Eisenhower, will speak on Today's Significance of the Ideals and Achievements of Woodrow Wilson.

Members of the House who desire to take the pleasant drive to Staunton, in the valley of Virginia, on that day, will be guests of the Federal and Virginia Commissions at luncheon.

The motorcade will form at 8:45 a. m. in front of the gates of Arlington National Cemetery, at the terminus of the avenue leading from the Virginia end of the Memorial Bridge.

Members of the House planning to participate should make their intentions known to Mr. Edward K. Moss, of the Woodrow Wilson Centennial Celebration Commission, Sterling 3-6969.

I should like to read the program for Wilson Week in Staunton, as follows:

STAUNTON WEEK CALENDAR APRIL 22-29

SUNDAY, APRIL 22

11: Morning worship, First Presbyterian Church, Rev. Graham G. Lacy, minister, Central Presbyterian Church, Washington, D. C.

4:30 Interdenominational hymn festival, First Presbyterian Church. Choirs of area participating.

TUESDAY, APRIL 24

9-5: Tour of homes and gardens.[1] Auspices Augusta Garden Club in cooperation with Historic Garden Week, Garden Club of Virginia. Block tickets include lunch, 12 to 2. Feature attraction: Fashion Parade of a Century, 1856-1956, home of Mrs. W. J. Perry, Jr.

7:30: Trifaith panel, King Auditorium, Mary Baldwin College. Speakers: Father George B. Ford, Corpus Christi Church, New York City; Rabbi Louis L. Mann, Chicago Sinai Congregation; Rev. Ralph W. Sockman, Christ Church, New York City.

WEDNESDAY, APRIL 25

9-5: Tour of homes and gardens.[1] (Same program as Tuesday.)

3:30-9: Spring flower show.[1] Theme: "We Honor Woodrow Wilson." Auspices Federated Garden Clubs of Staunton, Garden Center, Gypsy Hill Park.

THURSDAY, APRIL 26

9-5: Open house, Woodrow Wilson birthplace.

10-9: Spring flower show[1] (same program as Wednesday).

10:30-4: Woodrow Wilson Institute. Chairman, Virginius Dabney, editor, Richmond Times-Dispatch. Music, Mary Baldwin College Choir.

10:30: Morning speakers: Harold W. Dodds, president of Princeton University; T. J. Wertenbaker, professor emeritus, Princeton University; Sir Leslie Munro, New Zealand Ambassador.

12:30: Intermission: luncheon for out-of-town guests. Exhibit: Woodrow Wilson documents, Memorabilia of 1856.

2:30: Afternoon speakers: Arthur Krock, New York Times; Robert C. Clothier, president emeritus, Rutgers University.

[1] Charge for admission.

FRIDAY, APRIL 27

10–9: Spring flower show[1] (same program as Wednesday).

SATURDAY, APRIL 28

Joint centennial event: United States Woodrow Wilson Centennial Celebration Commission–Virginia Woodrow Wilson Centennial Commission.

9–2: Open house, Woodrow Wilson Birthplace.

2: Festival parade.

3:30: Commemorative ceremony, 37th anniversary of the adoption of the League of Nations Covenant. Speaker: Walter S. Robertson, Assistant Secretary of State.

8: Music for Young American Concert. National Symphony Orchestra, Howard Mitchell, conductor. College choral festival, auspices Virginia Federation of Music Clubs.

10: Festival ball.[1] Staunton Military Academy. Orchestra: V. M. I. Commanders.

SUNDAY, APRIL 29

11: Commemorative service, First Presbyterian Church, Rev. D. Elton Trueblood, Earlham College.

OMNIBUS FLOOD CONTROL BILL

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, the Subcommittee on Flood Control of the Committee on Public Works will begin hearings on Tuesday, May 1, on projects eligible for consideration for inclusion in an omnibus flood-control bill. The hearings will start each morning at 10 o'clock and be held in room 1302, New House Office Building. The schedule for the first week in May is as follows:

May 1: Chevreuil Bayou, La., House Document No. 347; Lake Chautauqua and Chadakoin River, N. Y., Senate Document No. 103.

May 2: Eau Galle River, Wis., Senate Document No. 52; Mississippi River at Winona, Minn., House Document No. 324; Saline River, Ill., House Document No. 316.

May 3: Tombigbee River, Miss, and Ala., House Document No. 167; Milk River, Glasgow, Mont., Senate Document No. 70; Bad River, Wis., House Document No. 165.

May 4: Purgatoire River, Colo., House Document No. 325; Weber Basin, Utah, House Document No. 158.

There will be additional hearings on May 7, 8, 9, 14, 15, and 16 and the schedule of projects to be considered on those dates will be announced later. Members interested in presenting witnesses with respect to any eligible projects are asked to communicate with the chief clerk of the Committee on Public Works to facilitate the development of hearing schedules.

It is my suggestion that local interests desiring to appear on any project arrange with their Member of Congress to have one spokesman present their testimony in order to conserve the committee's time. If desired, others will be permitted to submit prepared statements for the record.

[1] Charge for admission.

NEW BARGAINING AGENT REQUESTED

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, an Associated Press news story in the Atlanta Constitution of Saturday, April 14, states that 1,500 employees of Hayes Aircraft Corp., in Birmingham, Ala., will ask the National Labor Relations Board for an election to replace the United Automobile Workers as their bargaining agent.

These aircraft workers are angered at the AFL-CIO because of its continued attempts to break down segregation in the South.

This action on the part of these Birmingham UAW members is not just an isolated instance. Resentment has been growing in many sections of the South for sometime because of the attitude of Meany, Reuther and the heads of some other union leaders on the question of segregation.

When I was at home during the Easter recess, a copy of a letter was given to me which had been written to President Walter Reuther of the UAW and signed by approximately 1,200 employees of General Motors Corp., in Atlanta, protesting the action of the UAW in using funds contributed by UAW members to assist the National Association for the Advancement of Colored People in attacking segregation. The letter to Mr. Reuther signed by these UAW members is as follows:

To Walter Reuther, President, Congress of Industrial Organizations, Washington, D. C.

From Members, Congress of Industrial Organizations.

The following resolutions have been signed by members of locals, CIO, whose names are affixed hereto:

Whereas funds collected in the form of dues by the CIO are intended solely for the necessary operating expenses of the CIO or for other purposes closely connected with the welfare of the organization and its members; and

Whereas the question of segregation of white and Negro pupils in the public schools of the several States is a political and social issue having no direct connection with the welfare of union labor; and

Whereas the membership of the CIO includes many individuals who are strenuously opposed to the mixing of the two races in the public schools; and

Whereas the public press has reported that large amounts of funds from the treasury of the CIO have been diverted to the support of the National Association for the Advancement of Colored People for the purpose of forcing the mixing of the two races in the public schools:

Therefore, we, the undersigned members of locals, CIO, do hereby strenuously protest the reported diversion of these funds for a purpose having no connection with the welfare of the union labor; and

Further, we declare our position as being strongly opposed to any further diversion of the national funds of CIO to the NAACP or any other organization taking part in the controversy that has arisen over segregation in the public schools of the several States.

The action which has been taken on this subject by the heads of some unions has been taken without regard to the wishes of the rank-and-file members.

In Memphis, Tenn., recently union members vigorously resented remarks of the national representative of their union on the subject of segregation, and told this representative in no uncertain language that they would tolerate no dictation from the national headquarters on this subject.

A number of steelworkers in Atlanta recently protested vigorously the action of some of the leaders in the Steelworkers Union national headquarters, and threatened to withdraw from the Atlanta local if attacks on segregation were continued by the national officers.

The article in Saturday's Atlanta Constitution is as follows:

WORKERS QUIT UAW, SET UP DIXIE UNION

BIRMINGHAM, ALA., April 13.—A group of aircraft workers, accusing national union leaders of attempting to break down southern tradition, plans to challenge the powerful United Automobile Workers (AFL-CIO) with an independent southern union.

Spokesmen for the newly formed Southern Aircraft Workers, Inc., said they will ask for a National Labor Relations Board election in an effort to replace the UAW as bargaining representative of Hayes Aircraft Corp.'s 5,800 workers in Birmingham.

The group claims at least 1,500 signed memberships at Hayes, and says it is getting more at the rate of 50 a day. The UAW lists 3,000 members at the plant.

A number of southern union members have protested statements by AFL-CIO President George Meany and Vice President Walter Reuther which they consider attacks on the southern tradition of racial segregation. Reuther is president of the United Automobile Workers.

This, however, was believed the first, or among the very first, definite move toward a labor secession movement in the South over the bitter racial controversy.

Organizers said the independent union will not be segregated though it will be based "upon southern traditions."

"We firmly believe in the protection of the colored worker," said a spokesman, "but we do not believe in Walter Reuther's left-wing integration.

"Equal opportunity but not social equality will be a principle of the new union," he added.

Members of the group insisted the segregation question wasn't the only reason for their rebellion but was "the straw that broke the camel's back."

One of its leaders said workers became dissatisfield with the UAW-CIO last year while a new contract was being negotiated. They strongly objected to a special $20 assessment by the UAW to build a $26-million strike fund for the automobile workers.

Althought the aircraft workers paid the assessment they could not have drawn on the fund had they decided on a walkout.

Leaders plan to call a meeting of southern aircraft worker members in about 10 days to approve a constitution and elect officers. Incorporation papers already have been filed.

The UAW contract with Hayes Aircraft runs until April 30, 1957, but an attorney said this would not prevent an NLRB election from being called. He said the new group would become the bargaining agent of Hayes employees immediately if it won.

EXEMPTING FOREIGN TRAVEL FROM TRANSPORTATION TAX

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the

Speaker's table the bill (H. R. 5265) to exempt certain additional foreign travel from the tax on transportation of persons, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COOPER, MILLS, GREGORY, REED of New York, and JENKINS.

AMENDING INTERNAL REVENUE CODE OF 1954

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7247) to amend the Internal Revenue Code of 1954 with respect to the treatment of gain in certain railroad reorganizations, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COOPER, MILLS, GREGORY, REED of New York, and JENKINS.

SALUTE TO ISRAEL

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. PELLY. Mr. Speaker, I rise today to pay my respects to the Republic of Israel on the historic occasion of its eighth anniversary. Particularly on behalf of the people of the First Congressional District of Washington State and with all American citizens generally I extend best wishes to the Israeli people.

At times, Mr. Speaker, because of international pressures and the delicate political world situation, the citizens of Israel may question our motives and the extent of United States support, but I hope any such disappointments will in no way obscure from them the warm interest and friendship of the American people. Governmental omission or commission does not dim or deter the desire of the United States to support and secure the permanent military and economic survival of Israel as established by the United Nations.

The problems which more than a century and a half ago beset our own Republic in its infancy lend special significance to the observance of Israel's eighth anniversary. Also this is so because of the importance of the contribution to our culture and economic development by so many American citizens of Jewish blood. This gives Israel and the United States a close tie of interest. Finally let me say, the determination of the United States to prevent Soviet aggression and the spread of international communistic revolution, unites our two freedom loving peoples in a common bond. In this spirit America salutes Israel on this 16 day of April 1956. So it is on this historic observance for and from my constituents I express lasting friendship, support and good will.

APPROVE BILLS REGARDING CREDIT BANKS AND ASSOCIATIONS

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, today I received a resolution from the group directors' conference of the New York State Production Credit Associations expressing approval of a number of bills which have been introduced regarding credit banks and associations. The resolution was adopted at a meeting held in Syracuse, N. Y., on April 3, 1956. In view of the fact that these bills received the unanimous approval of the directors, who represent 17,500 New York State farmers, I am presenting this resolution for the careful consideration of all Members.

The resolution follows:

APRIL 10, 1956.

Hon. KENNETH B. KEATING,
House Office Building,
Washington, D. C.

DEAR SIR: The directors of all of the production credit associations of New York State, meeting in conference in Syracuse, N. Y., on April 3, 1956, considered and unanimously approved the following resolution as presented by the committee consisting of Homer Shepard, of Cazenovia; Harold Giles, of Union Springs; Glenn Widger, of Ellicottville, and James H. Park, of Batavia:

"*Be it resolved,* That the directors herein assembled in conference representing all of the 15 production credit associations in New York State with total membership of 17,500 New York State farmers unanimously support legislative bills as proposed by the Federal Farm Credit Board known as H. R. 10285, H. R. 10286, H. R. 10315, and S. 3564; be it further

"*Resolved,* That James H. Park, secretary-treasurer of Farmers Production Credit Association of Western New York, be directed to mail copies of this resolution to Representative COOLEY, chairman of House Committee on Agriculture; Representative HOPE, of Kansas; Representative POAGE, of Texas; Senator ELLENDER, chairman of Senate Committee on Agriculture and Forestry; all Congressmen and Senators from New York State; George Hill, secretary-treasurer, Jefferson City Production Credit Association; and others directed by the committee."

We would appreciate your favorable consideration and support.

Very truly yours,

JAMES H. PARK,
Farmers Production Credit Association of Western New York.

ILLINOIS MOTHER OF THE YEAR

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include a telegram and a newspaper article.

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

There was no objection.

Mr. VURSELL. Mr. Speaker, as you well know, the Members of Congress and those in the executive branch are so busy, in this atomic and jet age, with all its tensions and problems, with our Nation's economy expanding at rapid pace, that we often fail to take the time to look back to the grassroots of our country to realize the influence and power of the spiritual and moral force of millions of humble people, whose lives and deeds go unheralded and unsung—yet, who are without doubt making the greatest contribution to the spiritual, moral, and material force of the Nation.

America, the greatest Nation in the world, rests upon, and has drawn its towering strength from millions of American homes. Millions of women in these American homes wield the first and most tremendous influence in instilling into the child the spiritual values, which have long been recognized as the most powerful strength, collectively, of the American people.

The teachings and direction of the women in the early formative years of the children, and associating them in the Sunday schools and churches, starts them on the right road for the future—all of whom continue to contribute and permeate the fabric of American life and American Government, from its base to the summit of the Government—the Presidency of the United States.

Mr. Speaker, I have been moved to make the above statements, and to take this time of the House today, because there has come to me a gripping story that so well illustrates the thought which, in my humble way, I am trying to present—a story I believe will be of interest to the Members of Congress—a story of womanhood at its best—a story of an humble woman born and reared in my congressional district.

The subject of this story is Mrs. Addie Crouse Carroll, 78, of Greenwich, Ill., twice widowed, mother and stepmother of 13 children, who has been given the honor of Illinois Mother of the Year, 1956.

Mrs. Carroll was selected by the American Mothers' Committee. She has honored her county, State, and Nation, and I want the pages of the CONGRESSIONAL RECORD to carry this story, officially, to every congressional district in the Nation.

Governor William G. Stratton presented Mrs. Carroll a citation at fitting ceremonies on Sunday afternoon, April 15, at the Carrie T. Burritt Hall, Greenville College, Greenville, Ill. Sponsors were the president of the college, Dr. H. J. Long, Mayor Paul E. Zebb, and various groups and organizations of the committee.

Mrs. Carroll will go to New York for the selection of National Mother of the Year, May 7 to 10. Mothers from all 48 States will be contestants for the National Mother of the Year award.

For a more detailed story of the rich and fruitful life of this honored citizen, I am inserting with my remarks a very interesting and factual story written by Mrs. Carroll's neighbor, the local editor

of the Greenville Advocate, Greenville, Ill., on March 19, 1956:

GREENVILLE WOMAN IS NAMED ILLINOIS MOTHER OF THE YEAR FOR 1956—MRS. ADDIE CARROLL TO BE CONSIDERED FOR UNITED STATES TITLE—WIDOW OF METHODIST MINISTER HAS LIVED HERE SINCE 1933

Orchids to Mrs. Addie Crouse Carroll, of Greenville.

Signal honor, well deserved, came to a Greenville woman Thursday, when Mrs. Addie Crouse Carroll, 79, a resident of Greenville for the past 23 years, was named 1956 Illinois Mother of the Year, at Springfield, as briefly noted in the Advocate that day.

Mrs. Carroll, widow of the late Rev. E. T. Carroll, a Methodist minister, resides in a modest, comfortable home at 415 South Elm Street, that is when she isn't doing practical nursing or taking care of new-born babies and their mothers, or doing a baby sitting chore. Mrs. Carroll is the mother of 8 children and the stepmother of 5, but so far as the Carroll family is concerned there were no "steps" nor "halves", they were all one big family. And a big family it was, too. For many years there were 15 living in the Illinois Methodist parsonages as the Rev. Mr. Carroll was transferred from church to church. The number included the Rev. and Mrs. Carroll, their 12 children and Rev. Carroll's mother.

Ten of the Carroll children have collegiate training and 5 have degrees. The oldest son, Frank, is a retired major general of the Air Force. Eleven children are living and married and there are 21 grandchildren and 15 great grandchildren.

The children are:

Frank, a retired major general in the Air Force, Boulder, Colo.

Ben, publisher of the Reporter-Dispatch, White Plains, N. Y.

Paul, advertising manager for the American Brakeshoe Co., New York.

Stanley, Tulsa, Okla., in the aircraft industry.

Robert, Worthington, Ohio, in the aircraft industry.

Donald, farmer near Kent.

Mrs. Ella Finkenbinder, Stockton, former teacher.

Mrs. Leona Kendall, Coral Hills, Md., former teacher.

Mrs. Gladys Warren, Decatur, former teacher and now senior visitor for the Illinois Public Aid Commission.

Mrs. May Metcalf, Scarsdale, N. Y.

Mrs. Helen Finch, Cape Girardeau, Mo., former secretary.

A son, Vincent, who died in 1948, was a Greenville businessman.

Mrs. Carroll will be presented a plaque in recognition of being chosen mother of the year sometime in April with Gov. William G. Stratton coming to Greenville to make the presentation.

She was chosen by an Illinois committee consisting of the presidents of the Illinois Federation of Women's Clubs and Women's Christian Temperance Union, Federation of Home Bureaus, the American Legion auxiliaries, and the Christian Women's Association.

She was nominated for the Illinois title by members of the Atlas Sunday School class which she teaches at the First Methodist Church of this city.

Largely through the efforts of Mrs. Nina B. Bruns, home adviser of Bond County, and Mrs. Roy Finley, and members of the Atlas Sunday School class, was the activity started which resulted in the naming of Mrs. Carroll, Illinois mother of the year.

Mrs. Carroll will be considered now by the American Mothers Committee for the nationwide title.

Addie Belle, daughter of Benjamin and Mary Crouse, was born near Ingraham in Clay County, February 13, 1877, the fifth of nine children. She calls her people "not outstanding—just pioneer, hardworking, honest, Godfearing people. I'm proud of them."

Her first husband, Samuel O. Kepley, was a rural schoolmaster and her teacher whom she married in 1897. She was 20. He entered the ministry and served his first pastorate at Hagarstown, with a yearly salary of $300.

When her husband died 6 years later in January 1903 while en route to New Mexico for the benefit of his health, she had 3 children. The proceeds of an insurance policy bought a 50-acre farm which she operated with the aid of her father and brothers. Six weeks after the father died one of the little daughters died.

She married the Reverend E. T. Carroll, pastor of the Methodist church at Grayville, a widower with five children, on Thanksgiving Day in 1906. Five more children were born to them.

"We had to make sacrifices but the children did too," said Mrs. Carroll, recalling how the children were encouraged to complete college education.

The Carrolls came to Greenville in the fall of 1918 and the Reverend Mr. Carroll served the Greenville church 4 years, being sent from Greenville to Salem in 1922.

When the Reverend Mr. Carroll died at his last pastorate in Kinmundy on November 17, 1933, Mrs. Carroll returned to their own house in Greenville later that month, and took up practical nursing to support her family, which then consisted of 2 sons, 1 in high school and 1 in the grades.

Last month Mrs. Carroll was honored at a community dinner in Greenville at which nine of her children were present.

Present were many of the children she had cared for as newborn babies and their parents.

For her service to the community she was given a high-fidelity record player and a This Is Your Life booklet containing pictures of many of "her babies."

I am also including the following telegram of congratulations to Mrs. Carroll from Senator EVERETT DIRKSEN, of Illinois:

APRIL 13, 1956.

Mrs. ADDIE CROUSE CARROLL,
Greenville, Ill.

MY DEAR MRS. CARROLL: I know of no higher honor and no richer award that can come to any woman than to be selected as Mother of the Year for a great State like Illinois. Several things impress me about the selection. The first is that there are so many wonderful mothers who have done so much for family, community, and country, and therefore to be selected as Mother of the Year for the State carries with it high distinction. It is a reward that must be deserved as I have learned in other years and so I congratulate you most sincerely and salute you for your contribution to the well being of family life, community life, and the needs of a free country.

With warm personal wishes,

Senator EVERETT MCKINLEY DIRKSEN.

DISPOSAL OF SURPLUS FOODS

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. HILL. Mr. Speaker, we should be informed on what the United States Department of Agriculture is doing in the disposing of surplus foods.

They are working at the job, and the first 9 months of this fiscal year—July through March—a 65-percent increase in the distribution of surplus foods is recorded by the United States Department of Agriculture as announced on April 12, 1956. These donations of food are made to recipients in this country as well as abroad. The programs are conducted by the Agricultural Marketing Service.

Eligible recipients in this country received 42.9 percent more in the 9 months' period than they did the previous year. Gains were made in all categories of recipients. Schools, a 25.4 percent increase; donations to needy persons, 89.3 percent increase.

Eleven million schoolchildren, 1,300,000 needy persons in charitable institutions, and 2,929,000 needy persons in family units received surplus food.

Foods are being distributed to needy persons in 74 foreign countries through 19 private United States welfare agencies. A total during the 9 months of 840,300,000 pounds of food was distributed overseas, an 84-percent increase over the same period a year ago.

PRIVATE ENTERPRISE: ADAMS CORPORATION, A LIVING EXAMPLE

Mr. SMITH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, the blessings which have flowed to the American people as a result of the private enterprise system cannot be fully appraised. We do know that from the beginning of our greation Nation men and women, because they have been free, have put their minds and efforts to work in creating an economy that has not been matched in the history of mankind.

In my own congressional district at Beloit, Wis., there is a small but vigorous company named the Adams Corp. The ingenuity, foresight, and ability of the men behind that company has brought to the American economy a product which is rather new but yet is one that today reaches all parts of the world. I refer specifically to a variety of products packed in small cellophane bags called Adams Korn Kurls, Adams Caramel Corn, and Adams Cheese Wafers. On Friday last week in the House dining room, the Members of this great body had an opportunity to sample these products through the courtesy of Mr. Allan W. Adams, president of the corporation.

Mr. Speaker, the products of this young company is as I have indicated above, going to all parts of the world, Europe, Asia, Africa, and South America. These are tasty tidbits that our young men and women in the Armed Forces serving abroad are able to purchase in the commissaries and canteens.

It is with some pride that in the cheese wafers this firm is using dehydrated Wisconsin natural Cheddar cheese and it is

thereby helping to reduce the surplus of Cheddar cheese which is produced so extensively in our great State.

Mr. Speaker, the people of this country, I am sure, are proud of the men and women who are identified with private business and private industry today. They are the ones who make the jobs which provide employment for more than 65 million people without any help from the Federal Government. These same men and women are responsible for the high standards of living we enjoy and for the unlimited opportunity of every citizen in this Republic.

EXEMPTION FROM INCOME TAX OF CERTAIN DIVIDENDS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, on March 6, 1956, I introduced H. R. 9765, to protect farmers and other persons who are required to treat patronage dividends as income for Federal income tax purposes by providing for the collection of income tax at source on such dividends and to provide tax equity.

At the time of introducing this bill I stated:

> Finally, I would say this: There has been considerable talk about corporations paying a withholding type of tax on dividends they declare, to their stockholders. Estimates have been made indicating that in this area also there has been a loss of legal revenue to the Federal Government. This principle seems to have bearing on this present situation. With that in mind, I am preparing a bill to accomplish this further purpose and, if it seems in order that its subject matter is sufficiently similar to that set forth in this bill, I would agree to join the two bills together.

Accordingly, today I have introduced a bill to provide for the collection of income tax at source on dividends.

Here now are two bills which will raise additional revenue by closing two loopholes in our tax administration and collection. Closing loopholes not only produces more revenue but it also creates a healthier attitude of the public toward the taxes they are required to pay. Nothing undermines the public attitude toward tax payment as much as preferential treatment to one group of citizens over another.

INCOME TAX REDUCTION FOR INSTITUTIONAL CARE OF MENTALLY RETARDED CHILDREN

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I have today introduced a bill which will allow amounts paid for the institutional care and training of mentally retarded children of a taxpayer to be deducted for Federal income tax purposes.

The problem of mental retardation is indeed national in scope. The problem is vast and its magnitude is only now commencing to make an impression upon public-minded citizens and professional leaders. We are gradually recognizing the fact that mentally retarded children can be helped.

Mental retardation has no boundaries. It may strike, and does strike, families regardless of economic or fiscal status, race, or color. It is staggering to realize the frequency of occurrence and the number of people directly involved. The National Association for Retarded Children estimates that 300 of the children born every day in the United States are destined to be mentally retarded. Mental retardation is beyond question the most extensive of the crippling conditions which affect our Nation's children. For each 100,000 persons in our population, an estimated 200 are blind, 300 are permanently crippled by polio, 350 by cerebral palsy and 700 by rheumatic heart conditions and 3,000 individuals are mentally retarded. Estimates reveal that 3 percent of our total population or approximately 4,800,000 United States citizens are retarded to some substantial handicapped degree.

These figures readily show the immensity of one of this country's most extensive health, education, and welfare problems, and I might add, probably the most neglected.

Statistics are not available to show exactly the number of retarded persons there are but on the basis of the most authoritative studies thus far, estimates show that one out of every thousand of our total population is so severely retarded as to require hourly supervision. Four in every thousand persons are capable of being trained to self-care and social adaptability. Twenty-five in every thousand can, with proper schooling, vocational and social guidance, perform useful and productive jobs in our national economy. I call attention to the fact that in each of these three categories, schooling that is specialized so as to provide the social, vocational and self-care training is most vital to the welfare of these handicapped children.

I should also like to mention that the increasing birthrate in our country, together with the longer life span of the severely retarded adds to the numbers of persons for whom provisions of all types of care and schooling is required. In our country in which we are dedicated to providing equal opportunity for all, a climate must be made available in which the individual regardless of mental or physical limitations, can realize the full development of his capabilities.

The problem of adequate schooling of the proper nature for the mentally retarded children of this country is something that is only currently and slowly gaining national attention and momentum. Public institutions provide for the care and training of some 153,000 mentally retarded and epileptics in 1953 according to the United States Public Health Service. There is no adequate statistic available to show the number of mentally retarded children in specialized private schooling facilities. However, it is estimated that the United States Public Health Service found that in 1950–51 approximately $127 million was spent in operating 91 public institutions for the mentally retarded children while the National Association for Retarded Children estimates that perhaps $150 million a year is spent for the retardation in both public and private institutions.

The immediate problem with which I am greatly concerned today is the amount of money expended by parents of mentally retarded children in their care and training in institutions and schools. The economic inroads on family incomes cannot be accurately assessed, but they, nevertheless, are real and disrupting to any family so involved. Such expenses, depending upon the institution or school, may range from several hundred dollars to several thousand dollars per year and such costs may be occasioned in both public institutions as well as private schools. From the time parents suspect something may be wrong with their child, that is, their child is not developing at a normal rate, to final acceptance of the condition, the parents have expended large sums of money and depleted their financial resources in search of competent diagnosis, counsel, and treatment. The toll upon the finances and mental health of the parents is frequently so severe as to permanently disrupt family relations. Such obstacles to family companionship and unity may affect even and often do, the normal children in the family and the experience of being the parent of a mentally retarded child is sometimes so disturbing that even religious faith is taxed. It is quite important that we not only recognize the problems that confront such parents, but that we give as much encouragement as we can to them in meeting these problems. After all, it is the parents who through love and other fine emotions keep the number of retarded children on the public assistance rolls as low as it is.

It is true that in this country there is indeed a lack of adequate training and teaching facilities, both public and private. In the great State of Missouri, this lack of adequate facilities has been superbly illustrated by a series of articles written by Mr. Morton Mintz which appeared last July and August in the St. Louis Globe-Democrat. For the information of my colleagues in the Congress of the United States and for the interested public, I am inserting these articles for printing in the RECORD.

The gentleman from Rhode Island, Congressman FOGARTY, has been most helpful in the initiation of a new program for the mentally retarded children of this country. As you know, in the consideration of the bill—H. R. 9720—making appropriations for the Department of Health, Education, and Welfare, moneys are provided for medical research, a new education program, and items of maternal and child health for the mentally retarded.

The gentleman from Massachusetts, Congressman BOLAND, pointed out on March 5, that the immensity of the mental retardation problem is beginning to drawn upon the people of the country and with the dawning is the growing desires of our people to help solve or at least alleviate the courageous burden families are carrying. He further indicated the problem was too big and too severe for individuals or even groups to master and that the responsibility rests upon the Government to shoulder the bulk of the program.

It is my feeling and firm belief that parents who are able and willing to pay for schooling, care, and training of their children, should do so. Such care and training is directly in the nature of a medical expense in the broad sense and in this connection the existing provisions in the Internal Revenue Code of 1954 are not sufficiently broad that a taxpayer may deduct for income tax purposes his expenses for the school care of a mentally retarded dependent.

As pointed out earlier, many of the retarded children in such schools require hourly attention and are unable to provide themselves with even the simplest of their requirements. Others with adequate schooling and care and training can be made marginally independent. In both extremes, medical counseling and treatment is of vital importance in alleviation and mitigation of the condition.

Section 213 of the Internal Revenue Code presently allows a deduction of certain medical care expenses of the taxpayer and these are defined to mean amounts paid for diagnosis, care, mitigation, treatment, and prevention of disease. Amounts expended for such care and training designed to alleviate mental or physically handicapped are also deductible. However, amounts paid for care in a specialized school for the handicapped are not specifically included as allowable deductions for income tax purposes. I feel such expenditures for institutional care and training of a mentally retarded child should be classified as permissible deductions for Federal income tax purposes and I submit that the bill which I have introduced today will encourage, lend support, and give some measure of relief to those parents who are able to participate by the extension of schooling to their mentally retarded offspring. This bill is but a small, though important, step in the path of advancement now being made in the field of mental retardation.

EIGHTH ANNIVERSARY OF THE FOUNDING OF ISRAEL

Mr. KEAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, today marks the eighth anniversary of the founding of the gallant little nation of Israel.

We in the United States have looked with sympathy on its aspirations. We have admired its achievements.

But today war clouds hover over Israel and its valiant sons and daughters. Many of its neighbors are looking upon Israel with hostile eyes. Some say the spur for that hostility comes from outside of the Middle East.

But no matter where the truth lies, all of the nations of the world and their leaders must be made to realize unequivocally that Israel is here to stay.

There can be no compromise on that score and as Secretary of State John Foster Dulles so clearly stated just a few weeks ago:

> The preservation of Israel is a basic tenet of American foreign policy.

I stand foursquare for that stated policy.

Peaceful cooperation is the best answer for the troubled Middle East and for all the world. Through it improved conditions of life can be achieved by both Arab and Jew.

I have confidence that that good sense of the peoples of the Middle East will in the long run bring about this cooperation for the good of all—and for the maintenance of peace in that troubled corner of the world.

It is fervently hoped that one result of Secretary General Dag Hammarskjold's present visit to the Middle East will be the creation of the atmosphere necessary for the development of this peaceful cooperation.

In the meantime, I salute Israel's birthday and wish it well with the firm conviction this gallant nation will live on forever as an important member in the world family of nations.

TRAINING OF MARINES

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, although I do not desire at this time or at any time to prejudge any action involving our military services, I have been thinking a great deal of the tragedy which occurred in the training of our marines at Parris Island last week. It is not my purpose to condemn, nor is it my purpose to justify the tragedy which occurred, but it is my purpose to try, if I may, to show the importance of exercising great caution in regard to this whole situation.

Six young men died last week at the United States Marine training camp at Parris Island. It cannot be said they died because the training was too rigorous. It cannot be said they died because of a failure in judgment. It cannot be said they died because of the system employed. It might be said that probably their tragic deaths are due almost wholly to accident. Now there is no argument about the fact that accidents generally happen because of the failure to act or because of incorrect action or because of a fault.

The finest military organization in the world today is the United States Marine Corps. Their tremendous accomplishments in time of war, their heroism, their courage, their driving force represent a mountain of evidence as to the greatness of their quality. An examination of history will disclose that never on the field of human conflict has the ability, the courage and the power of the United States Marine Corps ever been equaled.

This eminent record of achievement has not come about easily. It is the result of the terrific attention to training of each individual Marine, a training to defend himself as well as to win out in any conflict with an enemy, a training to handle himself completely, individually, or in a group, a training to make each marine completely dependent upon himself, a training with others in the form of a team. Because of this training and the great accomplishments of the Marines for the United States of America, and for the cause of freedom, there is an esprit de corps in the United States Marine Corps unequaled in the entire world.

The training is rigorous. It is tough. It is demanding. It is strenuous. It requires full employment of a young man's mental and physical qualities. The one thing that we must not forget is that because of this training when a marine is facing his enemy, he has the advantage. The marine has a better chance to survive than does his enemy because he is the better trained. Only survivors win wars. The men who die pay for them, but they do not win them.

In our thinking about this tragedy at Parris Island, let us not lose our focus upon the objective, and that is to train these young men so that they might live when they are face to face with the enemy. In our other military forces, we train pilots and men to operate all kinds of machines of war. In the training of these men deaths occur due to accidents. Because of these accidents, however, the training of the men who follow is always just a little better. So it is and will be in the Marine Corps because of these tragic deaths at Parris Island. Let us make sure, let us be certain the young men who follow in training in the Marine Corps will be better trained.

It is easy to say, "Oh, this training is too difficult." It certainly sounds difficult to the average person sitting comfortably before his television in his comfortable living room. But it is not too difficult when the rigors of modern warfare are considered. In this connection, no training is too difficult. The training of our men must be on such a basis that it will prepare them to have the advantage over the enemy in time of war. Upon this their lives depend.

This morning, it was my pleasure to have breakfast with a wonderfully fine group of boys and girls from Groton, Mass., a part of my district. As we were together, I could not refrain from thinking about the future of these fine boys sitting to my right and to my left in the

breakfast room. In this regard I want to emphasize that if any of these fine young men had to go into combat in the defense of their country I would want them to go with the best possible training and the best equipment our country could give them. In this way, I believe they not only would be of great service to their country but they would be able to defend themselves and to prevail against their enemies.

In conclusion, I should like to emphasize again that I hope the Congress and the people of America will bear in mind that our country, the United States of America, requests and demands a very high level of ability, knowledge, courage, and forceful determination from the men who wear the uniform of the United States Marine Corps. As a Nation, we expect them to do the impossible and the United States Marine Corps has never let this Nation down, for they have done the impossible time after time after time.

My plea today then is a plea of caution. Let us not be too hasty to form unwarranted conclusions. At the same time I extend to the families and loved ones of these young men my heartfelt sympathy and assure them these boys have contributed greatly to the efficiency and the quality that we respect so highly in the United States Marine Corps. Let us hold fast to the great qualities of the Marine Corps. Let us bring more and more wisdom into the training of our young men. Let us provide them with the knowledge, the ability, the assurance, together with the faith in themselves and their military service. Do not destroy that which has been nobly constructed out of the fury and fire of victory. May men continue to be proud—proud they are marines.

AGRICULTURAL ACT OF 1956—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 380)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, H. R. 12, designated as the Agricultural Act of 1956.

It is with intense disappointment and regret that I must take this action. I assure you my decision has been reached only after thorough consideration and searching my mind and my conscience. Our farm families are suffering reduced incomes. They had a right to expect workable and beneficial legislation to help solve their problems. This bill does not meet their needs.

I am disappointed at the long delays which this legislation encountered. My first special request in this session of the Congress was for prompt remedial farm legislation. A sound, constructive nine-point program to this end was submitted on January 9, with an urgent request for action. It was a program that came from the grassroots. Suggestions and criticisms from large numbers of farm people, in every type of agriculture, from every section of the country, were analyzed and used. It offered no magic panacea because, we can all agree, there is none. It did strike directly at the root of the low-price low-income problem.

The problem is price-depressing surpluses. Excess stocks of certain farm commodities have mounted to market-destroying, price-depressing size as a result of wartime price incentives too long continued. Any forward-looking, sound program to meet the needs of farm people must remove the burden of these accumulations. They are depressing net farm income by many hundreds of millions of dollars a year.

H. R. 12 would not correct this situation. It would encourage more surpluses. It would do harm to every agricultural region of the country and also to the interests of consumers. Thus it fails to meet the test of being good for farmers and fair to all our people.

The bill is self-defeating. The soil-bank proposal has been incorporated. This would be constructive, had it not been encumbered by contradictory provisions. The soil bank would provide an income incentive to farmers to reduce production temporarily so that surplus stocks might be reduced. Other provisions of this bill, however, would result in an equal or greater incentive to increase production and accumulate more surplus.

Among the provisions which make this bill unacceptable are: (1) the return to wartime rigid 90 percent of parity supports for the basic commodities; (2) dual parity for wheat, corn, cotton, and peanuts; (3) mandatory price supports for feed grains; (4) multiple-price plans for wheat and rice. The effect of these provisions would be to increase the amount of Government control and further add to our price-depressing surpluses.

Specific objections relative to each of these provisions may be summarized as follows:

1. Price supports at wartime 90 percent of parity on basic crops were in effect in each year from 1944 through 1954. They were not responsible for the high commodity prices and high farm income of wartime and the immediate postwar years. Prices were then above support levels due to wartime inflation and the insatiable markets associated with war. Neither did 90 percent supports prevent prices from falling as postwar surplus stocks began to accumulate.

Price supports at wartime 90 percent on the 6 designated basic crops did encourage production of these crops relative to others. At the same time consumption was discouraged and the use of substitutes was stimulated. Market outlets shrank, and surplus accumulations mounted. Acreage controls had to be invoked, thereby rationing the right to produce. Wheat acreage was reduced from 79 to an allotment of 62 and then to the present 55 million acres. Cotton was cut from 25 to 20 and then on down to the present 17 million acres. These drastic reductions, forced by the application of the price-support law, penalized many farmers directly by resulting in shrunken volume and uneconomic farming operations. In addition, acreage diverted from the basic crops shifted surplus problems into many other crops and livestock. Now almost every farmer is adversely affected, regardless of what crops or livestock he raises.

If wartime rigid 90 percent supports were the answer to the problem of our farm families, there would now be no problem.

Farm incomes have declined in every year except one between 1947 and 1954, and in all these years 90 percent supports were in effect.

Farmers are not interested in price alone. What they really want for their families is more net income, which is affected by volume and costs as well as by price. The 90 percent of parity approach focuses on support price alone.

To return now to wartime 90 percent supports would be wrong. Production would be stimulated. Markets would be further destroyed, instead of expanded as must be done. More surplus would accumulate—and surpluses are price depressing. Regimentation by ever stricter production controls would be the end result.

It is inconceivable that we should ask farm families to go deeper into this self-defeating round of cause and effect.

2. The provision for dual parity would result in a permanent double standard of parity for determining price supports. Four crops would receive preferential treatment out of 160 products for which parity prices are figured. There is no justification in logic or in equity for such preferential treatment.

Particularly is this true because, under the working of the modernized parity formula enacted by the Congress, increasing the parity prices of some commodities automatically lowers the parity prices of all other commodities. If parity prices for wheat, corn, cotton, and peanuts are to be higher, then parity prices of the other products must be lower.

To whatever degree prices would be further artificially raised there would be a corresponding stimulus to production, more controls on farmers, reduced consumption, increased accumulations, and lower prices in the market. Such a device for parity manipulations could destroy the parity concept itself. It places a potent weapon in the hands of opponents of all price supports for farmers. We have no right to place the welfare of our farm families in such jeopardy.

3. The provision for mandatory supports on the feed grains would create more problems for farmers. The market for feed grains would shrink as livestock production would come to depend more on forage and less on grain. The flow of feed grains into Government stocks would increase and production controls would necessarily be intensified. Price relationships between feed, livestock and livestock products would be distorted. Producers of feeder cattle, feeder lambs, and feeder pigs would be faced with downward pressure on prices. An imbalance would develop between feed crops and livestock products, with all its adverse consequences.

4. The multiple-price plans for wheat and rice would have adverse effects upon producers of other crops, upon our re-

lations with friendly foreign nations, and upon our consumers.

There are other serious defects in the bill such as certain provisions found in the section dealing with the dairy industry. Still other features are administratively bad and would require the hiring of thousands of additional inspectors and enforcers.

I recognize that the restoration by H. R. 12 of wartime mandatory 90 percent price supports applies only to 1956 crops. This, in combination with other objectionable features of the bill, would put us back on the old road which has proved so harmful to farmers.

Bad as some provisions of this bill are, I would have signed it if in total it could be interpreted as sound and good for farmers and the Nation.

After the most careful analysis I conclude that the bill is contradictory and self-defeating even as an emergency relief measure and it would lead to such serious consequences in additional surpluses and production controls as to further threaten the income and the welfare of our farm people.

Because the good features of the bill are combined with so much that would be detrimental to farmers' welfare, to sign it would be to retreat rather than advance toward a brighter future for our farm families.

We now have sound and forward-looking legislation in the Agricultural Act of 1954. Neither that act, nor any other, can become fully effective so long as it is smothered under the vast surpluses that have accumulated. We imperatively need remedial legislation to remove this burden and enable the fundamentally sound program provided in the act of 1954 to become workable. Such remedial measures were proposed in my message of January 9.

I am keenly mindful that the failure of the Congress to enact a good new farm bill can have unfavorable effects on farm income in 1956, unless prompt administrative efforts to offset them are made immediately. Particularly, the failure to enact a Soil Bank before planting time this year makes such administrative efforts imperative.

Consequently, we are going to take prompt and decisive administrative action to improve farm income now. I have conferred with the Secretary of Agriculture and the administration is moving immediately on four major fronts:

1. In 1956, price supports on five of the basic crops—wheat, corn, cotton, rice and peanuts—will be set at a level of at least 82½ percent of parity. Tobacco will be supported as voted in the referendum in accordance with existing law.

Within this range of price support flexibility, the administration intends to set minimum support levels that will result in a national average of:

Wheat at $2 a bushel.

Corn at $1.50 a bushel.

Rice at $4.50 per hundred pounds.

A separate support for corn not under acreage control in the commercial corn area will be announced at an early date.

Price supports on cotton and peanuts have not yet been announced but will be at least 82½ percent of parity.

The Secretary of Agriculture will announce shortly the details of the new cotton export sales program.

2. For this year the support price of manufacturing milk will be increased to $3.25 per hundred pounds. The support price of butterfat will be increased to 58.6 cents a pound.

3. We will use Department of Agriculture funds, where assistance will be constructive, to strengthen the prices of perishable farm commodities. We will have well over $400 million for that purpose for the year beginning July 1.

These actions the administration will take immediately.

I now request Congress to pass a straight soil-bank bill as promptly as possible. It should be in operation before fall seeding for next year's crops. It is vital that we get the soil bank authorized in this session of the Congress. There is general agreement on it. I am ready to sign a sound Soil Bank Act as soon as Congress sends it to me. That can be accomplished in a very few days if the leadership in Congress will undertake the task.

This combined program of administrative action and legislative enactment will begin now to improve the income and welfare of all our farm families.

Here is a challenge for both the legislative and executive branches of the Federal Government.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 16, 1956.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and without objection the bill and message will be ordered printed.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the further consideration of the message be postponed until Wednesday next.

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

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

DISPOSAL OF LANDS UNDER BANKHEAD-JONES FARM TENANT ACT

The Clerk called the bill (H. R. 6815) to provide for the orderly disposition of property acquired under title III of the Bankhead-Jones Farm Tenant Act, and for other purposes.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

AMENDING THE FEDERAL PROPERTY ACT OF 1949

The Clerk called the bill (S. 2364) to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

WILLFUL DESTRUCTION OF AIRCRAFT OR MOTOR VEHICLES

The Clerk called the bill (H. R. 319) to punish the malicious destruction of aircraft and attempts to destroy aircraft.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

NATIONAL MOTTO

The Clerk read the resolution (H. J. Res. 396) to establish a national motto of the United States.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the national motto of the United States is hereby declared to be "In God we trust."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF LAND TO MUSKOGEE, OKLA.

The Clerk called the bill (H. R. 7679) to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey by quitclaim deed to the city of Muskogee, Okla., all the right, title, and interest of the United States in and to a tract of land containing approximately nine acres located north of the existing Veterans' Administration hospital reservation situate in Muskogee County, State of Oklahoma, likewise being a portion of certain lands conveyed to the United States by the city of Muskogee by warranty deed dated March 17, 1945, recorded in the office of the clerk of Muskogee County on June 23, 1945, in book 839, pages 432 to 434, the exact courses and distances of the perimeter of which shall be determined and approved by the Administrator of Veterans' Affairs. The city of Muskogee shall pay the cost of surveys as may be required by the Administrator of Veterans' Affairs in determining the required legal description.

SEC. 2. There shall be reserved to the United States all minerals, including oil and gas, in the lands authorized for conveyance by section 1, and the deed of conveyance shall continue such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

SEC. 3. The deed of conveyance shall provide that the tract of land authorized to be conveyed by section 1 of this act shall be used by the city of Muskogee, Okla., for such purposes as will not, in the judgment of the Administrator of Veterans' Affairs or his designate, interfere with the care and treatment of patients in the Veterans' Administration Hospital, Muskogee, Okla., and that if such

provision is violated, title to the tract shall revert to the United States.

With the following committee amendment:

Page 1, line 7, strike out "nine" and insert "eight and sixteen one-hundredths."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND TRANSFERRED TO ROSEBURG, OREG.

The Clerk called the bill (H. R. 8123) authorizing the Administrator of Veterans' Affairs to convey certain property of the United States to the city of Roseburg, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to section 2 of this act, the Administrator of Veterans' Affairs is authorized and directed to quitclaim to the city of Roseburg, Oreg., all of the right, title, and interest of the United States in and to a tract of land containing 125 acres, more or less, situated in the Veterans' Administration hospital reservation in that city, the exact legal description of which shall be determined by the Administrator of Veterans' Affairs.

SEC. 2. The conveyance authorized by this act (1) shall provide that the tract of land so conveyed shall be used for park purposes, and shall be available for recreational use by the patients of the Veterans' Administration Hospital, Roseburg, Oreg., under the same conditions as it may be made available to the public, so long as the property is used for the purpose conveyed, and if it shall ever cease to be used for such park purposes the title to such property shall revert to the United States, which shall have immediate right of reentry thereon, (2) shall reserve to the United States all mineral rights, including gas and oil, in the land so conveyed, and (3) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

With the following committee amendments:

Page 1, line 4, strike out "Veterans' Affairs" and insert "General Services."

Page 2, line 16, strike out "Veterans' Affairs" and insert "General Services."

The committee amendments were agreed to.

Mr. ELLSWORTH. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: On page 1, line 7, after the word "and", strike out "twenty-five" and insert "sixty-three."

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Michigan.

Mr. FORD. Is it true that the amount originally included in the bill and the amount in this bill was donated to the Federal Government by the city of Roseburg?

Mr. ELLSWORTH. Yes, that is correct. The city of Roseburg in 1932 donated to the Federal Government 413.7 acres of land. The Veterans' Administration now find that they have no further use for the total of 163 acres of land which the city of Roseburg is ready and willing to make into a park, and the bill requires that the land, when transferred to the city, be used for that purpose.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Administrator of General Services to convey certain property of the United States to the city of Roseburg, Oreg."

A motion to reconsider was laid on the table.

LAND TRANSFER TO BONHAM, TEX.

The Clerk called the bill (H. R. 8490) authorizing the Administrator of Veterans' Affairs to convey certain property of the United States to the city of Bonham, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

LAND TRANSFER TO THE CITY OF BILOXI, MISS.

The Clerk called the bill (H. R. 8674) to provide for the return of certain property to the city of Biloxi, Miss.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I should like to ask the author of the bill or the chairman of the committee this question. This land, as I understand it, was originally donated to the Federal Government by the city of Biloxi; is that correct?

Mr. COLMER. Mr. Speaker, may I say to the distinguished gentleman that that is correct, with the exception of 3 or 4 acres. In other words, the bill authorizes the conveyance of 144 acres, 139 of which were conveyed by the city to the Veterans' Administration.

Mr. FORD. The net result is that the Federal Government is transferring back a small portion of the total which was originally donated by the city of Biloxi?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. That is true. The Federal Government paid something for a part of this land but the land is to be used for a park in connection with the hospital. Certainly the hospital will gain something from that. Most of the land was donated by the city of Biloxi to the Veterans' Administration.

Mr. COLMER. Mr. Speaker, I thank my friend the chairman of the committee. One hundred and thirty-nine acres were donated outright, out of the total of 144.

Mr. FORD. I assume that in this deed any of the ordinary rights under which the Government protects itself would be included?

Mr. COLMER. I assume so.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to section 2 of this act, the Administrator of Veterans' Affairs shall reconvey to the city of Biloxi, Miss., all right, title, and interest of the United States in and to a tract of land containing 144 acres, more or less, which constitutes a portion of land heretofore given to the United States by the city of Biloxi, and is located in the Veterans' Administration reservation in that city. The exact legal description of the land to be conveyed shall be determined by the Administrator.

SEC. 2. The deed of conveyance authorized under the provisions of this act may contain such terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

With the following committee amendments:

On page 1, line 4, strike out "reconvey" and insert "convey".

On page 1, line 7, after the word "less", insert "one hundred thirty-nine acres of".

On page 1, line 7, strike out "constitutes" and insert "constitute".

On page 1, line 11, strike the period, insert a comma, and the following, "and in the event a survey is required in order to make such determination, the city of Biloxi shall bear the expense thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE III OF SERVICEMEN'S READJUSTMENT ACT

The Clerk called the bill (H. R. 9260) to amend title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, this is in a way a very laudable bill and one which in all probability would pass by almost a unanimous vote in the House. However, it is opposed by the Veterans' Administration. It is a complicated bill dealing with the loan title of the GI bill of rights. It is one that in my opinion every Member of the House should be fully informed upon before it is passed and should have an opportunity to express himself on it and probably there should be a record vote. For those reasons, Mr. Speaker, I believe it is not a proper bill to be considered on the Consent Calendar, and therefore I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

EXPEDITING PROCESSING DIRECT LOAN APPLICATIONS

The Clerk called the bill (H. R. 9263) to amend title III of the Servicemen's Readjustment Act to remove certain im-

pediments to the processing of applications for Veterans' Administration direct loans, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

UNIFORM LAW GOVERNING PAYMENT OF COMPENSATION FOR SERVICE-CONNECTED DISABILITY OR DEATH

The Clerk called the bill (H. R. 10046) to simplify and make more nearly uniform the laws governing the payment of compensation for service-connected disability or death, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEATING. Reserving the right to object, and I do not think I will object, will the gentleman from Texas explain what this bill does?

Mr. TEAGUE of Texas. Mr. Speaker, this bill seeks to place in one law all the laws now on the statute books providing for payment on service-connected disabilities or for the compensation of veterans and their dependents. The bill is the result of an extensive study by the staff of the committee and representatives of the Veterans' Administration. It would not increase any rate of compensation nor would it decrease any rate of compensation. The four major veterans' organizations all approve the bill. The Veterans' Administration, the Bureau of the Budget, and the General Accounting Office all indicate their approval. There will be no additional cost involved and, perhaps, there will be some saving.

Mr. KEATING. Mr. Speaker, it seems to me this is a very constructive measure because this will enable veterans' organizations or individual Members of the Congress to look in one place to find out what law controls as to compensation for service-connected disability or death. I commend the committee for reporting this bill. I think it is a fine measure.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I—SHORT TITLE AND STATEMENT OF POLICY

Short Title

SEC. 101. This act may be cited as the "Veterans Compensation Act of 1955."

Statement of Policy

SEC. 102. It is the intent of the Congress in enacting this legislation (a) to simplify and make more nearly uniform the extensive body of existing legislation authorizing and governing the payment of compensation for service-connected disability or death to persons who served in the military, naval, or air service of the United States during a period of war or armed conflict or during peacetime service, and to their surviving widows, children, and dependent parents; (b) to incorporate in one act, insofar as practicable, the provisions of law relating to compensation and the ancillary benefits of financial assistance for specially adapted housing and automobiles to certain disabled veterans; and (d) to repeal those provisions of law relating to such benefits which are obsolete, executed, or in conflict with the provisions of this act.

TITLE II—DEFINITIONS

SEC. 201. For the purposes of this act—

(a) The term "Administrator" means the Administrator of Veterans' Affairs;

(b) The term "military, naval, or air service" means service in the United States Army, Navy, Air Force, Marine Corps, or Coast Guard (on or after January 28, 1915), including the Reserve components thereof.

(c) The term "veteran" means a person who served in the active military, naval, or air service and who was separated therefrom under conditions other than dishonorable, or who died during such service.

(d) The term "period of war" means any of the following periods:

(1) Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion: April 21, 1898, through July 4, 1902. If the veteran was serving with the United States military forces engaged in the hostilities in the Moro Province, the foregoing period shall be extended through July 15, 1903;

(2) World War I: April 6, 1917, through November 11, 1918. Where there was service after November 11, 1918, which comenced on or before that date, the war period shall be extended through July 1, 1921. If the veteran was serving with the United States military forces in Russia, the foregoing period ending November 11, 1918, shall be extended through April 1, 1920. Service prior to July 2, 1921, in a reenlistment on or after November 12, 1918, and prior to July 2, 1921, where there was prior service between April 6, 1917, and November 11, 1918 shall be considered World War I service;

(3) World War II: December 7, 1941, through December 31, 1946. Where there was service after December 31, 1946, which commenced on or before that date, the war period shall be extended through July 25, 1947;

(4) Korean conflict: June 27, 1950, through January 31, 1955.

(5) The period beginning with any future declaration of war by the Congress and terminating on a date fixed by Presidential proclamation or concurrent resolution of the Congress.

(e) The term "widow" means a woman—

(1) who was married to the deceased veteran prior to the expiration of ten years subsequent to his separation from the period of service during which the injury or disease, on account of which claim is being filed, was incurred or aggravated, or

(2) who was married to the deceased veteran for ten or more years prior to the date of his death;

and who lived with him continuously from the date of marriage to the date of his death, except where there was a separation which was due to the misconduct of or procured by the veteran without the fault of the woman, and who has not remarried;

(f) The term "child" means a person who is unmarried, and—

(1) who is under the age of eighteen years, or

(2) who, prior to reaching the age of eighteen years, becomes or has become permanently incapable of self-support by reason of mental or physical defect, or

(3) who, after reaching the age of 18 years and until completion of education or training (but not after reaching the age of 21 years), is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn

and who is a legitimate child; a child legally adopted; a stepchild if a member of the veteran's household; or an illegitimate child but as to the father, only if acknowledged in writing, signed by him, or if he has been judicially ordered or decreed to contribute to the child's support or has been, prior to his death, judicially decreed to be the putative father of such child, or if he is otherwise shown by evidence satisfactory to the Administrator to be the putative father of such child;

(g) (1) The term "parent" means a father, mother, father through adoption, mother through adoption, and persons who have stood in loco parentis to a veteran at any time prior to entry into active service, for a period of not less than 1 year. Not more than 1 father and 1 mother shall be recognized in any case, and preference shall be given to such father and mother who actually exercised parental relationship at the time of, or most nearly prior to, the date of entry into active service by the veteran.

(2) The dependency of a parent, which may arise either prior or subsequent to the death of the veteran, shall be determined in accordance with regulations prescribed by the Administrator: *Provided*, That the dependency of a parent shall not be denied solely because of remarriage: *Provided further*, That the dependency of a parent shall not be denied in any case where the monthly income for a mother or father, not living together, does not exceed $105, or where the monthly income for a mother and father, living together, does not exceed $175, plus, in either case, $45, for each additional member of the family whom the father or mother is under moral or legal obligation to support, as determined by the Administrator. In determining monthly income, any payments by the United States Government because of disability or death under laws administered by the Veterans' Administration shall not be considered.

(h) The term "chronic disease" includes—

Anemia, primary
Arteriosclerosis
Arthritis
Atrophy, progressive muscular
Brain hemorrhage
Brain thrombosis
Bronchiectasis
Calculi of the kidney, bladder, or gallbladder
Cardiovascular-renal disease, including hypertension
Cirrhosis of the liver
Coccidioidomycosis
Diabetes mellitus
Encephalitis lethargica residuals
Endocarditis
Endocrinopathies
Epilepsies
Hodgkin's disease
Leprosy
Leukemia
Myasthenia gravis
Myelitis
Myocarditis
Nephritis
Other organic diseases of the nervous system
Osteitis deformans (Paget's disease)
Osteomalacia
Palsy, bulbar
Paralysis agitans
Psychoses
Purpura idiopathic, hemorrhage
Raynaud's disease
Sarcoidosis
Scleroderma
Sclerosis, amyotrophic lateral
Sclerosis, multiple
Syringomyelia
Thromboangiitis obliterans (Buerger's disease)
Tuberculosis, active

Tumors, malignant, or of the brain or spinal cord or peripheral nerves
Ulcers, peptic (gastric or duodenal)

and such other chronic diseases as the Administrator may add to this list;

(i) The term "tropical disease" includes—
Amebiasis
Blackwater fever
Cholera
Dracontiasis
Dysentery
Filiariasis
Leishmaniasis, including kala-azar
Leprosy
Loiasis
Malaria
Onchocerciasis
Oroya fever
Pinta
Plague
Schistosomiasis
Yaws
Yellow fever

and such other tropical diseases as the Administrator may add to this list.

TITLE III—COMPENSATION FOR SERVICE-CONNECTED DISABILITY OR DEATH

Part I—Wartime disability compensation

Basic Entitlement

SEC. 301. For disability resulting from personal injury suffered or disease contracted in line of duty, or for aggravation of a preexisting injury suffered or disease contracted in line of duty, in the active military, naval, or air service, during a period of war, the United States will pay to any veteran thus disabled and who was discharged under conditions other than dishonorable from the period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, compensation as hereinafter provided in this part, but no compensation shall be paid if the disability is the result of the veteran's own willful misconduct.

Provisional Acceptance

SEC. 302. Any person, who, on or after April 6, 1917, and prior to November 12, 1918, (a) applied for enlistment or enrollment in the active military, naval, or air service and was provisionally accepted and directed or ordered to report to a place for final acceptance into such service, or (b) was drafted for military, naval, or air service and after reporting pursuant to the call of his local draft board and prior to rejection, or (c) after being called into the Federal service as a member of the National Guard but before being enrolled for the Federal service, suffered an injury or contracted a disease in line of duty and not the result of his own misconduct, will be considered to have incurred such disability in the active military, naval, or air service. Such person and his dependents will be entitled to compensation provided by this title for veterans of World War I and their dependents.

Presumptions

SEC. 303. For the purposes of section 301 hereof, every veteran shall be taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, infirmities, or disorders noted at the time of the examination, acceptance, and enrollment, or where clear and unmistakable evidence demonstrates that the injury or disease existed prior to acceptance and enrollment and was not aggravated by such service.

SEC. 304. For the purposes of section 301 hereof, and subject to the provisions of section 305 hereof, in the case of any veteran who served for 90 days or more during a period of war—

(a) a chronic disease becoming manifest to a degree of 10 percentum or more within 1 year from the date of separation from such service;

(b) a tropical disease, and the resultant disorders or disease originating because of therapy, administered in connection with such diseases, or as a preventative thereof, becoming manifest to a degree of 10 percentum or more within 1 year from the date of separation from such service, or at a time when standard or accepted treatises indicate that the incubation period thereof commenced during such service;

(c) active tuberculous disease developing a 10 percent degree of disability or more within 3 years from the date of separation from such service;

(d) multiple sclerosis developing a 10 percentum degree of disability or more within 2 years from the date of separation from such service;

shall be considered to have been incurred in or aggravated by such service, notwithstanding there is no record of evidence of such disease during the period of service.

SEC. 305. (a) Where there is affirmative evidence to the contrary, or evidence to establish that an intercurrent injury or disease which is a recognized cause of any of the diseases within the purview of section 304 hereof, has been suffered between the date of separation from service and the onset of any of such diseases, or the disability is due to the veteran's own misconduct, service connection pursuant to section 304 hereof will not be in order.

(b) Nothing in section 304 or subsection (a) of this section shall be construed to prevent the granting of service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active military, naval, or air service.

Rates

SEC. 306. For the purposes of section 301 of this act—

(a) if and while the disability is rated 10 percentum the monthly compensation shall be $17;

(b) if and while the disability is rated 20 percentum the monthly compensation shall be $33;

(c) if and while the disability is rated 30 percentum the monthly compensation shall be $50;

(d) if and while the disability is rated 40 percentum the monthly compensation shall be $66;

(e) if and while the disability is rated 50 percentum the monthly compensation shall be $91;

(f) if and while the disability is rated 60 percentum the monthly compensation shall be $109;

(g) if and while the disability is rated 70 percentum the monthly compensation shall be $127;

(h) if and while the disability is rated 80 percentum the monthly compensation shall be $145;

(i) if and while the disability is rated 90 percentum the monthly compensation shall be $163;

(j) if and while the disability is rated as total the monthly compensation shall be $181;

(k) if the veteran, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of a creative organ, or one foot, or one hand, or blindness of one eye, having only light perception, the rate of compensation therefor shall be $47 per month independent of any other compensation provided in subsections (a) through (j) of this section; and in the event of anatomical loss or loss of use of a creative organ, or one foot, or one hand, or blindness of one eye, having only light perception, in addition to the requirement for any of the rates specified in subsections (l) through (n) of this section, the rate of compensation shall be increased by $47 per month for each such loss or loss of use, but in no event to exceed $420 per month;

(l) if the veteran, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of both hands, or both feet, or of one hand and one foot, or is blind in both eyes, with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, the monthly compensation shall be $279;

(m) if the veteran, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of two extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, the monthly compensation shall be $329;

(n) if the veteran, as the result of service-incurred disability, has suffered the anatomical loss of two extremities so near the shoulder or hip as to prevent the use of a prosthetic appliance or has suffered the anatomical loss of both eyes, the monthly compensation shall be $371;

(o) if the veteran, as the result of service-incurred disability, has suffered disability under conditions which would entitle him to two or more of the rates provided in one or more of subsections (l) through (n) of section 306, no condition being considered twice in the determination, or has suffered total deafness in combination with total blindness with 5/200 visual acuity or less, the monthly compensation shall be $420;

(p) in the event the veteran's service-incurred disabilities exceeded the requirements for any of the rates prescribed herein, the Administrator, in his discretion, may allow the next higher rate or an intermediate rate, but in no event in excess of $420; and

(q) if the veteran is shown to have had a service-incurred disability resulting from an active tuberculous disease, which disease in the judgment of the Administrator has reached a condition of complete arrest, the monthly compensation shall be not less than $67.

SEC. 307. (a) Any veteran entitled to compensation at the rates provided in section 306 of this Act, and whose disability is rated not less than 50 percentum, shall be entitled to additional compensation for dependents in the following monthly amounts:

(1) If and while rated totally disabled and—

(a) has a wife but no child living, $21;

(b) has a wife and one child living, $35;

(c) has a wife and two children living, $45.50;

(d) has a wife and three or more children living, $56;

(e) has no wife but one child living, $14;

(f) has no wife but two children living, $24.50;

(g) has no wife but three or more children living, $35; and

(h) has a mother or father, either or both dependent upon him for support, then, in addition to the above amounts, $17.50 for each parent so dependent.

(2) If and while rated partially disabled, but not less than 50 percentum, in an amount having the same ratio to the amount specified in subsection (1) hereof as the degree of his disability bears to total disability.

(b) The additional compensation for a dependent or dependents provided by this section shall not be payable to any veteran during any period he is in receipt of an increased rate of subsistence allowance or education and training allowance on account of a dependent or dependents under any other law administered by the Veterans' Administration.

The veteran may elect to receive whichever is the greater.

Part II—Wartime death compensation

Basic Entitlement

SEC. 311. The surviving widow, child or children, and dependent parent or parents of any veteran who died as the result of injury

or disease incurred in or aggravated by active military, naval, or air service in line of duty during a period of war, shall be entitled to receive compensation at the monthly rates specified in section 312.

Rates

SEC. 312. The monthly rates of death compensation shall be as follows:

(a) Widow but no child, $87;

(b) Widow with one child, $121 (with $29 for each additional child);

(c) No widow but one child, $67;

(d) No widow but two children, $94 (equally divided);

(e) No widow but three children, $122 (equally divided) (with $23 for each additional child, total amount to be equally divided);

(f) Dependent mother or father, $75;

(g) Dependent mother and father, $40 each.

Part III—Peacetime disability compensation

Basic Entitlement

SEC. 321. For disability resulting from personal injury suffered or disease contracted in line of duty, or for aggravation of a preexisting injury suffered or disease contracted in line of duty in the active military, naval, or air service during other than a period of war, the United States will pay to any veteran thus disabled and who was discharged under conditions other than dishonorable from the period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, compensation as hereinafter provided in this part, but no compensation shall be paid if the disability is the result of the veteran's own willful misconduct.

Provisional Acceptance

SEC. 322. Any person who, on or after August 27, 1940, and prior to January 1, 1947, or during the Korean conflict period (a) applied for enlistment or enrollment in the active military, naval, or air service and was provisionally accepted and directed or ordered to report to a place for final acceptance into such service, (b) was selected for military, naval, or air service and after reporting pursuant to the call of his local draft board and prior to rejection, or (c) after being called into the Federal service as a member of the National Guard but before being enrolled for the Federal service, suffered an injury or contracted a disease in line of duty and not the result of his own misconduct, will be considered to have incurred such disability in the active military, naval, or air service. Such person and his dependents will be entitled to compensation provided by this title for veterans of service during other than a period of war and their dependents. If the disability was incurred on or after December 7, 1941, and prior to January 1, 1947, or during the Korean conflict period, the applicable rates of compensation provided by parts I and II hereof shall be payable.

Presumptions

SEC. 323. For the purposes of section 321 hereof, every person employed in the active military, naval, or air service for 6 months or more shall be taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, infirmities, or disorders noted at the time of the examination, acceptance, and enrollment, or where evidence or medical judgment is such as to warrant a finding that the disease or injury existed prior to acceptance and enrollment.

SEC. 324. (a) For the purposes of section 321, and subject to the provisions of subsections (b) and (c) of this section, any veteran who served for 6 months or more and contracts a tropical disease or a resultant disorder or disease originating because of therapy administered in connection with a tropical disease, or as a preventative thereof, shall be deemed to have incurred such disability in the active military, naval, or air service when it is shown to exist within 1 year after separation from active service, or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service.

(b) Service connection shall not be granted pursuant to subsection (a), in any case where the disease or disorder is shown by clear and unmistakable evidence to have had its inception prior or subsequent to active service.

(c) Nothing in this section shall be construed to prevent the granting of service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service.

Rates

SEC. 325. For the purposes of section 321 of this act, the compensation payable for the disability shall be equal to 80 percentum of the compensation now or hereafter payable for such disability under section 306 of this act, adjusted upward or downward to the nearest dollar.

SEC. 326. Any veteran entitled to compensation at the rates provided in section 325 of this act, and whose disability is rated not less than 50 percentum, shall be entitled to additional monthly compensation for dependents equal to 80 percentum of the additional compensation for dependents provided in section 307, and subject to the limitations thereof.

SEC. 327. Any veteran otherwise entitled to compensation under the provisions of this part shall be entitled to receive the rate of compensation provided in sections 306 and 307 of this act, if the disability of such veteran resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, (2) while engaged in extrahazardous service, including such service under conditions simulating war, or (3) on or after January 1, 1947, and prior to July 26, 1947.

Part IV—Peacetime death compensation

Basic Entitlement

SEC. 331. The surviving widow, child or children, and dependent parent or parents of any veteran who died as the result of injury or disease incurred in or aggravated by active military, naval, or air service, in line of duty, during other than a period of war, shall be entitled to receive compensation as hereinafter provided in this part.

Rates

SEC. 332. For the purposes of section 331 of this act, the death compensation payable shall be equal to 80 percentum of the compensation now of hereafter payable under section 312 of this act.

SEC. 333. The dependents of any deceased veteran otherwise entitled to compensation under the provisions of this part shall be entitled to receive the rate of compensation provided in section 312 of this act, if the death of such veteran resulted from an injury or disease received in line of duty (1) as a direct result of armed conflict, (2) while engaged in extrahazardous service, including such service under conditions simulating war, or (3) on or after January 1, 1947, and prior to July 26, 1947, or (4) while the United States was engaged in any war prior to April 21, 1898.

Part V—General compensation provisions

Persons Heretofore Having a Compensable Status

SEC. 341. The death and disability benefits of title III of this act shall, notwithstanding the service requirements of said title, be granted to persons heretofore recognized by law as having a compensable status, including persons whose claims are based on war or peacetime service rendered prior to April 21, 1898.

Philippine Army and Philippine Scouts

SEC. 342. (a) For the purposes of this title, service in the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President of the United States dated July 26, 1941, and prior to July 1, 1946, shall be deemed to be active military, naval, or air service: *Provided*, That payments of disability or death compensation based upon such service shall be paid at the rate of 1 Philippine peso for each dollar authorized to be paid under this title.

(b) Payments of disability or death compensation based upon service in the Philippine Scouts, under the provisions of section 14 of the Armed Forces Voluntary Recruitment Act of 1945 (59 Stat. 543), as amended (10 U. S. C. 637), shall be paid at the rate of 1 Philippine peso for each dollar authorized to be paid under this title.

Provisions for Filing Claims

SEC. 343. A specific claim for benefits under this title must be filed with the Veterans' Administration, on a form prescribed by the Administrator, by a claimant who is not already on the compensation or pension rolls of the Veterans' Administration.

Certain Bars To Benefits

SEC. 344. (a) The discharge or dismissal by reason of the sentence of a general court-martial of any person from the military, naval, or air service, or the discharge of any such person on the ground that he was a conscientious objector who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, or as a deserter, or of an officer by the acceptance of his resignation for the good of the service, shall bar all rights of such person, based upon the period of service from which he is so discharged or dismissed, under this act: *Provided*, That in the case of any such person, if it be established to the satisfaction of the Administrator that at the time of the commission of the offense such person was insane, he shall not be precluded from benefits to which he is otherwise entitled under this act.

(b) The discharge or dismissal of any person from the military, naval, or air service on the grounds that he was guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct of which he was found guilty by a court-martial, or that he was an alien, or a deserter, shall bar all rights to any compensation under this title: *Provided*, That this subsection shall not apply to an alien who volunteered or who was drafted into or who served in the Army, Navy, or Marine Corps of the United States on or after April 6, 1917, and prior to July 2, 1921, who was discharged subsequent to November 11, 1918, or who was not discharged from the service on or prior to November 11, 1918, on his own application or solicitation, by reason of his being an alien, and whose service was honest and faithful: *Provided further*, That in case any person has been discharged or dismissed from the military, naval, or air service as a result of a court-martial trial, and it is thereafter established to the satisfaction of the Administrator that at the time of the commission of the offense resulting in such court-martial trial and discharge such person was insane, such person shall be entitled to compensation under title III hereof: *Provided further*, That discharge or dismissal or finding of guilt for any of the offenses specified in this subsection shall not affect the payment of compensation for disabilities incurred in or aggravated by service in any prior or subsequent enlistment: *And provided further*, That no compensation shall be payable for death inflicted as a lawful punishment for crime or military offense, except when inflicted by the enemy.

(c) Any person shown by evidence satisfactory to the Administrator to be guilty of

mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies shall forfeit all accrued or future benefits under this Act: *Provided*, That the Administrator, in his discretion, may apportion and pay any part of such benefits to the dependents of such person not exceeding the amount to which each dependent would be entitled if such person were dead.

Line of Duty and Misconduct

SEC. 345. An injury or disease incurred during military, naval, or air service will be deemed to have been incurred in line of duty and not the result of the veteran's own misconduct when the person on whose account benefits are claimed was, at the time the injury was suffered or disease contracted, in active military, naval, or air service, whether on active duty or on authorized leave, unless such injury or disease was the result of his own willful misconduct: *Provided*, That venereal disease shall not be presumed to be due to willful misconduct if the person in service complies with the regulations of the appropriate service department requiring him to report and receive treatment for such disease: *Provided further*, That the requirement for line of duty will not be met if it appears that at the time the injury was suffered or disease contracted the person on whose account benefits are claimed (1) was avoiding duty by deserting the service, or by absenting himself without leave materially interfering with the performance of military duties; or (2) was confined under sentence of court-martial or civil court: *Provided, however*, That disease, injury, or death incurred without willful misconduct on the part of the service person shall be deemed to have been incurred in line of duty if the sentence of the court-martial did not involved an unremitted dishonorable discharge or if the offense for which convicted by civil court did not involve a felony as defined under the laws of the jurisdiction where the service person was convicted by such civil court.

Aggravation

SEC. 346. A preexisting injury or disease will be considered to have been aggravated by active military, naval, or air service, where there is an increase in disability during active service, unless there is a specific finding that the increase in disability is due to the natural progress of the disease.

Consideration To Be Accorded Time, Place, and Circumstances of Service

SEC. 347. (a) The Administrator is authorized and directed to include in the regulations pertaining to service-connection of disabilities, additional provisions in effect requiring that in each case where a veteran is seeking service-connection for any disability due consideration shall be given to the places, types, and circumstances of his service as shown by his service record, the official history of each organization in which he served, his medical records, and all pertinent medical and lay evidence.

(b) In the case of any veteran who engaged in combat with the enemy in active service with a military, naval, or air organization of the United States during a period of war, campaign, or expedition, the Administrator is authorized and directed to accept as sufficient proof of service connection of any disease or injury alleged to have been incurred in or aggravated by such service satisfactory lay or other evidence of service incurrence or aggravation of such injury or disease, if consistent with the circumstances, conditions, or hardships of such service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of the veteran. Service connection of such injury or disease may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service connection in each case shall be recorded in full.

Authority for Schedule for Rating Disabilities

SEC. 348. The Administrator is authorized and directed to adopt and apply a schedule of ratings of reductions in earning capacity from specific injuries or combination of injuries. The ratings shall be based, as far as practicable, upon the average impairments of earning capacity resulting from such injuries in civil occupations. The schedule shall be constructed so as to provide ten grades of disability and no more, upon which payments of compensation shall be based, namely, 10 percentum, 20 percentum, 30 percentum, 40 percentum, 50 percentum, 60 percentum, 70 percentum, 80 percentum, 90 percentum, and total, 100 percentum. The Administrator shall from time to time readjust this schedule of ratings in accordance with experience.

Minimum Rating for Arrested Tuberculosis

SEC. 349. Any veteran shown to have active tuberculosis which is compensable under this title, who in the judgment of the Administrator has reached a condition of complete arrest, shall be rated as totally disabled for a period of 2 years following such date of arrest, as 50 percentum disabled for an additional period of 4 years, and 30 percentum for a further 5 years. Following far advanced active lesions the permanent rating shall be 30 percentum, and following moderately advanced lesions, the permanent rating, after 11 years, shall be 20 percentum, provided there is continued disability, dyspnea on exertion, impairment of health, and so forth; otherwise the rating shall be zero percentum. The total disability rating herein provided for the 2 years following a complete rest may be reduced to 50 percentum for failure to follow prescribed treatment or to submit to examination when requested. This section shall not be construed as requiring a reduction of compensation authorized under any other provision of this title.

Combination of Certain Ratings

SEC. 350. The Administrator is authorized and directed to provide for the combination of ratings and to pay compensation at the rates prescribed in part I of this title to those veterans who served during a period of war and during any other time, who have suffered disability in line of duty in each period of service.

Permanent Ratings

SEC. 351. A rating of total disability which has been made for compensation purposes under laws administered by the Veterans' Administration and which has been continuously in force for 20 or more years shall not be reduced thereafter, except upon a showing that such rating was based on fraud.

Effective Dates of Awards

SEC. 352. The effective date of an award of compensation under this title shall be fixed in accordance with the facts found, except that—

(a) subject to the provisions of subsections (a) (1), (2), and (3) hereof, no award of disability or death compensation shall be effective prior to the date of the veteran's separation from service, date of the veteran's death, date of happening of the contingency upon which disability or death compensation is allowed, or the date of receipt of application therefor, whichever is the later date—

(1) disability compensation shall be payable from the date of discharge of the veteran if claim therefor is filed within 1 year from discharge;

(2) death compensation shall be payable as of the day following the date of death of the veteran if claim therefor is filed within 1 year after the death of the veteran;

(3) where a report or a finding of death of any person in the active military, naval, or air service has been made by the Secretary of the Department concerned, the effective date of an award of death compensation shall be the day following the date fixed by the Secretary as the date of death in such report or finding: *Provided*, That claim be filed prior to 1 year after report or finding of death is made: *And provided further*, That death compensation shall not be payable to any dependent for any period for which such dependent has received, or is entitled to receive, an allowance, allotment, or service pay of the deceased;

(b) in the event the claimant's application is not complete at the time of original submission, the Veterans' Administration will notify the claimant of the evidence necessary to complete the application, and if such evidence is not received within 1 year from the date of request therefor, compensation may not be paid by virtue of that application; and

(c) where a claim has been finally disallowed, a subsequent claim on the same factual basis, if supported by new and material evidence, shall have the attributes of a new claim, notwithstanding the provisions of paragraph II, part II, of Veterans Regulation No. 2 (a).

SEC. 353. (a) The effective date of an award of increased compensation under this title shall be fixed in accordance with the facts found, except that no award of increased compensation may be effective for any period prior to the date of receipt of the evidence showing entitlement thereto.

(b) For the purposes of this section, an award of increased compensation shall mean any award of compensation, amending, reopening, or supplementing a previous award, authorizing any payments not theretofore authorized to the particular individual involved.

SEC. 354. The effective date of reduction or discontinuance of compensation under this title shall be fixed in accordance with the facts found, except that—

(a) where disability or death compensation has been awarded, and a reduction or discontinuance is thereafter effected as to rates, such reduction or discontinuance shall be effective the last day of the month in which the reduction or discontinuance is approved;

(b) reductions or discontinuances because of the death of a disabled person receiving compensation shall be effective as of the date of death;

(c) discontinuance of compensation because of remarriage or death of a widow shall be effective the date next preceding the date of her remarriage, or upon the date of her death;

(d) discontinuance or reduction of compensation to or because of a child reaching the age of 18 years, or being married, or dying, shall be effective the date next preceding the 18th birthday or next preceding the date of marriage or upon the date of death;

(e) where there is fraud shown to have been committed by the person receiving compensation, or with his or her knowledge, the effective date of discontinuance shall be as of the effective date of the award to such person; and

(f) discontinuance of compensation because of the receipt of active service or retirement pay shall be effective as of the date next preceding the date of commencement of such pay.

Election of Benefits

SEC. 355. Any person who is receiving pay pursuant to any provision of law relating to the retirement of persons in the regular military, naval, or air service, or pursuant to any provision of law relating to the retirement for disability of persons in other than the regular military, naval, or air service, and who would be eligible to receive compensation under this title if he were not receiving such retired pay shall be entitled to receive such compensation upon the filing by such person

with the department by which such retired pay is paid of a waiver of so much of his retired pay and allowances as is equal in amount to such compensation. To prevent duplication of payments, the department with which any such waiver is filed shall notify the Veterans' Administration of the receipt of such waiver, the amount waived, and the effective date of the reduction in retired pay.

Concurrent Payment of Benefits

SEC. 356. (a) Except to the extent that retirement pay is waived under other laws, compensation under this title, based on the claimant's own service, shall not be payable concurrently with pension, or retirement pay, based on his own service. The receipt of compensation under this title by a widow, child, or parent on account of the death of any person, or receipt by any person of compensation under this title on account of his own service, shall not bar the payment of compensation under this title on account of the death or disability of any other person.

(b) Compensation under this title on account of his own service shall not be paid while the person is in receipt of active service pay.

Renouncement of Benefits

SEC. 357. Any person entitled to compensation under this title may renounce his right thereto. The application renouncing the right shall be in writing over the person's signature and, upon filing of such application, payment of such benefits and the right thereto shall be terminated and he shall be denied any and all rights thereto from date of receipt of such application by the Veterans' Administration. The renouncement provided for herein shall not preclude the person from filing a new application for compensation at a future date but such application shall have the attributes of an original application and no payment will be made for any period prior to the date thereof.

Disappearance

SEC. 358. Where an incompetent veteran receiving compensation under this title disappears, the Administrator, in his discretion, may pay to the dependents of such veteran the applicable amount of compensation provided by section 312 or 332 of this act for the dependents of such veterans: *Provided*, That in no event shall payments under this section in any claim exceed the amount of compensation payable at the time of disappearance.

Accrued Benefits

SEC. 359. (a) Compensation authorized under this title, to which a person was entitled prior to the date of his death, and not paid during his lifetime, and due and unpaid for a period not to exceed 1 year prior to the death under existing ratings or decisions, or those based on evidence in the file at date of death, shall, upon the death of such person, be paid as hereinafter set forth:

(1) Upon the death of a person receiving an apportioned share of the veteran's compensation, all or any part of such unpaid amount, to the veteran or to any other dependent or dependents as may be determined by the Administrator;

(2) Upon the death of a veteran, to the surviving spouse; or if there be no surviving spouse, to the child or children, dependent mother or father in the order named;

(3) Upon the death of a widow, to the veteran's child or children;

(4) Upon the death of a child, to the surviving child or children of the veteran, entitled to death compensation;

(5) In all other cases, only so much of the unpaid compensation may be paid as may be necessary to reimburse a person who bore the expense of last sickness and burial: *Provided*, That no part of any of the accrued compensation shall be used to reimburse any political subdivision of the United States for expense incurred in the last sickness or burial of such person; and

(6) Payment of the benefits authorized by this section will not be made unless claim therefor be received in the Veterans' Administration within 1 year from the date of death of the beneficiary, and such claim is perfected by the submission of the necessary evidence within 1 year from the date of the request therefor by the Veterans' Administration. A claim for compensation by an apportionee, widow, child, or dependent parent shall be deemed to include claim for any accrued benefits.

(b) A check received by a payee in payment of compensation shall, in the event of the death of the payee on or after the last day of the period covered by such check and unless negotiated by the payee or the duly appointed representative of his estate, be returned to the Veterans' Administration and canceled. The amount represented by any check returned and canceled pursuant to the foregoing or any amount recovered by reason of improper negotiation of any such check shall constitute accrued benefits payable pursuant to the provisions of subsection 359 (a) of this act: *Provided*, That the 1-year limitations of subsection 359 (a) shall not apply: *And provided further*, That any amount not so paid shall be paid upon settlement by the General Accounting Office to the estate of the deceased payee, if such estate will not escheat.

TITLE IV—SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS

SEC. 401. The Administrator is authorized, under such regulations as he may prescribe, to assist any veteran, who is entitled to compensation under title III of this act, based on service on or after April 21, 1898, for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheel chair, in acquiring a suitable housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor. The regulations of the Administrator shall include, but not be limited to, provisions requiring findings that (a) it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; (b) the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and (c) the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

SEC. 402. The assistance authorized by section 401 shall be limited in the case of any veteran to 1 housing unit and necessary land therefor, and shall be afforded under 1 of the following plans, at the option of the veteran, but shall not exceed $10,000 in any one case—

(a) where the veteran elects to construct a housing unit on land to be acquired by him, the Administrator shall pay not to exceed 50 percentum of the total cost to the veteran of (1) the housing unit and (2) the necessary land upon which it is to be situated;

(b) where the veteran elects to construct a housing unit on land acquired by him prior to application for assistance under this title, the Administrator shall pay not to exceed the smaller of the following sums: (1) 50 percentum of the total cost to the veteran of the housing unit and the land necessary for such housing unit, or (2) 50 percentum of the cost to the veteran of the housing unit plus the full amount of the unpaid balance, if any, of the cost to the veteran of the land necessary for such housing unit;

(c) where the veteran elects to remodel a dwelling, which is not adapted to the requirements of his disability, acquired by him prior to application for assistance under this title, the Administrator shall pay not to exceed the total of (1) 50 percentum of the cost to the veteran of such remodeling, plus (2) the smaller of the following sums: (A) 50 percentum of the cost to the veteran of such dwelling and the necessary land upon which it is situated, or (B) the full amount of the unpaid balance, if any, of the cost to the it is situated, or (B) the full amount of the unpaid balance, if any, of the cost to the veteran of such dwelling and the necessary land upon which it is situated; and

(d) where the veteran has acquired a suitable housing unit, the Administrator shall pay not to exceed the smaller of the following sums: (1) 50 percentum of the cost to the veteran of such housing unit and the necessary land upon which it is situated, or (2) the full amount of the unpaid balance, if any, of the cost to the veteran of such housing unit and the necessary land upon which it is situated.

SEC. 403. The Administrator is authorized to furnish to veterans eligible for assistance under this title, without cost to the veterans, model plans and specifications of suitable housing units.

SEC. 404. Any veteran who accepts the benefits of this title shall not by reason thereof be denied the benefits of title III of the Servicemen's Readjustment Act of 1944, as amended.

SEC. 405. The Government of the United States shall have no liability in connection with any housing unit, or necessary land therefor, acquired under the provisions of this title.

SEC. 406. The assistance authorized by this title shall not be available to any veteran who has received financial assistance under part IX of Veterans Regulation No. 1 (a).

SEC. 407. Any amounts heretofore appropriated for the Veterans' Administration for payments authorized by part IX of Veterans Regulation No. 1 (a) are hereby made available for expenditures necessary to carry out the provisions of this title, and there is hereby authorized to be appropriated such additional amounts as may be necessary therefor.

TITLE V—AUTOMOBILES FOR DISABLED VETERANS

SEC. 501. Subject to the conditions hereinafter set forth in this title, the Administrator is authorized and directed, under such regulations as he shall prescribe, to provide or assist in providing an automobile or other conveyance by paying not to exceed $1,600 on the purchase price, including equipment with such special attachments and devices as the Administrator may deem necessary, for each veteran who is entitled to compensation under title III of this act for any of the following due to disability incurred in or aggravated by active military, naval, or air service during the period of World War II or the Korean conflict period:

(a) Loss or permanent loss of use of one or both feet;

(b) Loss or permanent loss of use of one or both hands;

(c) Permanent impairment of vision of both eyes of the following status: Central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the better eye.

SEC. 502. No payment shall be made under this title for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance until it

is established to the satisfaction of the Administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others and will be licensed to operate such automobile or other conveyance by the State of his residence or other proper licensing authority: *Provided*, That a veteran who served who cannot qualify to operate a vehicle shall nevertheless be entitled to the payment of not to exceed $1,600 on the purchase price of an automobile or other conveyance, as provided in section 501, to be operated for him by another person, provided such veteran meets the other eligibility requirements set forth in this title.

SEC. 503. The furnishing of such automobile or other conveyance, or the assisting therein, shall be accomplished by the Administrator paying the total purchase price, if not in excess of $1,600, or the amount of $1,600, if the total purchase price is in excess of $1,600, to the seller from whom the veteran is purchasing under sales agreement between the seller and the veteran.

SEC. 504. No veteran shall be entitled to receive more than one automobile or other conveyance under the provisions of this title and no veteran who has received or who hereafter receives an automobile or other conveyance under (a) the provisions of the paragraph under the heading "Veterans' Administration" in the First Supplemental Appropriation Act, 1947, as extended, (b) the act of September 21, 1950 (64 Stat. 894), or (c) the act of October 20, 1951 (65 Stat. 574), shall be entitled to receive an automobile or other conveyance under the provisions of this title.

SEC. 505. The benefits provided in this title shall not be available to any veteran who has not made application for such benefits to the Administrator within 3 years after October 20, 1951, or within 3 years after the date of the veteran's discharge or release from active service if the veteran is not discharged or released until on or after October 20, 1951.

SEC. 506. (a) Any amounts heretofore appropriated for the Veterans' Administration under the heading "Automobiles and other conveyances for disabled veterans" are hereby made available for expenditures necessary to carry out the provisions of this title, and there is hereby authorized to be appropriated such additional amounts as may be necessary therefor.

(b) Notwithstanding the repeal by section 802 of this act of any laws relating to automobiles or other conveyances for disabled veterans, any amount heretofore appropriated for the purposes of such acts, and which have been obligated but not expended, shall remain available until expended.

TITLE VI—PENALTIES AND FORFEITURES

SEC. 601. Whoever, in any claim for benefits under this act, makes any sworn statement of a material fact knowing it to be false, shall be guilty of perjury and shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 2 years, or both.

SEC. 602. If any person entitled to payment of compensation under title III of this act, whose right to payment thereunder ceases upon the happening of any contingency, thereafter fraudulently accepts any such payment, he shall be punished by a fine of not more than $2,000 or by imprisonment for not more than 1 year, or both.

SEC. 603. Whoever shall obtain or receive any money, check, or compensation under this act, without being entitled to the same, and with intent to defraud the United States or any beneficiary of the United States, shall be punished by a fine of not more than $2,000, or by imprisonment for not more than 1 year, or both.

SEC. 604. Any person who shall knowingly make or cause to be made, or conspire, combine, aid, or assist in, agree to, arrange for, or in any way procure the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper, or writing purporting to be such, concerning any claim for benefits under this act, shall forfeit all rights, claims, and benefits under this act, and benefits (other than contracts of insurance) under any other law administered by the Veterans' Administration, and, in addition to any and all other penalties imposed by law, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $1,000 or imprisonment for not more than 1 year, or both.

SEC. 605. When disability compensation based upon service-connected disability has been forfeited by a veteran, under section 504 of the World War Veterans' Act, 1924 (43 Stat. 1312), as amended (38 U. S. C. 555), section 15 of the act of March 20, 1933 (48 Stat. 11; 38 U. S. C. 715), or section 604 of this act compensation payable except for the forfeiture, from and after the date of suspension of payments to the veteran, shall be paid to his wife, child, or children, and/or dependent parents, such payments not to exceed the amount payable in case such veteran had died from such service-connected disability: *Provided*, That no compensation shall be paid to any dependent who has participated in the fraud for which the forfeiture was imposed.

TITLE VII—ADMINISTRATIVE PROVISIONS

SEC. 701. The Administrator is authorized to prescribe, promulgate, and publish such rules and regulations as are consistent with the provisions of this act, and necessary to carry out its purposes.

SEC. 702. The Administrator is authorized in carrying out the provisions of this act to delegate authority to render decisions to such person or persons as he may find necessary. Within the limitations of such delegations, any decisions rendered by such person or persons shall have the same force and effect as though rendered by the Administrator.

SEC. 703. There shall be no recovery of payments made under this act from any person who, in the judgment of the Administrator, is without fault on his part and where, in the judgment of the Administrator, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No disbursing officer or certifying officer shall be held liable for any amount paid to any person where the recovery of such amount is waived under this section.

TITLE VIII—AMENDMENTS AND REPEALS

Amendments

SEC. 801. (a) Paragraph II, part IV, Veterans Regulation No. 1 (a), is hereby amended by deleting the language "a pension under part I or part II of Veterans Regulation No. 1 (a)" and inserting in lieu thereof the language "compensation under the Veterans Compensation Act of 1955."

(b) Subparagraphs I (c) and (d), part III, Veterans Regulation No. 1 (a), as amended, are hereby amended by deleting "part I" in each subparagraph and inserting in lieu thereof "paragraph I, Veterans Regulation No. 10, as amended."

(c) Section 212 (b) of the act of June 30, 1932 (47 Stat. 406), as amended (5 U. S. C. 59a), is hereby amended by deleting the language "during an enlistment or employment as provided in Veterans Regulation No. 1 (a), part I, paragraph I." and inserting in lieu thereof the language "during a period of war as defined in section 201 of the Veterans Compensation Act of 1955."

(d) Section 31 of the act of March 28, 1934 (48 Stat. 526; 38 U. S. C. 501a), is hereby amended by deleting the language "of Public Law No. 78, and of this title" and inserting in lieu thereof the language "and of title III of the Veterans Compensation Act of 1955."

(e) Section 2 of the act of August 12, 1935 (49 Stat. 609; 38 U. S. C. 556a), is hereby amended by deleting the language "the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, the Emergency Officers' Retirement Act, as amended, the World War Adjusted Compensation Act, as amended, the pension laws in effect prior to March 20, 1933, Public Law No. 2, 73d Congress, as amended, Public Law No. 484, 73d Congress, or under any act or acts amendatory of such acts," and inserting in lieu thereof the language "any laws now or hereafter administered by the Veterans' Administration."

(f) The second paragraph of section 9 of the act of October 17, 1940 (54 Stat. 1196; 38 U. S. C. 555a), is hereby amended by inserting immediately after "Public Law No. 2, 73d Congress" the language "or section 604 of the Veterans Compensation Act of 1955."

(g) Section 12 of the act of October 17, 1940 (54 Stat. 1197; 38 U. S. C. 501a–1), is hereby amended by substituting a comma for the period following "March 28, 1934" and inserting the language "as now or hereafter amended."

(h) The act of December 28, 1950 (64 Stat. 1121), as amended (38 U. S. C. 701a), is is hereby amended by deleting the language "part I, Veterans Regulation No. 1 (a), as amended" and inserting in lieu thereof the language "part I of title II of the Veterans' Compensation Act of 1955."

(i) Section 15 of the act of March 20, 1933 (38 U. S. C. 715), is amended by inserting before the words "and, in addition", the words "and under the Veterans' Compensation Act of 1955."

Repeals

SEC. 802. The following provisions of law are hereby repealed:

(1) In the Revised Statutes, as amended: Sections 4692 (38 U. S. C. 151); 4693 (38 U. S. C. 152); 4694 (38 U. S. C. 155); 4695 (38 U. S. C. 153); 4696 (38 U. S. C. 154); 4697 (38 U. S. C. 155a); 4698 (38 U. S. C. 156); 4698½ (38 U. S. C. 53); 4699 (38 U. S. C. 177); 4702 (38 U. S. C. 191); 4703 (38 U. S. C. 193); 4705 (38 U. S. C. 198); 4706 (38 U. S. C. 200); 4707 (38 U. S. C. 203, 204); 4712 (38 U. S. C. 21); 4713 (38 U. S. C. 95); 4722 (38 U. S. C. 23); 4728 (38 U. S. C. 221); 4729 (38 U. S. C. 223); 4735 (38 U. S. C. 201); and 4776 (38 U. S. C. 74).

(2) Act of June 18, 1874 (18 Stat. 78; 38 U. S. C. 157).

(3) Act of February 28, 1877 (19 Stat. 264; 38 U. S. C. 164).

(4) Act of March 3, 1877 (19 Stat. 403; 38 U. S. C. 222).

(5) Act of June 17, 1878 (20 Stat. 144; 38 U. S. C. 159).

(6) Act of June 18, 1878 (20 Stat. 166; 38 U. S. C. 153).

(7) Act of January 25, 1879 (20 Stat. 265; 38 U. S. C. 91).

(8) Section 2 of the act of March 3, 1879 (20 Stat. 470; 38 U. S. C. 92, 93).

(9) Act of March 3, 1879 (20 Stat. 484; 38 U. S. C. 159).

(10) The proviso to the first sentence of section 3 of the act of June 21, 1879 (21 Stat. 30 ; 38 U. S. C. 58).

(11) Act of June 16, 1880 (21 Stat. 281; 38 U. S. C. 153).

(12) Act of March 3, 1883 (22 Stat. 453; 38 U. S. C. 165, 169, 179).

(13) Act of March 3, 1885 (23 Stat. 437).

(14) The second proviso to the third paragraph of the act of March 3, 1885 (23 Stat. 362; 38 U. S. C. 24).

(15) Act of March 19, 1886 (24 Stat. 5; 38 U. S. C. 195, 196).

(16) Act of August 4, 1886 (24 Stat. 220; 38 U. S. C. 166).

(17) The second proviso to the second paragraph of the act of June 7, 1888 (25 Stat. 173; 38 U. S. C. 94).

(18) Act of August 27, 1888 (25 Stat. 449; 38 U. S. C. 171, 173).

(19) Act of February 12, 1889 (25 Stat. 659; 38 U. S. C. 163).

(20) Act of March 4, 1890 (26 Stat. 16; 38 U. S. C. 174).

(21) Section 1 of the act of June 27, 1890 (26 Stat. 182; 38 U. S. C. 203).

(22) Act of July 14, 1892 (27 Stat. 149; 38 U. S. C. 175).

(23) The last two provisos of the third paragraph of the act of March 2, 1895 (28 Stat. 704; 38 U. S. C. 176).

(24) Act of January 15, 1903 (32 Stat. 773; 38 U. S. C. 172).

(25) Act of March 2, 1903 (32 Stat. 944; 38 U. S. C. 162, 167).

(26) Act of April 8, 1904 (33 Stat. 163; 38 U. S. C. 160).

(27) The third proviso of the second paragraph of the act of March 4, 1907 (34 Stat. 1406; 38 U. S. C. 178).

(28) The last sentence, sixth paragraph under the heading "Bureau of Supplies and Accounts", of the act of March 3, 1915 (38 Stat. 940), as amended (38 U. S. C. 179).

(29) Section 313 of the act of October 6, 1917 (40 Stat. 408), as amended (38 U. S. C. 502).

(30) Sections 3 and 5 of the act of May 1, 1920 (41 Stat. 586, 587; 38 U. S. C. 168, 312, 314).

(31) Section 3 of the act of June 5, 1920 (41 Stat. 982; 38 U. S. C. 161, 168).

(32) Section 3 of the act of September 1, 1922 (42 Stat. 835; 38 U. S. C. 354).

(33) In the World War Veterans Act, 1924 (act of June 7, 1924; 43 Stat. 607): Sections 200, as amended (38 U. S. C. 471); 201, as amended (38 U. S. C. 472); 202, as amended (38 U. S. C. 473–480, 482–491); 203, as amended (38 U. S. C. 492); 204 (38 U. S. C. 493); 205 (38 U. S. C. 494); 207 (38 U. S. C. 496); 210, as amended (38 U. S. C. 499); 211 (38 U. S. C. 500); 212, as amended (38 U. S. C. 422); 213 (38 U. S. C. 501); and 214, as added by section 21, act of July 3, 1930 (46 Stat. 1000), as amended (38 U. S. C. 501b).

(34) Act of May 5, 1926 (44 Stat. 396; 38 U. S. C. 168b).

(35) Section 1 of the act of February 11, 1927 (44 Stat. 1085; 38 U. S. C. 168a).

(36) Act of April 27, 1928 (45 Stat. 466; 38 U. S. C. 232).

(37) Sections 1 and 2 of the act of July 2, 1930 (46 Stat. 847; 38 U. S. C. 238, 238 (a)).

(38) In the act of March 20, 1933 (48 Stat. 8): Subsections 1 (a) and 1 (c) (38 U. S. C. 701); 1 (g), as added by section 1 of the Act of June 19, 1948 (62 Stat. 500), as amended (38 U. S. C. 701); sections 2, 3, and 4 (38 U. S. C. 702–704); and 38 (U. S. C. 719).

(39) In the Veterans Regulations, as amended (38 U. S. C. ch. 12A)—

(a) parts I. II, VI, IX, and paragraph I of part IV of Veterans Regulation No. 1 (a);

(b) subparagraph III (a) of part I, and part III of Veterans Regulation No. 2 (a);

(c) Veterans Regulation No. 3 (a);

(d) Veterans Regulation No. 4;

(e) paragraphs VIII, XII, XV, and XVIII of Veterans Regulation No. 10; and

(f) Veterans Regulation No. 12.

(40) The first, third, and fourth paragraphs of section 20 of the Independent Offices Appropriation Act, 1934 (48 Stat. 309), as amended (38 U. S. C. 722).

(41) Section 4 of the act of March 27, 1934 (48 Stat. 508).

(42) Sections 26, 27, and 34 of the Independent Offices Appropriation Act, 1935 (48 Stat. 524, 526; 38 U. S. C. 473a, 471a, 723).

(43) Section 2 of the act of August 26, 1935 (49 Stat 869; 38 U. S. C. 724).

(44) Act of June 24, 1936 (49 Stat. 1910; 38 U. S. C. 703a).

(45) Section 400 of the act of June 29, 1936 (49 Stat. 2034; 38 U. S. C. 472a).

(46) Sections 3 and 8 of the act of August 16, 1937 (50 Stat. 660, 662; 38 U. S. C. 472b, 472e).

(47) Act of June 28, 1938 (52 Stat. 1214; 38 U. S. C. 35).

(48) Act of July 19, 1939 (53 Stat. 1067), as amended (38 U. S. C. 703b, 703c).

(49) Section 5 of the act of July 19, 1939 (53 Stat. 1070), as amended (38 U. S. C. 472b).

(50) Act of June 6, 1940 (54 Stat. 237).

(51) Sections 6 and 8 and the first paragraph of section 9 of the act of October 17, 1940 (54 Stat. 1196; 38 U. S. C. 473, 703b, note, 555a).

(52) Section 1 of the act of July 30, 1941 (55 Stat. 608; 38 U. S. C. 725).

(53) Section 1 of the act of August 21, 1941 (55 Stat. 665; 38 U. S. C. 357b).

(54) Sections 2 and 3 of the act of December 19, 1941 (55 Stat. 844).

(55) Act of December 20, 1941 (55 Stat. 847; 38 U. S. C. 726).

(56) Section 10 of the act of July 11, 1942 (56 Stat. 659; 38 U. S. C. 472b–1).

(57) Act of July 30, 1942 (56 Stat. 731).

(58) Sections 14 and 17 of the act of July 13, 1943 (57 Stat. 558, 560), as amended (38 U. S. C. 731, 732).

(59) Section 1 of the act of May 27, 1944 (58 Stat. 229; 38 U. S. C. 471a–1).

(60) Act of September 7, 1944 (58 Stat. 728; 38 U. S. C. 733).

(61) Act of December 7, 1944 (58 Stat. 797; 38 U. S. C. 471a–2).

(62) Act of June 27, 1946 (60 Stat. 319; 38 U. S. C. 736–738).

(63) Section 2 of the act of August 8, 1946 (60 Stat. 910; 38 U. S. C. 471a–3).

(64) The paragraph following the heading "Veterans' Administration" in section 101, title I, First Supplemental Appropriation Act, 1947 (60 Stat. 915; 38 U. S. C. 252).

(65) The second paragraph following the heading "Veterans' Administration" in section 1 of the Emergency Appropriation Act, 1948 (61 Stat. 244; 38 U. S. C. 252, note).

(66) The second paragraph following the heading "Veterans' Administration," in section 101 of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1035; 38 U. S. C. 252, note).

(67) Act of July 2, 1948 (62 Stat. 1219; 38 U. S. C. 740–743).

(68) Act of August 1, 1949 (63 Stat. 484; 38 U. S. C. 744).

(69) Sections 1 and 2 of the act of October 10, 1949 (63 Stat. 731, 732; 38 U. S. C. 722, 740, 741).

(70) The paragraph following the heading "Veterans' Administration" in section 101 of the Third Deficiency Appropriation Act, 1949 (63 Stat. 744; 38 U. S. C. 252, note).

(71) Act of October 29, 1949 (63 Stat. 1026; 38 U. S. C. 471a–4, 471a–4 note).

(72) Act of September 21, 1950 (64 Stat. 894; 38 U. S. C. 252).

(73) Act of October 20, 1951 (65 Stat. 574; 38 U. S. C. 252a–252e, 252a note.)

(74 Section 1 of the act of May 23, 1952 (66 Stat. 90; 38 U .S. C. 4a–5).

(75) Subsections (B) through (E) of section 1 and sections 3 through 6 of the act of June 30, 1952 (66 Stat. 295, 296; 38 U. S. C., ch. 12A, 473, 473 note, 478, 480).

(76) Section 2 of the act of June 30, 1954 (Public Law 463, 83d Cong., 68 Stat. 360).

(77) The act of August 28, 1954 (68 Stat. 915; 38 U. S. C. 748, 749).

TITLE IX—SAVINGS PROVISIONS AND EFFECTIVE DATE

Savings Provisions

SEC. 901. A claim for compensation which is pending in the Veterans' Administration on the effective date of this act, shall be adjudicated under the laws in effect on the day preceding the effective date of this act with respect to the period prior to that date and, except as provided in subsection 902 (b), under this act thereafter. If a disallowance is required under such laws but entitlement is shown under this act, the pending claim shall be considered a claim under this act. A claim for assistance in acquiring specially adapted housing or an automobile or other conveyance which is pending in the Veterans' Administration on the effective date of this act shall be considered a claim for such assistance under this act.

SEC. 902. (a) Any person who is receiving compensation on the day prior to the effective date of this act at a rate equal to or less than that to which he would be entitled under the provisions of this act shall, except where there was fraud, clear and unmistakable error as to conclusions of fact or law, or misrepresentation of material facts, be paid compensation under this act beginning with the effective date of this act.

(b) Any person who is receiving compensation on the day prior to the effective date of this act under the laws in effect on that day and who is not entitled to compensation under this act, or who is entitled to compensation at a higher rate under such laws than that to which he would be entitled under this act, shall, except where there was fraud, clear and unmistakable error as to conclusion of fact or law, or misrepresentation of material facts, continue to be paid the rate of compensation payable on the day prior to the effective date of this act, so long as the conditions warranting such payment under those laws continue. In the event there is a change in such conditions, the entitlement thereafter of such person to compensation will be determined, except as to service connection, without regard to the laws repealed by section 802 of this act. The provisions of this subsection shall apply to those claims within the purview of section 901 of this act in which it is determined on or after the effective date of this act that compensation is payable for the day prior to the effective date of this act.

SEC. 903. A claim for disability compensation filed on or after the effective date of this act and within 1 year from the date of the veteran's separation during the year immediately preceding such effective date from active military, naval, or air service, or a claim for death compensation filed on or after the effective date of this act and within 1 year from the date of the veteran's death occurring in the year immediately preceding such effective date will be adjudicated under title III of this act and the laws in effect on the day preceding such effective date. If entitlement is established, compensation will be paid under such laws for the appropriate period prior to the effective date of this act and under this act thereafter.

SEC. 904. All offenses committed and all penalties or forfeiture incurred under the laws repealed by section 802 of this act may be prosecuted and punished in the same manner and with the same effect as if said repeal had not been made and any person who forfeited rights to benefits under any such laws shall not be entitled to any benefits under this act.

Effective Date

SEC. 905. This act shall take effect on the 1st day of the 13th calendar month following the date of enactment.

With the following committee amendments:

On page 1, line 7, strike out "1955" and insert "1956."

On page 2, line 11, strike out "(d)" and insert "(c)."

On page 47, line 13, strike out "1955" and insert "1956."

On page 47, line 25, strike out "1955" and insert "1956."

On page 48, line 5, strike out "1955" and insert "1956."

On page 48, line 22, strike out "1955" and insert "1956."

On page 49, line 8, strike out "1955" and insert "1956."

On page 49, line 12, strike out "1955" and insert "1956."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SALE OF CERTAIN LANDS TO PALM SPRINGS UNIFIED SCHOOL DISTRICT

The Clerk called the bill (H. R. 6084) to authorize the Secretary of the Interior to sell certain lands of the Agua Caliente Band of Mission Indians, California, to the Palm Springs Unified School District.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, with the consent of the tribal council of the Agua Caliente Band of Mission Indians, the Secretary of the Interior is authorized and directed to sell to the Palm Springs Unified School District of the State of California, in consideration of the payment by such school district of an amount agreed to by such tribal council, the Secretary of the Interior, and such school district all of the right, title, and interest of the United States and of the Agua Caliente Band of Mission Indians in and to that tract of land containing 10 acres, and more particularly described as follows: Southwest quarter northeast quarter southeast quarter, section 14, township 4 south, range 4 east, San Bernardino base and meridian.

SEC. 2. The proceeds of such sale shall be deposited in the Treasury of the United States to the credit of the Agua Caliente Band of Mission Indians.

With the following committee amendment:

Page 2, line 7, strike the word "Indians." and insert in lieu thereof the words "Indians, and such proceeds, when distributed to individual members of said band, shall not be subject to Federal income tax."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 406 OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

The Clerk called the bill (H. R. 7732) to amend section 406 of the Federal Food, Drug, and Cosmetic Act (Public Law 717, 75th Cong.), as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 406 of the Federal Food, Drug, and Cosmetic Act (Public Law 717, 75th Cong.) (52 Stat. 1049), as amended, be, and the same is hereby amended by adding after subsection (b) of section 406 a new subsection as follows:

"SEC. 406. (c) The Secretary shall promulgate regulations providing for the lifting of coal tar color for use in the coloring of the outside of oranges meeting the standards of maturity and grade of the United States of America and the respective States where used and which are safe in the manner in which used and suitable for such use, and for the certification of batches of such color, with or without diluents which are not unsafe in the manner in which used.

"The coal tar color designated as FD & C Red No. 32 shall be included in the above category and shall continue to be listed until a color or colors which is or are more acceptable on the basis of standards set up by the Secretary may be listed and made available for use."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That paragraph (c) of section 402 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by inserting immediately before the period at the end thereof a colon and the following: '*Provided further*, That this paragraph shall not apply to oranges meeting minimum maturity standards established by or under the laws of the States in which the oranges were grown and not intended for processing (other than oranges designated by the trade as "packing house elimination"), the skins of which have been colored at any time prior to March 1, 1959, with the coal-tar color certified prior to the enactment of this proviso as FD&C Red 32, or certified after such enactment as External D&C Red 14 in accordance with 21 Code of Federal Regulations, part 9: *And provided further*, That the preceding proviso shall have no further effect if prior to March 1, 1959, another coal-tar color suitable for coloring oranges is listed under section 406'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 402 (c) of the Federal Food, Drug, and Cosmetic Act, with respect to the coloring of oranges."

A motion to reconsider was laid on the table.

CONVEYANCE OF A PORTION OF FORMER PRISONER OF WAR CAMP NEAR DOUGLAS, CONVERSE COUNTY, WYO., TO THE STATE OF WYOMING

The Clerk called the bill (H. R. 8404) to provide for the conveyance of a portion of the former prisoner of war camp, near Douglas, Converse County, Wyo., to the State of Wyoming, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed, upon certification to him by the Secretary of Defense and the Governor of Wyoming that the property described in section 2 of this act is needed for the training or support of the National Guard of Wyoming, to convey the property to the State of Wyoming, by quitclaim deed, without monetary consideration therefor, upon such terms and conditions as the Administrator determines to be necessary to properly protest the interests of the United States: *Provided, however*, That such deed of conveyance by express term shall—

(a) reserve to the United States all mineral rights including gas and oil;

(b) reserve to the United States right of exclusive use without charge therefor of such property together with any improvements thereon during any period of national emergency; and

(c) specify that said property shall be used for the training of the National Guard or for other military purposes, and in the event of nonuse for such purpose, shall, in its then existing condition together with any improvements thereon, at the option of the United States as determined and exercised by the Secretary of Defense, revert to the United States.

SEC. 2. The real property to be conveyed to the State of Wyoming is described as follows:

All the northeast quarter of the southeast quarter of section 7, township 32 north, range 71 west, except seventy-four one-hundredths acre in the southwest corner of said northeast quarter of the southeast quarter of section 7, such excepted portion being more particularly described as follows: Beginning at a point on the west line of said northeast quarter of the southeast quarter of section 7, bearing north 60 degrees 53 minutes east a distance of 1,504.2 feet; thence south 29 degrees 10 minutes east on present fence line a distance of 124 feet; thence south no degrees 21 minutes east on present fence line to the south boundary of the northeast quarter of the southeast quarter of section 7; thence south 89 degrees 28 minutes west on present fence line a distance of 58.33 feet to a point on the west line of the northeast quarter of the southeast quarter of section 7; thence north no degrees 28 minutes west on said west line of the northeast quarter of the southeast quarter of said section 7, a distance of 590 feet to the point of beginning; and containing in all thirty-nine and twenty-six one-hundredths acres, more or less, subject to aneasement granted to the town of Douglas, Converse County, Wyoming, for a pipeline for transportation of water, together with the right of ingress and egress, said pipeline running parallel with and distant 27 feet west of the centerline of the LePrele County Road.

SEC. 3. The cost of any surveys necessary as an incident of the conveyance authorized herein shall be borne by the State of Wyoming.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (S. 2587) to amend the Public Health Service Act to authorize the President to make the commissioned corps a military service in time of emergency involving the national defense, and to authorize payment of uniform allowances to officers of the corps in certain grades when required to wear the uniform, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 216 of the Public Health Service Act (42 U. S. C. 217) is amended to read as follows:

"USE OF SERVICE IN TIME OF WAR OR EMERGENCY

"SEC. 16. In time of war, or of emergency proclaimed by the President, he may utilize the Service to such extent and in such manner as shall in his judgment promote the public interest. In time of war, or of emergency involving the national defense proclaimed by the President, he may by Executive order declare the commissioned corps of the Service to be a military service. Upon such declaration, and during the period of such war or such emergency or such part thereof as the President shall prescribe, the commissioned corps (a) shall constitute a branch of the land and naval forces of the United States, (b) shall, to the extent prescribed by regulations of the President, be subject to the Uniform Code of Military Justice, and (c) shall continue to operate as part of the Service except to the extent

that the President may direct as Commander in Chief."

SEC. 2. (a) Section 213 of the Public Health Service Act (42 U. S. C. 214) is amended to read as follows:

"SEC. 213. An allowance of $250 for uniforms and equipment is authorized to be paid to each commissioned officer of the Service on active duty when required by directive of the Surgeon General to wear a uniform, if at such time the officer is receiving the pay of the junior assistant, assistant, or senior assistant grade; except that no officer who has received such an allowance from the Service shall at any time thereafter be entitled to any further allowance."

(b) Section 707 of the Act of July 1, 1944 (58 Stat. 713), so renumbered by section 5 of the Act of August 13, 1946 (60 Stat. 1049; 42 U. S. C. 214, note), is repealed.

SEC. 3. (a) Section 201 (a) (1) of the Public Health Service Act (42 U. S. C. 209 (a) (1)) is amended by striking out the words "subsection (b)" and inserting in lieu thereof "subsections (b) and (e)."

(b) Section 207 of such act (42 U. S. C. 209) is amended by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i) respectively and by adding immediately following section (d) a new subsection (e) as follows:

"(e) (1) A former officer of the Regular Corps may, if application for appointment is made within 2 years after the date of the termination of his prior commission in the Regular Corps, be reappointed to the Regular Corps without examination, except as the Surgeon General may otherwise prescribe, and without regard to the numerical limitations of subsection (b).

"(2) Reappointments pursuant to this subsection may be made to the permanent grade held by the former officer at the time of the termination of his prior commission, or to the next higher grade if such officer meets the eligibility requirements prescribed by regulation for original appointment to such higher grade. For purposes of pay, promotion, and seniority in grade, such reappointed officer shall receive the credits for service to which he would be entitled if such appointment were an original appointment, but in no event less than the credits he held at the time his prior commission was terminated, except that if such officer is reappointed to the next higher grade he shall receive no credit for seniority in grade.

"(3) No former officer shall be reappointed pursuant to this subsection unless he shall meet such standards as the Secretary may prescribe."

(c) (1) Section 207 (a) (2) of such act (42 U. S. C. 209 (a) (2)) is amended by striking out "a period of not more than 5 years" and inserting in lieu thereof "an indefinite period."

(2) The enactment of paragraph (1) of this subsection shall not affect the term of the commission of any officer in the Reserve Corps in effect on the date of such enactment unless such officer consents in writing to the extension of his commission for an indefinite period, in which event his commission shall be so extended without the necessity of a new appointment.

SEC. 4. (a) Section 210 (d) (2) of the Public Health Service Act (42 U. S. C. 211 (a) (2)) is amended by striking out "pay period and for purposes of."

SEC. 5. (a) The first sentence of section 211 (a) of the Public Health Service Act (42 U. S. C. 212 (a)) is amended by striking out "active commissioned service" and inserting in lieu thereof "active commissioned or noncommissioned service."

(b) Section 211 (b) (1) of such act (42 U. S. C. 212 (b) (1)) is amended by striking out "active commissioned service, including any such service in the Army, Navy, or Coast Guard" and inserting in lieu thereof "active commissioned or noncommissioned service in the Service including any active commissioned service in the Armed Forces."

(c) Section 211 (c) of such act (42 U. S. C. 212 (c)) is amended to read as follows:

"(c) A commissioned officer who has been retired under the provisions of this section may, (1) if an officer of the Regular Corps, be involuntarily recalled to active duty during such times as the Corps may constitute a branch of the land and naval forces of the United States, and (2) if an officer of either the Regular Corps or the Reserve Corps, be recalled to active duty at any time with his consent."

(d) The proviso of the paragraph headed "Retired Pay of Commissioned Officers," in chapter 296, 67 Statutes at Large 245, which appears at page 254 (42 U. S. C. 212b) and which reads as follows: "*Provided*, That hereafter a commissioned officer of the Public Health Service who has been retired may be recalled to active duty, other than in time of war, with his consent," is repealed.

(e) Section 706 of the act of July 1, 1944 (58 Stat. 713), so renumbered by section 5 of the act of August 13, 1946 (60 Stat. 1049), as amended (42 U. S. C. 230), is repealed.

SEC. 6. (a) Section 218 (a) of the Public Health Service Act (42 U. S. C. 218a (a)) is amended (1) by striking out the words "in the Regular Corps," and (2) by striking out the words "any educational institution" and inserting in lieu thereof the words "any Federal or non-Federal educational institution or training program."

(b) Section 218 (b) of such act (42 U. S. C. 218a (b)) is amended to read as follows:

"(b) Any officer whose tuition and fees are paid pursuant to subsection (a) while attending an educational institution or training program for a period in excess of 30 days shall be obligated to reimburse the Service for such tuition and fees if thereafter he voluntarily leaves the service within whichever of the following periods of active service is the greater: (1) 6 months, or (2) twice the period of such attendance but in no event more than 2 years. Such subsequent period of service shall commence upon the cessation of such attendance and of any for other continuous period of training duty for which no tuition and fees are paid by the service and which is part of the officer's prescribed formal training program, whether such further training is at a service facility or otherwise. The Surgeon General may waive, in whole or in part, any reimbursement which may be required by this subsection upon a determination that such reimbursement would be inequitable or would not be in the public interest."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING AND DIRECTING EXCHANGES OF SALES OF PUBLIC LANDS WITHIN OR ADJACENT TO DISTRICT OF PUNA, T. H.

The Clerk called the bill (H. R. 7891) to authorize and direct the exchanges and sales of public lands within or adjacent to the district of Puna, county of Hawaii, T. H., for the relief of persons whose lands were destroyed by volcanic activity.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Public Lands of the Territory of Hawaii is authorized and directed to exchange public lands within or adjacent to the district of Puna, county of Hawaii, T. H., for lands destroyed by volcanic activity occurring during March and April 1955. The Territory may not convey lands exceeding 40 acres in area or $5,000 in value. For the purposes of the exchange the destroyed lands are to be appraised at the market value just prior to the time of destruction, but the value of improvements such as crops and buildings shall be excluded therefrom.

SEC. 2. After the limits of exchange have been exhausted the Commissioner is authorized to sell to those who have been unable to replace all the lands destroyed public lands not exceeding 80 acres in area, or the area of destroyed land, whichever is less, deducting therefrom the area conveyed by the Territory by exchange as provided in section 1. Such a sale shall be made without public auction, drawing or lot or the approval of the board of public lands.

SEC. 3. If the lessor of any destroyed lands should fail to exchange or purchase lands to replace his destroyed lands, his lessee may purchase under the provisions of this act public lands not exceeding 80 acres in area or the area of destroyed land leased by him, whichever is less.

SEC. 4. In order to come within the provisions of this act, persons must file applications showing the area and approximate value of lands, owned or leased by them, which were destroyed by volcanic activity, within 2 years of the date of approval of this act.

SEC. 5. Except as changed herein, all applicable provisions of the Organic Act of Hawaii remain in force.

SEC. 6. This act shall take effect on and after the date of its approval.

With the following committee amendments:

Page 1, line 6, following the word "lands" insert the words "within the county of Hawaii."

Page 2, line 7, following the word "lands" insert the words "within or adjacent to the district of Puna, county of Hawaii, T. H."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORMER PRISONER OF WAR CAMP NEAR DOUGLAS, CONVERSE COUNTY, WYO.

By unanimous consent, the proceedings whereby the bill (H. R. 8404) to provide for the conveyance of a portion of the former prisoner of war camp, near Douglas, Converse County, Wyo., to the State of Wyoming, and for other purposes, was passed, were vacated.

The Clerk called the bill (H. R. 8404) to provide for the conveyance of a portion of the former prisoner of war camp, near Douglas, Converse County, Wyo., to the State of Wyoming, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed, upon certification to him by the Secretary of Defense and the Governor of Wyoming that the property described in section 2 of this act is needed for the training or support of the National Guard of Wyoming, to convey the property to the State of Wyoming, by quitclaim deed, without monetary consideration therefor, upon such terms and conditions as the Administrator determines

to be necessary to properly protect the interests of the United States: *Provided, however,* That such deed of conveyance by express term shall—

(a) reserve to the United States all mineral rights including gas and oil;

(b) reserve to the United States right of exclusive use without charge therefor of such property together with any improvements thereon during any period of national emergency; and

(c) specify that said property shall be used for the training of the National Guard or for other military purposes, and in the event of nonuse for such purpose, shall, in its then existing condition together with any improvements thereon, at the option of the United States as determined and exercised by the Secretary of Defense, revert to the United States.

SEC. 2. The real property to be conveyed to the State of Wyoming is described as follows:

All the northeast quarter of the southeast quarter of section 7, township 32 north, range 71 west, except seventy-four one-hundredths acre in the southwest corner of said northeast quarter of the southeast quarter of section 7, such excepted portion being more particularly described as follows: Beginning at a point on the west line of said northeast quarter of the southeast quarter of section 7, bearing north 60 degrees, 53 minutes east a distance of 1,504.2 feet; thence south 29 degrees 10 minutes east on present fence line a distance of 124 feet; thence south no degrees 21 minutes east on present fence line to the south boundary of the northeast quarter of the southeast quarter of section 7; thence south 89 degrees 28 minutes west on present fence line a distance of 58.33 feet to a point on the west line of the northeast quarter of the southeast quarter of section 7; thence north no degrees 28 minutes west on said west line of the northeast quarter of the southeast quarter of said section 7, a distance of 590 feet to the point of beginning; and containing in all thirty-nine and twenty-six one-hundreds acres, more or less, subject to an easement granted to the town of Douglas, Converse County, Wyo., for a pipeline for transportation of water, together with the right of ingress and egress, said pipeline running parallel with and distant 27 feet west of the centerline of the LaPrele County Road.

SEC. 3. The cost of any surveys necessary as an incident of the conveyance authorized shall be borne by the State of Wyoming.

Mr. BROOKS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Texas: On page 2, line 1, strike out the word "protest" and insert "protect."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RATIFYING AND CONFIRMING ACT 249 OF THE SESSION LAWS OF HAWAII

The Clerk called the bill (H. R. 7426) to ratify and confirm Act 249 of the Session Laws of Hawaii, 1955, as amended, and to authorize the issuance of certain highway revenue bonds by the Territory of Hawaii.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Territory of Hawaii, any provision of the Hawaiian Organic Act or any other act of Congress to the contrary notwithstanding, is authorized and empowered to issue highway revenue bonds in a sum not to exceed $50 million payable from funds derived from highway vehicle fuel taxes, for the purpose of providing for the construction and maintenance of highways in the Territory. The issuance of such revenue bonds shall not constiute the incurrence of an indebtedness within the meaning of the Hawaiian Organic Act, and shall not require the approval of the President of the United States.

SEC. 2. All bonds issued under authority of section 1 shall be issued pursuant to legislation enacted by the legislature of the Territory which shall provide (1) that, so long as any of the bonds are outstanding, highway vehicle fuel taxes shall be levied and collected in amounts at least sufficient, to provide for the payment of the principal of the bonds and the interest thereon, as such principal and interest become due (except that interest due upon any such bonds during the first year after their date of issuance may be paid from the proceeds of sale of the bonds), and that Federal aid funds may also be used for payments of the principal of the bonds and interest thereon; (2) that the superintendent of public works of the Territory, or any officer or agency succeeding to his powers and duties in respect to highways, shall have the power to issue and sell the bonds and to expend the proceeds and provide for the repayment thereof, in accordance with standards and pursuant to provisions which shall be set forth in such legislation; and (3) that the office of the superintendent of public works, or an office or agency succeeding to the powers and duties of that office in respect of highways, shall be continued in existence and shall retain the powers and duties set forth in such legislation, so long as any of the bonds are outstanding.

SEC. 3. As used in this act, the term "highway vehicle fuel taxes" means taxes in respect of the fuel used on, or to be used on the highways, but in the event the legislation providing for such tax levies the same in respect of other fuel and does not provide for the segregation of the taxes in respect of the fuel used on, or to be used on the highways, then the term "highway vehicle fuel taxes" includes as well all such taxes in respect to fuel as are commingled with the taxes in respect of the fuel used, or to be used on the highways.

SEC. 4. Act 249 of the Session Laws of Hawaii, 1955, is hereby amended to the extent of inserting section 5961 therein set forth the public law number as may be assigned to this bill upon its enactment.

SEC. 5. Act 249 of the Session Laws of Hawaii, 1955, as amended by section 4 above is hereby approved and ratified.

With the following committee amendments:

Page 1, lines 8 and 9, strike the words "and maintenance."

Page 2, lines 8 and 9, strike the words "sufficient, to" and insert the words "sufficient to."

Page 2, line 13, change the comma to a semicolon and strike the words "and that Federal-aid funds may also be used for payments of the principal of the bonds and interest thereon."

Page 3, line 3, strike all of section 3 and insert the following new sections 3 and 4:

"SEC. 3. Nothing in this act shall be deemed to prevent the application of Federal-aid highway funds to aid in the retirement of said bonds, to the extent now or hereafter permitted by the acts of Congress relating to the use of such funds.

"SEC. 4. As used in this act, the term "highway vehicle fuel taxes" means taxes in respect to the fuel for operating a motor vehicle or motor vehicles upon the highways, as defined and imposed by the laws of the Territory of Hawaii, but in the event the legislation providing for such tax levies the same in respect to other fuel and does not provide for the segregation of the taxes in respect to the fuel for operating a motor vehicle or motor vehicles upon the highways, then the term "highway vehicle fuel taxes" includes as well all such taxes in respect to fuel as are commingled with the taxes in respect to the fuel for operating a motor vehicle or motor vehicles upon the highways."

Page 3, line 13, Renumber "Sec. 4." to read "Sec. 5."

Page 3, line 14, Following the word "inserting" insert the word "in."

Page 3, line 17, Renumber "Sec. 5." to read "Sec. 6."

Page 3, line 18, strike the numeral "4" and insert the numeral "5."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING RESERVOIR ABOVE THE MONTICELLO DAM IN CALIFORNIA AS LAKE BERRYESSA

The Clerk called the bill (H. R. 7858) to designate the reservoir above the Monticello Dam in California as Lake Berryessa.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill (S. 2755).

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

There being no objection, the Clerk read the Senate bill, S. 2755, as follows:

Be it enacted, etc., That the reservoir located above the Monticello Dam in Napa County, Calif., shall hereafter be known as Lake Berryessa, and any law, regulation, document, or record of the United States in which such reservoir is designated or referred to shall be held to refer to such reservoir under and by the name of Lake Berryessa.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 7858, was laid on the table.

PUBLIC IMPROVEMENT BONDS FOR SCHOOLS IN HONOLULU AND THE COUNTY OF HAWAII

The Clerk called the bill (H. R. 9768) relating to general obligation bonds of the Territory of Hawaii amending Public Laws 640 and 643 of the 83d Congress (68 Stat. 782, ch. 889 and 68 Stat. 785, ch. 892), and ratifying certain provisions of Act 273, Session Laws of Hawaii, 1955, which authorizes issuance of public improvement bonds for schools in the city and county of Honolulu and the county of Hawaii.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Public Law 640 of the 83d Congress, approved August 24, 1954 (68 Stat. 782, ch. 889), is hereby amended by deleting the proviso from the

first sentence thereof and inserting in lieu thereof the following: "*Provided, however,* That the total indebtedness of such Territory shall not exceed $95 million or the amount of total indebtedness authorized by the Hawaiian Organic Act, whichever is the higher."

SEC. 2. Section 2 of Public Law 643 of the 83d Congress, approved August 24, 1954 (68 Stat. 785, ch. 892) is hereby amended to read as follows:

"SEC. 2. During the years 1954 to 1959, inclusive, the Territory of Hawaii is authorized to issue, any provision of the Hawaiian Organic Act or any other act of Congress to the contrary notwithstanding, public improvement bonds in such amounts as will not cause the total indebtedness of such Territory to exceed $95 million or the amount of total indebtedness authorized by the Hawaiian Organic Act, whichever is the higher.

"In applying the Territory's debt limitation, whether prescribed by this or other specific act of Congress or by the Hawaiian Organic Act, the computation of the amount to which the total indebtedness of the Territory may be extended at any time shall include all general obligation bonds, whether for public improvements or for other purposes for which general obligation bonds are or may be authorized to be issued by the Congress: *Provided,* That during the year 1960 and thereafter if the Territory's debt limitation prescribed by the Hawaiian Organic Act shall be less than $95 million there shall be added to the Territory's debt limitation so prescribed by the Hawaiian Organic Act such amount as represents the outstanding indebtedness incurred for the purposes authorized by Public Law 640, 83d Congress, as amended, but such addition shall not cause the total indebtedness of the Territory to exceed $95 million.

"Nothing herein shall be deemed to preclude the issuance of bonds after 1959 under Public Law 640 of the 83d Congress, as amended, in accordance with the authorization therein set forth."

SEC. 3. Section 5, subsections (a) to (e), inclusive, and section 6 subsections (a) to (e), inclusive, of Act 273 of the Session Laws of Hawaii, 1955, being an act relating to public improvements and for other purposes, are hereby ratified and confirmed, subject to the provisions of section 2 of Public Law 643, 83d Congress, as amended. The bonds so authorized, when issued in accordance with the provisions of section 2 of Public Law 643, 83d Congress, as amended, shall be valid notwithstanding any other provision of law as to debt limitations.

All bonds issued pursuant to this section shall be serial bonds payable in substantially equal annual installments, with the first such installment maturing not later than 5 years from the date of issue and the last such installment maturing not later than 30 years from such date.

Such bonds may be issued without the approval of the President of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE THE CITY AND COUNTY OF HONOLULU TO ISSUE GENERAL OBLIGATION BONDS

The Clerk called the bill (H. R. 9769) to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue general obligation bonds.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any provision of the Hawaiian Organic Act, or any law of the Territory of Hawaii, or any Act of the Congress to the contrary notwithstanding, Acts 145, 199, 210, and 223 of the Session Laws of Hawaii, 1955, authorizing the issuance of general obligation bonds by the city and county of Honolulu, Territory of Hawaii, are hereby ratified and confirmed, subject to the provisions of this act, such authorization to be over and above any limitations on the amount of the bonded debt of the city and county of Honolulu and on the amount of the debt which may be incurred by said city and county in any one year imposed by the Hawaiian Organic Act, and such authorization shall also be in addition to all other issues authorized by the Congress: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of said acts of said Territory by the legislature thereof, from time to time, to provide for changes in the improvements authorized by said acts.

SEC. 2. Any provision of the Hawaiian Organic Act or any other act of Congress to the contrary notwithstanding, the Territory of Hawaii may authorize the city and county of Honolulu to issue general obligation bonds for public improvements in an amount not exceeding $14 million, in any single calendar year: *Provided,* That the total indebtedness of said city and county shall not exceed $70 million, at any one time: *Provided further,* That any indebtedness incurred pursuant to specific authorization of the Congress, including indebtedness incurred pursuant to section 1 hereof, shall be included in computing such total indebtedness.

SEC. 3. The bonds issued under authority of this act may be serial bonds payable in substantially equal annual installments, the first installment to mature not later than 5 years and the last installment to mature not later than 30 years from the date of such issue. Such bonds may be issued without the approval of the President of the United States.

With the following committee amendments:

Page 2, line 15, strike out "$14,000,000," and insert "2 percentum of the assessed valuation of the real estate or $14,000,000, whichever is the greater";

Page 2, line 19, strike "$70,000,000" and insert "10 percentum of the assessed valuation of the real estate of $70,000,000, whichever is the greater."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUITIES UNDER THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

Mr. RICHARDS. Mr. Speaker, I call up the conference report on the bill (S. 1287) to make certain increases in the annuities of the annuitants under the Foreign Service retirement and disability system; and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1869)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1287) to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the annuity of an annuitant under the Foreign Service retirement and disability system pursuant to the Act of May 24, 1924 (43 Stat. 140), as amended, or the Foreign Service Act of 1946 (60 Stat. 999), as amended, shall be increased the first day of the second month following enactment of this Act in accordance with the following rules:

"If the annuitant was formerly a participant in the system, the annuity to which he is entitled shall be increased $324, provided he retired before July 1, 1949.

"SEC. 2. In the case of an officer who retired before July 1, 1949, and elected a reduced annuity at time of retirement, and who availed himself of the restoration clause in section 821 (b) of the Foreign Service Act of 1946, as amended, such officer shall be entitled to receive the increase provided by the first section of this Act.

"SEC. 3. If the annuitant is receiving an annuity on the effective date of this Act as the survivor of a former participant in the system who retired before July 1, 1949, the annuity shall be increased in the amount of $324 or in such larger amount as may be necessary to make the total annuity equal to $1,200; except that in no event shall such annuity be increased by any amount in excess of $324 if such increase would result in a total annuity greater than the annuity which such survivor would have been entitled to receive (as determined by the Secretary of State, taking into consideration any generally applicable pay increases but not any in-class increases or possible additional years of service) immediately prior to the effective date of this Act is such former participant had retired on November 13, 1950 (the date specified in Public Law 348, Eighty-second Congress).

"SEC. 4. If the wife of a Foreign Service officer who retired prior to July 1, 1949, becomes an annuitant subsequent to the effective date of this Act, as a result of the election made by the officer at time of retirement, such widow's annuity shall be increased in the amount of $324.

"SEC. 5. In any case where a participant under the Foreign Service retirement and disability system died before August 29, 1954, leaving a widow who is not entitled to receive an annuity under the system; the Secretary of State is authorized and directed to grant such widow an annuity of not to exceed $1,200 per annum, if he finds that such widow (whether remarried or not) is in actual need and without other adequate means of support.

"SEC. 6. In no case shall an annuity increased under this Act exceed the maximum annuity payable under section 821 (a) or (b) of the Foreign Service Act of 1946, as amended.

"SEC. 7. No annuity currently payable to any annuitant under the Foreign Service

retirement and disability system shall be reduced as a result of the provisions of this Act."

And the House agree to the same.

JAS. P. RICHARDS,
ARMISTEAD I. SELDEN, Jr.,
JOHN M. VORYS,
ALVIN M. BENTLEY,
Managers on the Part of the House.

JOHN SPARKMAN,
MIKE MANSFIELD,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1287) to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the Senate bill and the House amendment. Except for clarifying, clerical, and necessary conforming changes, the differences between the House amendment and the substitute amendment are noted below:

ADJUSTMENT FOR WIDOW ANNUITANTS

Section 3 takes care of seven widows whose husbands retired from the Foreign Service before July 1, 1949. Five of them will receive $324 plus such additional amount as is necessary to give them an annuity of $1,200. The conferees agreed upon the language in this section as a device that would provide a measure of relief for windows now getting a small annuity and permit them to receive a maximum of $1,200. It was not the intention of the conferees, however, to make an adjustment that would give to these widows a higher annuity than that received by a widow whose husband remained in service long enough to benefit by the several pay increases received by Foreign Service officers that would be reflected in his annuity. Only two widows are covered by this provision. One will receive $329 instead of $324, the other will receive only the $324.

The language of this section is a substitute for the House language which would have permitted the Secretary of State to make loans or grants to enable these seven widows to receive up to $1,200 per year.

POSSIBLE BENEFITS TO WIDOWS NOT NOW ELIGIBLE

Section 5 is a substitute for the House language to take care of those widows who are not now eligible to receive an annuity. The conferees deleted any reference to loans or grants to assist them and substituted a provision for an annuity. Under the language agreed upon no widow covered by this section may receive more than $1,200 per year. As in the House amendment, the Secretary of State must find that a widow must be in actual need and without other adequate means of support. It is not expected that intensive inquiries of a social casework nature will be required in order to make any determination. Estimates supplied the committee when this section was under consideration indicate that about six widows may benefit from this provision.

JAS. P. RICHARDS,
ARMISTEAD I. SELDEN, Jr.,
JOHN M. VORYS,
ALVIN M. BENTLEY,
Managers on the Part of the House.

Mr. BENTLEY. Mr. Speaker, this conference report is to accompany S. 1287, a bill to make certain increases in the annuities of annuitants under the foreign service retirement and disability system.

On January 13, 1955, I introduced H. R. 2097 for the same purpose. This bill was reported out by the Foreign Affairs Committee on July 26 and passed the House on August 1 with amendments. The proceedings were then vacated and S. 1287, with the amended text of H. R. 2097, was passed in lieu thereof.

The conference committee agreed to a substitute for both the Senate bill and the House amendment as contained in its report of March 12, 1956. I will explain the differences later on after giving a brief résumé of the bill itself.

The basic purpose of this legislation is to adjust the annuities of foreign service officers who retired prior to July 1, 1949, and the widows of such officers. Not more than 250 officers and widows are affected thereby and they receive an approximate annual increase of $324.

It should be pointed out that, under the Foreign Service Act of 1946, foreign services officers who retire at the present time have their annuities computed on the higher salaries that are paid as a result of various salary increases over the last 10 years. Such increases have not been available to those who retired prior to 1946 or shortly thereafter.

The figure of $324 which was not contained in the original language of the bill was adopted as an amendment in committee since it paralleled the increase granted by Congress in 1952 to those civil service employees receiving low annuities. The committee felt that this across-the-board increase would be easier to justify to the Congress than would other increases based on percentages and which, in some cases, resulted in disproportionate raises of annuities.

On the basis of about 250 officers and widows receiving an annual increase of $324, this legislation would result in an initial annual cost of about $81,000. However, because of the advanced age of most of the beneficiaries, this annual cost would decrease very rapidly and should not extend much beyond a 20-year period.

I want to emphasize that even this small sum represents no cost to the Government since payments would be made from the foreign service retirement and disability fund. As of June 30, 1955, the fund contained an amount in excess of $16.5 million.

Now as to the action in conference. This consisted of amendments to sections 3 and 5 which relate to a handful of widows, 7 of whom are presently receiving annuities, and a few others who are now not eligible for annuities. In respect to the first category, their annuities are increased to an extent which will permit them to receive up to $1,200 per year and the second group, numbering about half a dozen needy widows, will receive an annuity not to exceed that amount.

In brief, Mr. Speaker, what we have tried to do here is to pass legislation which would give modest increases, at no cost to the Government, to certain foreign service officers and their widows. These are, without exception, persons who devoted many years of faithful service to the Government, often under extreme conditions of hardship. They are people who have been retired for at least 7 years and whose annuities are definitely inferior to those of their younger colleagues. They are persons who, for the most part, find it difficult to live even modestly on their present annuity scales. And, finally, they are, also for the most part, persons in the later years of their lives. In the 3 years that I have been trying to get this legislation through the Congress, several of them have passed away.

I feel sure that the House will approve the adoption of this conference report on the basis of the facts as I have stated them.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

CONTINUING THE POLICY OF THE UNITED STATES CONCERNING CERTAIN INTERNATIONAL INJUSTICES IN THE WORLD

Mr. RICHARDS. Mr. Speaker, I move to suspend the rules and pass the resolution (H. Res. 370) as amended.

The Clerk read the resolution, as follows:

Whereas, in the world today, grave injustices to many peoples and countries still remain uncorrected; and

Whereas the United States Government and the American people must not, by any sanction or seeming accession, help to perpetuate these wrongs; and

Whereas the present oppressive divisions of the German, Korean, and Vietnamese people constitute unjust and oppressive denials of the desire of these people for, and their inalienable right to, reunification of these respective countries under terms and conditions which guarantee political freedom, self-determination, and independence; and

Whereas the exclusion of Japan, the Republic of Korea, and the Repubuic of Vietnam by the Soviet Union from membership in the United Nations constitutes an arbitrary and inequitable act contrary to the best interests of Japan, the Republic of Korea, and the Republic of Vietnam as well as the United Nations in view of the fact that Japan, the Republic of Korea, and the Republic of Vietnam are fully qualified for membership therein; and

Whereas millions of people still exist in bondage under Soviet and Chinese Communist tyranny; and

Whereas such conditions threaten the achievement of international peace and security toward which the policy of this Government and the entire free world is directed; and

Whereas this Government has a duty to keep these injustices in the forefront of human consciousness; and

Whereas this Government seeks to maintain the pressure of world opinion to right these vast wrongs in the interest both of justice and a secure peace: Therefore be it

Resolved, That it is the sense of the House of Representatives that it shall continue to be the policy of the United States Government to exercise its leadership and moral strength to bring about the reunification of the peoples of Germany, Korea, and Vietnam under conditions which guarantee political freedom, self-determination, and independence.

SEC. 2. It is further the sense of the House of Representatives that it shall continue to

be the policy of the United States Government to exercise its leadership and moral strength to bring about the entrance of Japan, the Republic of Korea, and the Republic of Vietnam into the United Nations.

SEC. 3. It is further the sense of the House of Representatives that it shall continue to be the policy of the United States Government to exercise its leadership and moral strength in support of the peaceful achievement of freedom and independence by the peoples now under Soviet and Chinese Communist bondage.

The SPEAKER. Is a second demanded?

Mr. BENTLEY. Mr. Speaker, I am not opposed to the bill, but in order to have a hearing I demand a second.

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from South Carolina [Mr. RICHARDS] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BENTLEY] for 20 minutes.

The gentleman from South Carolina is recognized.

Mr. RICHARDS. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I wholeheartedly support House Resolution 370, which expresses the sense of the House that it should be the policy of the United States to exert its effort respecting certain grave international injustices which exist in the world.

House Resolution 370 expresses the sense of Congress on three things:

First, it states the policy of the United States Government to exercise its leadership and moral strength to bring about reunification of the peoples of Germany, Korea, and Vietnam;

Second, it affirms the policy of the United States Government to bring Japan, the Republic of Korea, and the Republic of Vietnam into the United Nations; and

Third, it emphasizes the policy of the United States Government to exercise its leadership and moral strength in support of peaceful achievement of freedom and independence by peoples now under Soviet and Communist bondage.

At present the German people remain divided. So are the Korean people. And the same is true of the Vietnamese. These divisions are unnatural and contrary to the best interests of these peoples. However, we all want the right kind of reunification to take place—a fair and just reunification, and not one under Communist domination. Thus, section 1 of the resolution expresses the sense of this House that our Government shall continue its policy of exercising leadership, both material and spiritual, in helping bring about the reunification of these peoples. But this is to be accomplished, in the language of the resolution, "under conditions which guarantee political freedom, self-determination, and independence."

The next injustice covered by the resolution concerns the Soviet Union's arbitrary exclusion from membership in the United Nations of Japan, the Republic of Korea, and the Republic of Vietnam. The Soviet Union has been consistent in its abuse of the veto power in order to keep these three countries out of the United Nations. In all, the Soviet Union has exercised the veto power 7 times with respect to these 3 countries. The resolution in section 2 expresses the sense of the House that United States policy shall be continued to bring about the entrance of these three countries into the United Nations.

The resolution in its last section expresses the sense of the House that United States policy shall continue to support the peaceful achievement of freedom and independence by the peoples now under Soviet and Chinese Communist enslavement. This House has on many occasions expressed its sentiment with respect to continuing in the hearts and minds of these enslaved peoples their hope for ultimate freedom and independence. We must continue to nurture this hope in every possible way through expressions by the executive branch, through expressions by the Congress, and through public expressions.

This resolution deserves the full support of every Member of this House. It is a resolution, in the truest sense, in the American tradition of fairness and justice. It will give notice that we in the United States are essentially a moral and spiritual people and that we cannot sit idly by while serious international injustices continue.

May our leadership play a significant part in bringing about the end of such injustices for the good of mankind.

This resolution is very ably authored by the gentleman from Michigan [Mr. BENTLEY], to whom I now yield the floor, reserving the balance of my time.

Mr. BENTLEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I find myself in the very pleasant although perhaps somewhat unique position of being down here in the well today urging the House to pass foreign-policy legislation which I think will support the administration at the present time.

Mr. Speaker, House Resolution 370, which I introduced on January 12 and which was unanimously reported by the Foreign Affairs Committee on March 13, is designed to lend the support of the House of Representatives to President Eisenhower and the administraiton in certain respects of this Government's foreign policy. As the State Department said:

> The Department is in complete agreement with the premises from which the resolution proceeds, and with the aims expressed in its operative paragraphs. These are indeed the policies of the United States Government, in the formulation and implementation of which the Department of State has been largely concerned. Adoption of the resolution would support the Department in its firm intention to promote these policies by all practicable means.

In his state of the Union message on January 5, President Eisenhower made the following remarks which form the basis for House Resolution 370:

> In all things, change is the inexorable law of life. In much of the world the ferment of change is working strongly; but grave injustices are still uncorrected. We must not, by any sanction of ours, help to perpetuate these wrongs. I have particularly in mind the oppressive division of the German people, the bondage of millions elsewhere, and the exclusion of Japan from United Nations membership.
>
> We shall keep these injustices in the forefront of human consciousness and seek to maintain the pressure of world opinion to right these vast wrongs in the interest both of justice and secure peace.

I should now like to discuss the three specific international injustices to which House Resolution 370 refers. First of all, the "oppressive divisions of the German, Korean, and Vietnamese people."

The President's message only referred to the division of the German people. The House will recall that when the four heads of government from the United States, the United Kingdom, France, and the Soviet Union met at Geneva last summer, there was an expression of agreement that Germany should be reunified by means of free elections. This was put in the form of a directive to the foreign ministers for the October meeting at Geneva and at that time we, the British, and the French, put forth specific plans which would provide for the reunification of Germany in a framework of European security and by means of free elections in both West and East Germany.

Of course, Mr. Speaker, the House will also recall that the Soviets refused to provide for free elections in East Germany since they feared that their East German satellite government would be overthrown. It is the Soviet Union, therefore, that is directly standing in the way of a unified Germany today. However, the pressure of world opinion may yet force a change in the Soviet resistance. If we focus and continue to focus public attention on this question, as the President did and as House Resolution 370 does, the Soviets may eventually be unwilling to shoulder the responsibility for continuing to keep Germany divided.

The language of House Resolution 370 also points to the division of the Korean and Vietnamese people which, in my opinion, is no less a grave international injustice than in the case of Germany. The United Nations itself has consistently supported the objective of a unified Korea. In 1947 this Government proposed the holding of free elections throughout Korea under U. N. supervision, a proposal which was then adopted by the General Assembly and which has been endorsed repeatedly. However, the Communists have rejected this idea, very likely for the same reason as in Germany. Again it must be our stated policy to focus world public opinion on this grave injustice. At the recent 10th General Assembly, a United States resolution was adpoted in reaffirmation to these objectives and Soviet opposition thereto was overwhelmingly defeated. In Korea, no less than in Germany, we must continue to show the principles for which we stand and how they are being prevented and thwarted by Soviet obstructionism and Communist reluctance to see their satellite regimes take their own chances in a free election.

The present division of the Vietnamese people was effected through the 1954 Geneva conference to which the United States was not a party. The House will recall that the accords reached at that time envisioned the eventual reunification of Vietnam through free and secret elections conducted throughout that country. It has become plainly evident, However, that in Vietnam, as in Germany and Korea, the Communists have no intention of permitting free elections in that part of the country which they control. Again it must be shown that we stand for the right of peoples everywhere to a free choice of their own political institutions, just as it must be shown that in each case it is the Communists who continue to deny that right of free choice. I hope that the passage of House Resolution 370 will serve to reemphasize this fact before the eyes of the world.

The second international wrong covered under this resolution is the exclusion by the Soviet Union from membership in the United Nations of Japan, the Republic of Korea, and the Republic of Vietnam. This is of course, through the use, or the misuse, of the veto power. The President's remarks only referred to Japan and the original language of the resolution was drafted accordingly. However, the committee felt that South Korea and South Vietnam are equally qualified for membership in the U. N. and that their exclusion by Soviet vetoes was no less of an arbitrary injustice than in the case of Japan.

The House will recall that the Soviet Union vetoed the admission of South Korea in April of 1949 and December of 1955. The admission of Vietnam in September of 1952 and December of 1955 and the admission of Japan in September of 1952 and twice in December of 1955. This Government has, of course, fully espoused and endorsed the admission of these three countries to United Nation's membership and the attention of the world should again be directed to the fact that they are being blocked only through Soviet intransigence. This is yet another objective of House Resolution 370.

The third injustice mentioned in this resolution the continued existence of millions of people under Communist bondage is one which has many times been brought to the attention of the House and of the Congress. Yet I believe its reemphasis is important at this time. This Government has repeatedly condemned the suppression of human rights and political freedoms among peoples who were formerly free and independent. It raised the matter with the Soviet Union last summer at Geneva and again in October at the Foreign Minister's Conference. No satisfaction was gained but the anxiety and concern reflected in the Soviet reaction gave ground for much speculation concerning the true conditions among the captive peoples.

Mr. Speaker, the House will recall that, when President Eisenhower sent a message of encouragement to the captive peoples last Christmas, Mr. Khrushchev protested violently against what he termed "internal interference" in the affairs of the satellite states. The House will recall that Mr. Hagerty in reply issued the statement that the peaceful liberation of the captive peoples is and remains a goal of United States foreign policy.

In the midst of the developments, both political and ideological, which are taking place today within the Soviet Union, developments whose effects could conceivably be felt among the captive peoples, it is important that we again reassure them that our hope and belief in their peaceful liberation and political freedom remains constant and unchanging. In view of what has occurred in the past, it is also important to remind them that this Government will make no agreement which would in the slightest degree tend to confirm their present temporary state of captivity and slavery. The fact that we consider this captivity as one of the great international wrongs existing in the world today was clearly stated by the President last January 5 and deserves to be repeated by the House today. It is so important, Mr. Speaker and my colleagues, to convince these people of our hope and concern for their freedom that we cannot repeat these sentiments too often.

In retrospect, therefore, the adoption of House Resolution 370 today by the House will signify the following:

That we recognize that there are in this modern world grave injustices to many peoples and many countries which still remain uncorrected. That we are convinced that the United States Government and the American people, whose Representatives we are, must not, by any sanction of seeming accession, help to perpetuate these wrongs.

It will mean that we believe that the present oppressive divisions of the German, Korean and Vietnamese people constitute unjust and oppressive denials of the desire of these people for, and their inalienable right to, reunification of these respective countries under terms and conditions which guarantee political freedom, self-determination and independence for all. Free election, for example, should be a prerequisite.

It will mean that we believe that the exclusion of Japan, the Republic of Korea, and the Republic of Vietnam by the Soviet Union from membership in the United Nations constitutes an arbitrary and inequitable act which is contrary to the best interests of these three countries as well as the United Nations itself. The three countries mentioned here are fully qualified for membership in the United Nations and I believe they are not only more qualified than countries such as Communist Poland and Communist Czechoslovakia, for example, but I believe they are better qualified for membership than is the Soviet Union itself.

It will mean that we recognize the fact that there are millions of people throughout the world who still exist in bondage under Soviet and Chinese Communist tyranny. It will mean that we believe that such conditions as all of the foregoing threaten the achievement of international peace and security toward which the policy of this Government and the entire free world is directed. It will mean that we believe that this Government has a duty to keep these injustices in the forefront of human consciousness. And it will mean that we support this Government in seeking to maintain the pressure of world opinion to right these vast wrongs in the interest both of justice and a secure peace.

Therefore, Mr. Speaker, I urge it to be the sense of the House of Representatives that it shall continue to be the policy of the United States Government to exercise its leadership and moral strength in the righting of these international wrongs and injustices that still exist in the world today.

In closing, I would like to express my thanks to the distinguished chairman of my committee, the gentleman from South Carolina, whom we shall sorely miss here after this year, as well as to the leadership on both sides, for their kindness and cooperation in permitting me to bring this resolution to the floor of the House today. I have sometimes heard it expressed that in matters dealing with foreign policy, the House of Representatives tends to find itself overlooked or by-passed. I think that the passage of this resolution today will show that the House is also aware of its responsibility in this important field and that it is in support of President Eisenhower in his announced intention to keep these wrongs before the conscience of world opinion and to seek to ally the pressure of world opinion to right these wrongs. I urge, Mr. Speaker, the adoption of House Resolution 370.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor of the bill) the rules were suspended and the bill was passed.

The title was amended so as to read: "To continue the policy of the United States concerning the reunification of certain peoples, the admission of Japan, Korea, and Vietnam into the United Nations, and regarding Communist enslavement."

AMENDING THE CLAYTON ACT

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9424) to amend the Clayton Act, as amended, by requiring prior notification of corporate mergers.

The Clerk read as follows:

Be it enacted, etc., That sections 7 and 15 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 731 and 736, as amended, 15 U. S. C. 18 and 25) are amended as follows:

SECTION 1. That section 7 of said act is amended by striking the first, second, and third paragraphs, and inserting in lieu thereof the following new paragraphs:

"No corporation shall acquire, direct or indirectly, the whole or any part of the stock or other share capital and no corporation subject to the jurisdiction of the Federal Trade Commission and no bank, banking association, or trust company shall acquire, directly or indirectly, the whole or any part of the assets of one or more corporations engaged in commerce, where in any line of commerce in any section of the

country the effect of such acquisition of such stock or assets, or the use of such stock by the voting or granting of proxies or otherwise, may be substantially to lessen competition, or to tend to create a monopoly.

"No corporation subject to the provisions of this act shall acquire, directly or indirectly, the whole or any part of the stock, other share capital or assets of one or more corporations engaged in commerce, where the combined capital, surplus, and undivided profits of the acquiring and the acquired corporations are in excess of $10 million until 90 days after delivery to the Commission or Board vested with jurisdiction under the first paragraph of section 11 of this act and to the Attorney General of notice of the proposed acquisition. Such notice shall set forth the names and addresses, nature of business, products or services sold or distributed, total assets, net sales, and trading areas of both the acquiring and the acquired corporations. The parties shall furnish within 30 days after request therefor, such additional relevant information as may be required by the Commission or Board vested with jurisdiction under section 11 of this act or by the Attorney General. Any corporation willfully failing to give the notice or to furnish the required information shall be subject to a penalty of not less than $5,000 or more than $50,000, which may be recovered in a civil action brought by the Attorney General. Failure by the Federal Trade Commission, the Attorney General or other appropriate agency to interpose objection to such acquisition within the 90-day period shall not bar the institution at any time of any action or proceeding with respect to such acquisition under any provision of law. The Commission or Board vested with jurisdiction under section 11 of this act, after consultation with and upon approval of the Attorney General, may establish procedures for the waiver of all or part of the waiting requirement in appropriate cases.

"The preceding paragraph shall not apply to corporations purchasing stock solely for investment when the stock acquired or held does not exceed 5 per centum of the outstanding stock or other share capital of the corporation in which the investment is made; nor to the acquisition by one corporation of the assets of any other corporation if such assets do not equal more than the sum of $5 million or more than 5 percent of the capital, surplus, and undivided profits of either the acquired or the acquiring corporation, whichever is less. The term 'assets' as used in this paragraph shall not include stock in trade sold or held for sale by a corporation in the ordinary course of its business.

"Except for the provisions of the two preceding paragraphs this section shall not apply to corporations purchasing stock solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition. Nor shall anything contained in this section prevent a corporation engaged in commerce from causing the formation of subsidiary corporations for the actual carrying on of their immediate lawful business, or the natural and legitimate branches or extensions thereof, or from owning and holding all or a part of the stock of such subsidiary corporations, when the effect of such formation is not to substantially lessen competition."

SEC. 2. That section 15 of said act is amended by inserting after the first paragraph thereof the following paragraph:

"Whenever the Federal Trade Commission has reason to believe—

"(1) that any corporation subject to its jurisdiction is acquiring or has acquired stock or assets of another corporation in violation of the provisions of section 7 of this act; and

"(2) that the enjoining of such acquisition or the maintenance of the status quo after acquisition pending the issuance of a complaint or the completion of proceedings pursuant to a complaint by the Commission under this section and until such complaint is dismissed by the Commission or set aside by the court on review, would be to the interest of the public,

the Commission, by any of its attorneys designated by it for such purpose, may bring suit in a district court of the United States to prevent and restrain violation of section 7 of this act or to require maintenance of the status quo. Any such suit may be brought in any district in which the acquiring or the acquired corporation resides or transacts business. Upon proper showing, a temporary injunction or restraining order shall be granted without bond. In any case where injunction or restraining order is granted under this paragraph, the Federal Trade Commission shall proceed as soon as may be to the issuance of the complaint and to the hearing and determination of the case."

The SPEAKER. Is a second demanded?

Mr. KEATING. Mr. Speaker, I demand a second.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill would amend the Clayton Act by requiring prior notification of certain corporate mergers, and by authorizing the Federal Trade Commission to seek a preliminary court injunction restraining the consummation of mergers pending final Commission action.

We have all observed the alarming rate at which corporate mergers have been taking place recently. In the year just ended, for example, the number of mergers set a 25-year record and proceeded at a rate four times that of 1949. What is more, since 1951 over 3,000 independent concerns have disappeared through merger activity, which has played a most important part in hastening the reduction of competition in many areas and promoting a growing concentration of economic power.

Members will recall that the Congress in December 1950 enacted the Celler-Kefauver Antimerger Act, to amend the Clayton Act and to strengthen the provisions of the antitrust laws governing mergers. Five years' experience in administering the Antimerger Act has demonstrated the basic need for the present legislation, which is strongly supported by the President, the Department of Justice, and the Federal Trade Commission. The President had this to say in his economic report submitted to the Congress in January 1956:

Nevertheless, mergers have become more numerous of late and an eye, at once vigilant and discriminating, must be kept on such developments. Many mergers have a solid economic justification and serve the general interest by increasing competition; others have neutral effects; while still others place obstacles in the path of effective competition. Over the years Americans have wisely viewed excessive business concentration, or any other undue concentration of economic power, with uneasiness. To serve the basic American desire for an economy in which business opportunities are increasing and in which economic control is widely diffused, it is desirable to strengthen our antitrust laws and provide larger appropriations for their enforcement.

Toward this end, the following revisions of antitrust legislation are recommended. First, all firms of significant size that are engaging in interstate commerce and plan to merge should be required to give advance notice of the proposed merger to the antitrust agencies, and to supply the information needed to assess its probable impact on competition.

That is exactly what we do in this bill. We require that where there is a proposed merger of two or more companies in an unregulated industry and the combined capital structure of the companies is $10 million or more, then notice must be given 90 days prior to the merger's consummation to the Department of Justice and the Federal Trade Commission. When the merger involves companies in a regulated industry, notice must be given to the appropriate Federal commission and the Attorney General. Air carriers proposing to merge, for example, would notify the Civil Aeronautics Board and the Attorney General. If the merger involves railroads, notice must be given to the Interstate Commerce Commission and the Attorney General.

There is a provision for a 90-day waiting period. In other words, the Department of Justice, the Federal Trade Commission, and the regulatory agencies would have 90 days to consider the proposed merger.

There is a civil penalty ranging from $5,000 to $50,000 in the event that corporations seeking to merge willfully fail to give due notice in pursuance of the act, to the Federal Trade Commission, the Department of Justice, or the appropriate regulatory body.

What is behind the President's recommendation in addition to what I have indicated? Many of these mergers occur in secret which means that the Department of Justice and the Federal Trade Commission are unable to get any information about them. And in other instances these agencies have to rely on trade journals, newspaper clippings, financial periodicals to get information as to a proposed merger. This haphazard method is very unsatisfactory. Also it places a most difficult burden upon the Department of Justice and Federal Trade Commission.

This bill would require corporations that propose to merge to give appropriate notice to the Department of Justice and the Federal Trade Commission. It may be noted that even if the Department of Justice or the Federal Trade Commission does not take legal action within 90 days, they are not barred from proceeding thereafter in the event the merger constitutes a violation of the antitrust laws.

In addition, the bill grants to the Federal Trade Commission power to seek a preliminary court injunction against any proposed merger. The Department of Justice has that right now; in fact, the Federal Trade Commission

has the right to proceed by way of preliminary injunction in a certain limited field under section 13 of the Federal Trade Commission Act. We expand that field now so that in the event of a proposed merger, the Federal Trade Commission can step in and endeavor to prevent a merger.

Why do we ask that? Because in many instances the Federal Trade Commission is presented with a merger which is a fait accompli. In many instances the acquired corporation is swallowed up and its identity is lost. This makes it impossible thereafter for the Commission to unscramble the eggs. Under the bill the Federal Trade Commission will be armed with sufficient authority to prevent the merger from taking place until there has been a determination of its legality.

In light of the fact that the President, the Federal Trade Commission, and the Department of Justice have asked for the bill—there has only been inconsequential opposition to it—I do, indeed, hope that we suspend the rules and pass H. R. 9424.

ORDER OF BUSINESS ON WEDNESDAY NEXT

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. McCORMACK. Mr. Speaker, I desire to announce to the House that the first order of business on Wednesday next will be the consideration of, and the vote on, the veto message of the President in relation to the farm bill.

Mr. KEATING. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, I urge the passage of H. R. 9424.

This bill would amend section 7 of the Clayton Act to require corporations proposing to merge to notify the Attorney General and the Federal Trade Commission 90 days in advance of the transaction. Within 30 days after the notice is given, the companies would have to furnish the enforcement agencies such additional information as may be needed to assess the merger's probable impact on competition. These provisions apply only to mergers where the combined assets of the merging companies exceed $10 million. Willful failure to submit the notification or furnish the required information would subject the offender to a civil penalty of from $5,000 to $50,000.

This bill would also amend section 15 of the Clayton Act to provide the Federal Trade Commission with authority to seek a preliminary court injunction to restrain completion of a merger until adjudication of its legality.

Mr. Speaker, the need for this legislation has been emphasized in recent years by the almost alarming tendency toward the merging of corporations in this country. Our American traditions of fair play and protection of the small-business man demand that we scrutinize such developments carefully. As President Eisenhower stated in his Economic Report of January 24, 1956, we must be "at once vigilant and discriminating" in our approach to the problem of mergers today.

I fully recognize that many mergers are entirely feasible and desirable from the viewpoint of the good of the national economy, since they may tend to increase competition. On the other hand, it is equally obvious that vicious monopolistic tactics, which may tend to lessen competition, are inherent in some mergers.

The bill we are considering today provides the Government with a means of effectively judging how to tiptoe along that tightrope line which must be drawn between a corporate consolidation which is good for the economy and one which has harmful effects. It is my feeling that this measure, H. R. 9424, gives the Government the vigilant, yet discriminating means of alleviating the traditional uneasiness with which Americans view excessive business concentration. To that end we must strengthen our antitrust laws and provide more adequately for their enforcement.

The idea of requiring notice of proposed corporate action which might infringe upon legislative policy is not a new one. Both the Securities Act of 1933 and the Securities Exchange Act of 1934 contain comparable provisions. Under these laws a registration statement relating to the issuance of a new security must be filed with the Securities Exchange Commission 20 days before its effective date and the Commission has the power to issue a stop order within that period. Similar proceedings are also practiced with respect to the publication of railway rates.

Five years of experience in the administering of the provisions of the antimerger law of 1950 have demonstrated the need for some sort of legislation to provide for premerger notification. At present the necessity for advance study of mergers is met in a most inefficient manner which imposes needless burdens on the Department of Justice and Federal Trade Commission. Under existing statutes, staffs of these agencies must scan a wide variety of periodicals, trade journals, and other publications to learn of proposed or pending consolidations. Such procedures are made doubly unsatisfactory by the fact that many mergers may be consummated without adequate or timely notice in the press and because the agencies involved have to compile economic data concerning the contemplated merger in order to determine whether a full-scale economic investigation should be undertaken.

The measure before us today would correct this situation. At the same time it will not constitute a hardship on the companies involved since the data needed by the agencies can be supplied by those involved without undue difficulty.

There is also the additional consideration that premerger notification will benefit the business community itself. A number of lawyers representing merging companies have stated that disruption of business plans is lessened by Department action before merger consummation. Furthermore, with this requirement incorporated in the statute, the company which tries to obey the law and seeks advance clearance from the Federal Trade Commission and Justice Department will no longer have to stand by and watch its competitor, who chooses to remain silent, carry out a merger. In many of these cases, those who would circumvent the law rely on the natural indisposition of the enforcement agency to unscramble the commingled assets, and in the meantime pile up huge profits.

There has been some complaint about the inequity in enforcement authority of section 15 of the Clayton Act, which now exists between the FTC and Justice Department. Since the Commission has concurrent responsibility with the Attorney General to enforce that act, it should follow that the Commission has the same authority to invoke injunctions to prevent and restrain violators. In fact, the Commission right now even lacks the authority which private parties have to petition a Federal district court to enjoin the consummation of what may be an illegal merger causing irreparable injury.

Logic and the demands of sound policy dictate that this serious loophole in the Antimerger Act be closed, as this bill provides. Passage of H. R. 9424 will give the FTC coexistent authority to invoke the injunctive powers of a district court upon an appropriate show of necessity.

Mr. Speaker, it is important to bear in mind that not all mergers are covered by the notification and reporting requirements of the present bill. To avoid any burden upon small-business consolidations, advance notification is required only where the combined capital structure of the merging corporations exceeds $10 million. This figure will probably cover most mergers that have a significant economic effect and at the same time will relieve from the notification requirements a large number of transactions which have no particular significance from an antitrust standpoint.

The measure under consideration is supported in principle by the President, the Attorney General, and the Federal Trade Commission. It is similar to a number of bills introduced by other Members including myself. Its passage will relieve the Department of Justice and the Federal Trade Commission of cumbersome and unnecessary burdens and at the same time apportion enforcement authority more equitably.

The Clayton Act has come to be regarded as one of the bulwarks of our free economy. Its provisions represent a mighty weapon in our arsenal to prevent this country from going down the road toward socialism. In order to bring the Clayton Act up to date and alter it to meet the challenges of present-day business practices, while at the same time preserving our proud heritage of free opportunity and enterprise, we should act swiftly and favorably on H. R. 9424.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield.

Mr. VORYS. I am wondering whether there would be danger here, if you had to have a premerger filing, of a sort of raid by minority stockholders such as we have seen at times, where sort of nuisance attacks are made on the whole business. Has the committee considered that possibility?

Mr. KEATING. The committee did discuss that, among other things in con-

sidering this bill, and considered it very fully. I point out to the gentleman that there is a 90-day period which elapses between the time when the notice is given and the merger is to be consummated. Some business concerns raised the point that that might cause a delay and might give an opportunity for minority elements or other disgruntled elements to raise some such question.

There has been put in the bill a provision which permits the Attorney General and the Federal Trade Commission to set up a system of waiving the 90-day requirement so that in the case of a merger of not too great consequence which is not going to have an adverse effect in their judgment on restraint of trade they would be able to waive that period and allow the merger to go through right away. I do not think that the fear which the gentleman has voiced is likely to be serious in this bill.

Mr. VORYS. If the gentleman will yield further, I am sure he will agree with me that there is nothing necessarily evil in the attempts of minority stockholders or others to investigate and prevent a merger if it injures them.

Mr. KEATING. I entirely agree with the gentleman.

Mr. VORYS. It strikes me that it might be possible to make it difficult to prevent some sort of mental or other form of restraint until it can be determined what the purpose is of the one who is using the technicalities to attempt to defeat a merger when it is obvious that his purpose is for revenue only.

Mr. KEATING. I think that should be taken care of by the enforcement agencies who ought to be in a position to appraise the merits of his position and allow the merger to go through if the objections are totally lacking in merit.

Mr. CELLER. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. PATMAN].

IN SUPPORT OF THE CELLER ANTIMERGER BILL, H. R. 9424

Mr. PATMAN. Mr. Speaker, I am strongly in support of H. R. 9424 which would amend the antimerger law. Specifically, the bill amends section 7 of the Clayton Act, as previously amended. The distinguished chairman of the Committee on the Judiciary is to be congratulated for introducing this bill and giving us an opportunity to consider it. It should be passed promptly.

I think I could not illustrate my long-standing sympathy and support of the provisions of this bill better than to point out that almost 10 months ago, on June 9 of last year, I introduced a somewhat more comprehensive bill on the same subject. This is H. R. 6748, which I believe was a forerunner of the several bills to improve the antimerger law, which have been introduced in this Congress.

H. R. 9424 WILL NOT EXCUSE MERGERS MADE IN GOOD FAITH

Section 7 of the Clayton Act, as amended, prohibits the acquisition of the stock or assets of 1 corporation by another corporation, under 1 crucial circumstance. This circumstance is—and I quote the statute—"where the effect may be substantially to lessen competition or tend to create a monopoly."

That seems to me to be a modest and reasonable check on a monopolistic activity. I am highly gratified, therefore, that this single test of the law, which makes corporate mergers illegal if the effect may be substantially to lessen competition and tend to create a monopoly, is not to be saddled with an added good-faith defense which would make it legal for corporations to go ahead and merge in good faith, even though the effect of the merger is to substantially lessen competition or create a monopoly. If the Government's hands were to be tied so that it could neither prevent a merger nor bring about the dissolution of a merger which creates monopoly by reason of the fact that the merger was consummated in good faith, we would, of course, have an absurd law, and an extremely ineffective instrument for preventing monopoly.

Another section of the Clayton Act which deals with an equally important—and perhaps more important—monopolistic practice has indeed been saddled with this very absurdity. I refer, of course, to section 2 of the Clayton antitrust law, as amended by the Robinson-Patman Act. This section of the law contains the prohibition against discriminating in price.

The original prohibition on this monopolistic practice was drafted in the Clayton antitrust bill of 1914, but before that bill passed it was amended to contain a proviso which justified price discriminations made in good faith to meet competition. Twenty-two years of practical experience with that law provided a superabundance of proof that the good-faith defense rendered the law a practical nullity. Consequently, in 1936, when we amended the price-discrimination law by passage of the Robinson-Patman Act, it was intended to make a sharp contraction of the good-faith loophole, and to rewrite the good-faith defense so as to put it on a reasonable and workable basis.

In a closely divided opinion in the Standard Oil of Indiana case, however, the Supreme Court, in 1951, put the good-faith defense back into the law on price discrimination about as it was before the Robinson-Patman Act was passed. The majority opinion of the Court went even further and defined one business circumstance in which good faith would always prevail, and in doing so the Court made one of the most intriguing pronouncements of all times. The nub of the Court's pronouncement is that one seller's obeying the law completely justifies his competitors in breaking the law.

I do not think I need elaborate on the practical effects of this decision. I only point out that over the years past there appears to have been an extreme reluctance on the part of the Committee on the Judiciary to recommend removal of the "good faith" absurdity from the law on price discrimination.

In point of fact, the Committee on the Judiciary has had before it, since the opening of the last session of this Congress, a bill which would modify the "good faith" absurdity to this extent: It would adopt precisely the same language which describes an illegal merger and make this same language describe an illegal price discrimination. This language is set out in H. R. 11. It would make a price discrimination illegal where the effect of the discrimination "may be substantially to lessen competition or tend to create a monopoly."

Under H. R. 11, there would be no further qualification in the law as to good faith, or bad faith, or any other kind of faith with which the discriminatory practice is carried on. I hope that before this session of Congress ends we will have an opportunity to consider H. R. 11 and then vote on the question whether price discriminations should be justified by good faith even when they substantially lessen competition or tend to create a monopoly.

The need for improving the antimerger law, is I think, obvious. The country is witnessing a great wave of corporate mergers which if not checked will soon lead us to a definitive state of monopoly capitalism. I should like to point out, however, that the failure of the present merger law has not been due entirely to the inadequacy of the present law nor would the best antimerger law conceivably solve the basic problems underlying the merger movement.

THE FAILURE HAS BEEN IN ENFORCEMENT

The utter failure which the antimerger law has met with to date, is in no way a measure of the inadequacy of the law. The failure has been in enforcement. The great wave of corporate mergers and consolidations which has been taking place during the past 3 years, and continuing now, has elicited from the Department of Justice and the Federal Trade Commission not even a wholehearted pretense at enforcing the law. No matter how much the law might be improved therefore, the practical effect will be inconsequential so long as the enforcement agencies refuse to enforce it.

No antimerger law would get at the root causes of the present wave of mergers, even if the enforcement agencies were devoted and skillful in their assigned tasks. These causes lie in the realm of finance, and it is absurd to think that the Federal Government can adopt a set of economic policies, then hold back the tide of inevitable consequences of those policies by passing an antitrust law.

TAX POLICIES ARE PRINCIPAL CAUSE OF MERGERS

The principal impetus for the merger movement is coming from the fact that today the lion's share of the investment funds are being channeled to the giant industrial corporations. These corporations have been given the function of investment bankers. This has resulted, for the most part, from the 1953 and 1954 changes in the tax laws which shifted the income shares to favor big corporations and high-income families. The administration sponsored these changes on the theory that they would stimulate investment in new productive capacity. The effect has been to stimulate the big corporations to an orgy of buying up previously existing capacity.

The effect has also been, conversely, to create a necessity for many small firms to sell out. The tax changes, particularly removal of the excess-profits tax, which were supposed to stimulate investment in new capacity have also provided the monopoly industries with an incentive for raising prices and taking more profits. Faced with a continuous inflation in big business prices and profits, the administration has maintained the overall buying power of the dollar by bringing about rapid deflation in the more competitive segments of the economy—namely, the small business and farm segments. This has left less savings among small investors, and has left small business even more capital starved than before.

More than that, the administration's technique for combating inflation is principally that of contracting the money supply, by Federal Reserve actions to contract commercial bank credit. And unfortunately it is principally the commercial banks that small business must depend upon, both for operating funds and long-term capital.

We are now being swept along a current which, if not checked, will end with a few giant corporations owning all of the wealth of the country. The economic bust for which we are rapidly heading will not check this trend. When the wave of bankruptcies starts, it will be the smaller businesses that go bankrupt, and the concentration of productive wealth into the hands of the corporate giants will continue.

CORRECTIONS NEEDED IN TAXES AND FINANCE

If we are serious about checking the merger movement, as well as other movements which are concentrating business, then I think we must do two things.

First, we must make substantial changes in the corporate tax rates. Specifically, I would recommend reducing the normal tax rate from the present 30 percent to a rate of not more than 22 percent. Then to retain present levels of revenue, I would recommend that the surtax be moderately graduated throughout the whole size range of corporate incomes, so that progressively larger incomes will be subject to progressively higher tax rates. In short, I am recommending an end to the insane tax policy which takes the same percentage of the income of a corporation receiving an income of, say a million dollars, as one receiving $2 billion—or one which is 2,000 times as big. I have introduced a bill, H. R. 9067 which incorporates these recommendations, and I hope that we will have an opportunity to consider and pass that bill during this session.

In addition, there are several less important, but quite direct incentives to merger built into our present law. These too should be corrected.

The second thing we must do to check the amalgamation of wealth into the giant corporations is to help create an organization which will make accessible to small- and medium-sized firms a larger share of the funds which are available for long-term-business investment. The country does not now have such an organization, either private or public. The problem is not to create more money; the problem is to create a market place, as it were, where funds which are available for investment will come together with the small- and medium-size businesses seeking such funds.

These two things would, I think, solve most of the merger problem, as well as some of the deeper problems of which mergers are only a symptom.

ANTIMERGER LAW NEEDS IMPROVEMENT

Even if all of the incentives to merger are removed from our tax laws however, and even if the follies of our other economic policies are correct, we would of course still need an antimerger law. We would still have the old problem of some mergers being generated from on substantial cause except that competition will be lessened and corporate profits enhanced.

For this purpose, the law should be improved.

MERGERS ARE NOT REPORTED

Perhaps the simplest and clearest way of showing why H. R. 9424 is needed is first to outline the enforcement procedures now being followed, and then explain how I believe these procedures would be amended by the bill.

Section 7 of the Clayton Act, as amended, makes it illegal for one corporation to acquire the stock or assets of another corporation where the effect is a substantial lessening of competition or a tendency to monopoly. There is, however, no requirement that merging corporations make the merger known to the enforcement agencies, either before a merger is consummated or after a merger is consummated. There is moreover, no penalty for making an illegal merger, except possibly the losses which may be incurred in disposing of assets, should there later be an order of divestiture. But as I shall show in a moment, there will be situations where the purpose of an illegal merger can be fully accomplished even should there later be an order of divestiture.

The Federal Trade Commission and the Department of Justice have concurrent jurisdiction. The Federal Trade Commission has no power to stop a merger before it takes place. The Department of Justice has injunctive power, but this is effective only where the Department learns of a proposed merger in sufficient time, and is able to gather sufficient market information to show the probable effects of the merger, before the merger is consummated.

Let us consider then what the major procedural steps are in the Federal Trade Commission.

First, the FTC has to ascertain that a merger has taken place. For this purpose it has a staff of several people engaged full time in screening newspapers, trade journals, such commercial references as Moody's Industrial Manual, and other sources of public information, just making up lists of the names of companies which are reported to have merged.

DELAYING AND WITHHOLDING INFORMATION

The second step is, then, to gather up enough information about the companies and the products involved to make a preliminary determination as to whether the merger is an inconsequential matter, or whether a thorough investigation should be made. This involves finding a mailing address for the companies in question and sending them a brief questionnaire. Where the merger has already taken place, the companies in question are of course in no hurry to answer the questionnaire; nor are they particularly desirous to answer it fully. Collecting these questionnaires also involves a great loss of time as well as Government expense which should be unnecessary.

Third, in the case of mergers which look as though they may run counter to the law, on the basis of abbreviated information, there is the problem of making a more complete investigation. This involves collecting information as to the companies' production or operations, the markets in which they operate, the proportion of the market affected, the patents that might be involved, and a variety of other matters. Here again a major part, and a vital part of the information must come from the companies themselves. And here again the companies are in no hurry to supply the information; and they are under no compulsion to supply the information in a form which is most revealing on the question whether competition will be adversely affected. On the contrary, they have every incentive to delay and evade. Certainly they have no incentive to gather or organize original data which they are in the best position to supply, and which perhaps only they can supply. In other words, the merger has already taken place, and the companies in question are certainly not anxious to help build a case against themselves.

PROLONGING THE LITIGATION

Next, there is the problem of litigation. Here again companies which have already merged have good reason to delay and drag out the proceedings, and these proceedings are lengthy at best.

Look, for example, at the first case brought under the new law. The Pillsbury mergers took place in June of 1951. After a year of investigation, the Federal Trade Commission issued a complaint, in June of 1952. Shortly thereafter hearings started before an FTC hearing examiner, and these hearings are still going on. In other words, the mergers took place almost 5 years ago, litigation has been going on for 4 years, and the end of the litigation is nowhere in sight.

I do not, of course, want to argue the merits of the Pillsbury case; and I do not want to say anything which could be taken as an expression of my attitude on the merits of that case. I simply make this point: If the presumption on which the FTC brought that case is correct, then the public interest has been injured—competition has been lessened. Is it not absurd then, that the public should be denied the benefits of competition for almost 5 years, when the issue could have been settled before the mergers took place?

Certainly this experience indicates that merger litigations can be kept going almost indefinitely. And it should be obvious that when large corporations are

involved in these litigations, where tens or hundreds of millions of dollars of sales are at stake, the simple expedient is to put a small legal staff on the payroll and treat the matter as a more or less permanent cost of doing business.

In any event, the longer the matter is delayed the less likely it is that the Federal Trade Commission will issue a dissolution order, and the less likely it is that the courts will sustain a dissolution order. As we know, antitrust issues quickly become moot in the eyes of the courts. As a practical matter, the courts are not willing to try to undo things which have occurred in what they regard as the remote past.

Allow me to sum up my points so far: Present procedures are unnecessarily costly to the Government, which fact dilutes the effectiveness of the enforcement dollar; these procedures result in protracted delays while the public interest suffers; they yield less complete and satisfactory market facts on which to base finding and dissolution decrees; and they result in untimely decrees which are unlikely to be sustained, assuming that under present procedures effective dissolution decrees can be drawn. This brings me to the next problem.

COMPETITION CANNOT BE RE-CREATED

Actually our courts and our enforcement agencies have had little experience in trying to draw dissolution orders. As yet they have had no experience in trying to draw an order under the Celler-Kefauver antimerger law. As for that matter, there have been relatively few dissolution decrees under the Sherman Act during the 65 years that law has been on the books. But experience under the Sherman Act has demonstrated that it is about as difficult to unscramble the assets of a corporation as it is to unscramble an egg. In addition to this difficulty, however, there is a vital weakness in the law which attempts to undo mergers rather than to prevent mergers. The law is not concerned with assets as such. Its purpose is to maintain competition. Yet the remedy in the law deals in fact with assets, and not with attaining the purpose of the law. In short, the law contains powers for ordering the divestiture of assets but there are no powers for re-creating competition or even recreating a competitor. There are no powers for saying to whom the assets shall be sold or for what purpose they shall be used. Let me illustrate with two cases in which the Federal Trade Commission is now involved.

It is generally agreed that Pillsbury's purpose in acquiring the Ballard Co. was to acquire a readymade market for its flour in the southeastern United States. Ballard had an established market in this section, its brand name enjoyed wide consumer acceptance, and Ballard's sales organization had long enjoyed the confidence and good will of the wholesale and retail merchants. Ballard's principal assets, insofar as Pillsbury was concerned, were its sales organization and the consumer acceptance which its brand name enjoyed.

Of course, Pillsbury might have used other methods to attain volume sales in the Southeastern States. It might have reduced its prices, for the benefit of consumers, or put on advertising campaigns, or done a variety of legitimate things to try to take business away from Ballard. This would have been competition, which is what we want to maintain.

ASSETS ARE FREQUENTLY NOT TRANSFERABLE

Now let us assume that the FTC ultimately tries to write an order requiring Pillsbury to divest itself of Ballard.

One fact is, I am told, that Pillsbury has now added its own brand name along with Ballard's brand name on the cartons in which its flour is sold. Pillsbury's name has now acquired the popularity and the consumer acceptance which formerly attached to Ballard's trade name.

A second fact is, I am also told, that Ballard's salesmen and other personnel are now absorbed into the Pillsbury organization.

How then can an order be written which will take away the consumer acceptance which Pillsbury's brand name has now acquired and invest that consumer acceptance in a competitor. And how can an order be written which would, contrary to our constitutional limitations on involuntary servitude, transfer Ballard's old salesmen to some new competitor? In short, what are the assets which the Government could order Pillsbury to divest itself of that would restore a competitor?

Now consider the Farm Journal-Country Gentlemen-Better Farming merger. Here we had two competing magazines where we now have one magazine. The magazines themselves have been merged into a single publication. The new publication has an identity and character of its own, and there is now a single subscription list. This merger took place more than 9 months ago, and we can expect many months more to pass before litigation is completed and a decision is rendered. I would assume that after a year's time, certainly, even the advertising contracts will have expired and new contracts will have been entered into. Furthermore, there is the same problem of people—writers, editors, makeup people, and so forth—as we have in the Pillsbury matter.

What then are the assets that could be unscrambled? There may or may not be some printing equipment which could be sold for printing operations of one kind or another. I am told that there is no printing equipment and the acquired magazines hired their printing done. But in any event, I can conceive of no order of divestiture which would create two magazines where there is now one.

H. R. 9424 REQUIRES ADVANCE NOTICE OF MERGER

As I understand the main features of H. R. 9424, they would go a long way toward overcoming the procedural difficulties I have described. First of all, the bill would require certain corporations otherwise subject to the provisions of the act to notify the enforcement authorities of their proposed merger 90 days prior to the date on which the merger could be consummated. Those corporations which will be required to file such advance notification are those whose combined capital, surplus, and undivided profits are in excess of $10 million.

Personally I would prefer the limitation of my bill on this subject, which would require advance notice where the combined capital, surplus, and undivided profits are in excess of $1 million. I think this more inclusive standard would be better and would not put an undue burden on business firms. It is manifest however that, as a rule, it is the mergers of larger corporations that are more likely to bring about a substantial lessening of competition, and I shall be content to see if the standard set forth in H. R. 9424 will accomplish substantially all that is needed on this point. As I understand this provision, it is to serve merely as an aid to the enforcement authorities in learning properly about proposed mergers, and this provision in no way changes the standard set forth in the present law as to what constitutes an illegal merger.

I hope that it is understood and clearly understood, that by adopting $10 million or more of combined assets as a requirement for advance notification, the courts and the enforcement agencies will in no way take this to mean that mergers of lesser corporations are not fully subject to all of the other provisions and limitations of the bill. In plain words, insofar as I am concerned, the congressional intent in passing this bill—if it does pass—is clearly not that mergers of lesser corporations are unimportant; on the contrary, it is my understanding that mergers of lesser corporations may well result in a substantial lessening of competition or a tendency to create monopoly, in which case such mergers will violate the prohibitions of the bill.

MERGING CORPORATIONS MUST SUPPLY PERTINENT INFORMATION

A second major feature of the bill is that it would require corporations proposing to merge to furnish such additional and relevant information as the enforcement agencies may require, within 30 days after the request for such information is made. This is to be, as I understand it, the kind of information which the enforcement agencies will need in order to appraise the competitive effects of the proposed merger, and thus to reach a decision before the merger is made whether or not the merger will contravene the statute.

Unfortunately the bill appears to contain no provisions for compelling the submission of such information, except that the enforcement agency may seek an injunction in a Federal district court on the ground that the required information has not been furnished.

Here again I prefer the provisions of the bill I introduced, which provisions are of such a nature to serve as an estoppel against the merger until such time as the requested information is furnished.

The provision of H. R. 9424 on this point appears however to be a considerable improvement over present law, and I shall be content to see how it works out in practice.

ENFORCEMENT AGENCIES MAY SEEK INJUNCTIONS

Under the present law the Attorney General may seek an injunction in a Federal court to restrain and prevent the consummation of a proposed merger. The bill would give such authority also to the Federal Trade Commission, as well as to the Federal Reserve Board with reference to mergers of financial institutions under its peculiar jurisdiction.

Here again I would prefer the provision of the bill I introduced. That provision is of such a nature that the institution of litigation by an enforcement agency would itself serve as an injunction against consummation of the merger, until such time as the litigation is completed. In my view moreover, a provision of this kind would be highly preferable to the provision of H. R. 9424. It is no easy matter to persuade the Federal courts to grant injunctions; and to do so places upon the enforcement agencies, prematurely, substantially the same burden as proving a violation of the statute. The provisions of H. R. 9424 make a substantial improvement over present law however, and I am for the bill.

THE LAW WOULD APPLY TO BANKS

Finally, H. R. 9424 will make one important substantive change in law, in that the scope of the law will be widened to cover banking institutions. Bank mergers were of course subject to the original section 7 of the Clayton Act which prohibited the acquisition of one corporation's stock by that of another. But the amendment to the act of 1950 which runs against acquisitions of assets as well as acquisitions of stock was not written to cover banks. This improvement offered by H. R. 9424 is badly needed and long overdue. I am for it.

I have not presumed of course to try to give a definitive interpretation of H. R. 9424. Such explanation and definitive interpretation must come from the distinguished chairman of the Committee on the Judiciary, who is author of the bill. I have tried only to describe the gist of the bill, as I understand it. I recognize that the bill contains a number of limitations and refinements which I have not touched upon. These appear to me however to be reasonable and adequate. I am for the bill.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include related statements and material.

The SPEAKER. Is there objection to the request of the gentleman from Texas.

There was no objection.

Mr. KEATING. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Speaker, the principle of premerger notification is sound. It is not a threat to any segment of our business economy. On the contrary, I firmly believe that prior notice of a contemplated merger is in the public interest. If there is a fault in our antimonopoly laws it lies in their failure to "nip monopoly in the bud." Just as grievous is the failure over the past 15 years to provide the Department of Justice and the Federal Trade Commission with adequate enforcement funds. The importance of the Celler premerger notification measure lies in the fact that the history of American business indicates the place to halt monopoly is at the merger level.

In considering a prior notice provision for our antimonopoly laws, I think that we should keep in mind just what it is we set out to do. The basis of the American economic system is the belief in free private competition. Our goal is an economy that places its chief reliance on individual initiative and decision. As a people we have from time to time permitted the Government to step in and limit the area in which individual economic decision can operate. But in the main we strive to maintain the freedom of the individual to decide for himself.

The American dream, in economic terms, pictures a way of life in which individuals are free to enter business ventures of their own choice and workers are at liberty to shift from job to job as they see fit. We have tried to translate this dream into a system that says, in essence, that the distribution of workers and capital is best determined by the consumer's desires. The prime mover in all this is, of course, price competition.

Monopolies have generally come about through the human tendency to combine in order to place restraints on competition. Combinations may have had other motives at their beginning, but as they have grown bigger they have sought to take advantage of their power and drive their rivals from the marketplace. Bitter experience has taught us that the danger of monopoly lies in this kind of bigness. Experience has also shown us that bigness in itself is not necessarily an evil. What is it then we fear? It is the bigness that begets the lust for power. When that lust takes hold, every goal of our free private competitive system is threatened.

I do not overlook the fact that we live in an age of bigness. It is big government, big labor unions, big farms, big business. Whether it is big government or big business we ought to be wary of the potential danger, for bigness is close to monopoly wherever it is found. Western Europe is a living witness to the results of monopoly power—whether it be in government or in business cartels. Industrialists and economists agree that America has the world's highest standard of living largely because we have avoided the depressing results of monopoly.

Our interest in mergers stems from the ever growing threat of monopolistic control in our economy. I am well aware that mergers per se are not necessarily bad, but I am even more aware of their latent danger where the motive is part and parcel of the lust for power.

The Democrat Party politicians and the members of the ADA now engaged in hot primary fights and a skillful propaganda game are accusing the Republican Party of being the tool of big business at the expense of the little man. The cold facts of history give the lie to this kind of talk. The antitrust laws were born under a Republican administration. The first big drive against the trusts and monopolies was under a Republican President, "Teddy" Roosevelt. When did these giant monopolies get so big? Just since 1953? Of course not. The Democrat Party had 20 years to do something about them. It did nothing. In fact all it did by way of controls and regulations was to make it financially impossible for the little man to compete against the giant industries.

I mentioned a moment ago that failure to provide adequate enforcement funds to the FTC and the Department of Justice for the past 15 or more years has been a primary factor in the recent merger move. The Democrat Party had control of these funds over most of these years.

What the Celler premerger notification bill sets out to do is to halt mergers where the prime motive is the desire for monopoly. I am in accord with this aim. But I do not believe the Celler bill goes far enough. It charts a course that is worthy, but one that is totally unrealistic in view of the magnitude of current mergers.

The Celler bill ought to reach farther down the scale and include corporations with a combined capital, surplus, and undivided profit of $5 million or more. I think, too, the Celler bill fails in not requiring a premerger notification from the corporation engaged in commerce which contemplates the acquistion of intrastate concerns.

The Celler amendments to the Clayton Act are most remiss in the penalty provisions. I believe that any corporation willfully failing to give notice or to furnish the required premerger information should be subject to a penalty of not less than $5,000 or more than $500,000. The provisions controlling the acquisition of stock solely for investment should also be changed to a sum more in keeping with the magnitude of the merger danger. I would have the Celler bill changed at this point and place the asset exemption at $500,000.

I have included these proposed changes in a bill, H. R. 9968, which was duly introduced by me. I am enough of a realist to know that my bill is not likely to be before the Members this session. But the threat of monopoly in the present mad race to merge is so great, that I believe a bill as inadequate as the one now under consideration is better than no action by this Congress.

Mr. CELLER. Mr. Speaker, I have no further requests for time.

Mr. KEATING. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. ALBERT). The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SOVIET SEAMEN'S REDEFECTION CALLS FOR POSITIVE ACTION BY UNITED STATES

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may

extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the redefection to the Soviet Union on April 8 of five Soviet seamen who had previously elected to stay in this country dramatizes the problem facing this country in fulfilling the hopes of refugees from Communist countries. The recent study by the Donovan Commission of the International Rescue Committee, which I referred to in the RECORD of March 29, 1956, pointed out that more than 1,000 such persons have returned to their countries of origin in a recent 13-month period. The most recent redefections will be of inestimable propaganda value to the Communists but perhaps also of some value to us in underlining the deficiencies in our handling of such people. Gen. William J. Donovan, the former OSS Chief, announced yesterday the formation of a national committee to combat redefection campaigns. I commend this enterprise.

It should be recognized that governmental and private agencies which encourage defections by Communist citizens assume the risk that redefection may take place later on, and they should therefore recognize their obligation to exert every effort consistent with a free society to avoid such redefections. American agencies, however laudable their intentions, should not manufacture propaganda for the Communists by unwittingly setting the stage for redefections and failing to prevent them.

The number of Federal agencies involved in the reception and resettlement of refugees from communism is considerable, ranging from the President's special escapee program to the International Cooperation Administration, the Department of State, and the Immigration and Naturalization Service. Doubtless, too, our Central Intelligence Agency plays a considerable role in such matters. As the Donovan Commission of the International Rescue Committee pointed out, the Health, Education, and Welfare Department could also play an important part in assisting refugees to become more quickly adjusted to life in our country.

A successful program of receiving and holding the allegiance of such refugees clearly requires the sound coordination of many agencies. In addition to governmental bodies, private religious and nationality welfare groups also make a very important contribution. Yet, when the five Soviet sailors left for the Soviet Union on April 8, the United States Immigration officials held a brief hearing at which the only counsel available to the redefectors was supplied by the Soviet Embassy. The private agency which had shared in assisting the seamen in this country, was, apparently, given short shrift by the immigration officials. Neither the State Department nor the Justice Department have added any light to the question of why the redefections took place. If this matter was conducted in accordance with a coordinated Federal policy, surely that policy could be better explained to the American public than has been done to date.

On the other hand, if the redefection of the Soviet seamen represents a failure of United States policy, as it clearly seems to do on the evidence available at this time, the Federal agencies which might have helped to avoid this deplorable incident should reconsider their conduct in the matter. If the Central Intelligence Agency, for example, shared in the responsibility for integrating these unfortunate refugees into American life, then this surely illustrates the need for a check on that Agency in addition to the Presidential one.

Perhaps this unfortunate incident reflects not only mismanagement by the administration but also is indicative of the somewhat callous attitudes toward refugees which animates some of our laws in this area. The rigid health and job requirements for entrance into this country under the Displaced Persons Act of 1948 and the Refugee Relief Act of 1953 have disillusioned most of the 220,000 fugitives from Eastern Europe who still live in squalid camps on the edge of the Iron Curtain, thereby blunting the substantial accomplishments of these laws. Congress should not remain indifferent to the fate of these remaining victims of Communist tyranny. The Refugee Relief Act should not be allowed to expire without compensatory immigration opportunities being provided for these special cases. Unless this is done and done quickly, can we reasonably expect that the rate of Communist propaganda victories, such as the redefection of these five Soviet seamen, will decrease rather than increase?

I include as part of my remarks the text of two letters which I have just received from Msgr. Edward E. Swanstrom, the executive director of the National Catholic Welfare Conference, and Roland Elliott, director of the immigration services of Church World Service, Inc., of the National Council of Churches of Christ in the United States of America.

NATIONAL CATHOLIC WELFARE CONFERENCE,
April 9, 1956.

DEAR CONGRESSMAN THOMPSON: It was very kind and thoughtful of you to send me sufficient copies of your remarks of March 28 on the redefection problem for distribution to the members of our refugee relief committee. I am sure they will be just as interested in what you had to say as I was. You are to be highly congratulated for taking this further opportunity to point up the problem.

It is unfortunate that the Refugee Relief Act program has not brought the relief to refugees that was expected of it, and we are naturally very hopeful that by amendment for its extension, Congress will give us a further opportunity to make better use of it. I am going to have your remarks reviewed by our committee, and I will see that any comments they have to make will be forwarded to you shortly.

I wish to assure you again of our very deep appreciation of your great interest and cooperation in our attempts to help resolve some of the problems with which the poor refugees are still struggling.

With every best wish, I am,
Sincerely yours,
(Rt. Rev. Msgr.) EDWARD E. SWANSTROM,
Executive Director.

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE U. S. A.,
CHURCH WORLD SERVICE, INC.,
April 13, 1956.

DEAR CONGRESSMAN THOMPSON: Your letter to Monsignor Swanstrom acknowledging our joint agency letter of February 16, 1956, to the President is deeply appreciated by us in Church World Service.

Your remarks, in my judgment, based on our intimate experience with escapees and refugees in recent years, are most pertinent and urgently important. Our experience last week with five redefecting Russian sailors is but one case in point which demonstrates the urgency of our strengthening our policies and procedure to deal more adequately with this problem.

At the moment, it would seem that budget pressures are endangering the work of the United States escapee program; I hope you can look into this.

With high regard, I am,
Cordially yours,
ROLAND ELLIOTT,
Director, Immigration Services.

GENERAL LEAVE TO EXTEND REMARKS

Mr. BENTLEY. Mr. Speaker, at the request of the chairman of the Committee on Foreign Affairs, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the conference report on the bill, S. 1287, and also on House Resolution 370 at the appropriate place in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I supported House Resolution 370, introduced by our distinguished colleague the gentleman from Michigan [Mr. BENTLEY]. The able chairman of the House Foreign Affairs Committee has given a most explicit explanation of the purposes of House Resolution 370. He has pointed out that the purpose of this resolution is to make clear the policy of the United States with respect to Germany, Korea, and Vietnam, and the basic policy of our Government toward all people who are today denied human freedom and the right to national independence.

Germany, Korea, and Vietnam all stand as victims of a crude experiment in Russian surgery. Each of these nations has been divided by Russian military action and Communist aggression. Germany was divided during the twilight sleep of the West when the Russians were posing as our allies and when it was believed that a defeated enemy could only be controlled by four-power occupation. The Western Powers many years back recognized that the German people had demonstrated a fine capacity for democratic self-government and that there was no further reason to maintain occupation forces in that country. But the cunning Russians who seek neither a democratic Germany nor a representative government in Germany, have continued to occupy a part of Germany and have even set up a stooge government in the part of Germany they occupy for the purpose of carrying out subversive and other illegal activities against free Germany. Thus the Russian Communists

alone are responsible for an unnatural and unjust division of the German people.

In Korea we find practically the same set of circumstances applying as those which brought about the division of Germany. The Russians were granted military jurisdiction of Korea north of the 38th parallel until such time as a treaty of peace was arranged with Japan and stability established in the Far East.

Moscow used this advantage granted by the West in order to launch a war of aggression against free Korea and in particular, against its former allies, the United States, Great Britain, and France. The Communist war of aggression in Korea brought great suffering and hardship to the Korean people. We Americans will never forget that thousands of our youth died a hero's death in the defense of freedom on the cold battlefields of Korea. It is with sadness that we recall to memory the fact that a precarious truce which was arranged in 1953 still recognizes the cruel handiwork of the Russian Communists which continues the division of the Korean nation.

In Vietnam the agents of Moscow got control of the national independence movement which opposed French colonial rule and ultimately brought about a state of war. The same Russian agents were supplied with arms, ammunition, tanks, and soldiers by the Communist Chinese, and their Russian bosses. This same unholy trio brought about a Geneva Conference in which the French Government ceded part of Vietnam to Communist occupation. In the southern part of Vietnam, which remained in French hands, there has lately arisen a great and patriotic leader of the people who is completely dedicated to democratic principles and to government of the people, by the people, and for the people. This new leader, President Diem, is dedicated to the goal of a free, independent, and united Vietnam.

The people of Germany, the people of Korea, and the people of Vietnam seek the common goals of political freedom, self-determination and independence. It is in this spirit that they seek reunification of their homelands now divided by the tyranny of Russian surgery.

I agree with the distinguished gentleman from Michigan [Mr. BENTLEY] that the people of Germany, Korea, Vietnam, and Japan should, and of right ought to be represented in the councils of the United Nations. The Russian efforts to deny the German people, the Korean people, the Vietnamese people, and the Japanese people this right deserves the condemnation of all mankind.

This resolution reaffirms the long-standing policy of the United States Government in support of all people who seek freedom and independence from Russian and Chinese Communist bondage. The now famous McCormack resolution, which Congress passed unanimously last year, stated, in unmistakable terms, the rights of all people and nations to freedom, self-determination, and independence. House resolution 370 gives specific application to the principles of the McCormack resolution to the people of Germany, Korea, and Vietnam. These are time-honored principles in support of which the people of the United States have shed their blood here at home and on foreign battlefields, and our unwavering support of which have brought us the approbation and prayerful thanks of people everywhere in the world.

The distinguished chairman of the House Foreign Affairs Committee, the gentleman from South Carolina [Mr. RICHARDS], has summarized the compelling purposes of this resolution by stating that we must continue to nurture in the hearts and minds of the enslaved peoples their hopes for freedom and independence and that this can best be done through expressions of the executive branch, through expressions of Congress, and through public expressions. Our colleague the gentleman from Michigan [Mr. BENTLEY] points out that passage of this resolution has served notice on the world, at a time when a massive effort is being made to bury the long and cruel record of Communist crimes against humanity, that we continue to recognize that there are in this modern world grave injustices which remain uncorrected. He emphasizes that we, as a Nation and people, must avoid any action which will tend to perpetuate these wrongs and must engage in undertakings which give promise of correcting the inhumanities and grave injustices which now bar the way to a just and lasting peace.

AMENDMENT TO REFUGEE RELIEF ACT OF 1953

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I have today introduced a bill to amend the Refugee Relief Act of 1953. Liberalization of the act, and of the program established by it, has been sought by interested civic and political leaders for some time. The current Refugee Relief Program is due to expire at the end of this year. It will be terminated with approximately 40,000 of the visas earmarked by Congress for issuance to refugees, unused and unusable.

Thus, it appears necessary to lengthen the life of the program and to facilitate its administration.

In my bill, I have provided for the extension of the Refugee Relief Program until December 31, 1960. Visas not allocated on the termination date of the current law, December 31, 1956, are to be reallocated on a proportional basis to any prospective entrants covered in the original act.

The current law provides for the issuance of 205,000 refugee visas. I feel that this number is unnecessarily small and fails to tap the true potentialities of the United States as a haven for victims of oppression and natural calamity. Thus, the bill I have introduced provides an additional 15,000 visas for allocation under the program.

One of the great problems in the current law is that entrance is denied to victims of tuberculosis. In the United States, this disease is no longer the scourge it is elsewhere. It can, and has, been treated. Yet, because of the bar against its victims, numerous refugee families, in dire need of resettlement, refuse admission rather than leave behind a relative who has been found to have tuberculosis. My bill provides for the admisson of 1,000 such sufferers, providing that they are members of a family group being admitted under the act and will not endanger the public health or become public charges.

It has been currently estimated that from 6 to 9 months are required to process each alien applying for admission under the act. Such a delay brings hardship to the refugees waiting to come to this land, and to the persons in the United States who are sponsoring them. Thus, I have suggested several administrative changes to eliminate the complicated and time-consuming procedures now operative. I have provided that the Secretary of State and the Attorney General may waive the passports and other travel documents now required under the act. People who have escaped from tyranny often have no such papers and scant means of obtaining them. Furthermore, even if such documents are obtainable, months often elapse in the process of getting them. Hence, administrative waiver in certain deserving cases certainly seems necessary.

Another provision which hampers administration of the act also is changed by my bill. Under the present law, a visa cannot be issued a prospective refugee unless he can provide documentary evidence of his activities for 2 years prior to his application. Obviously, many Iron Curtain escapees and disaster victims cannot comply with this requirement. Consequently, these persons are forced to wait out the 2 years in refugee camps in order to provide themselves with the necessary documentation. It seems only just to eliminate this restrictive requirement.

Other changes are needed. Under the current program, refugee applicants must be sponsored by individual citizens. This means that the numerous voluntary agencies, which operated so well under the provisions of the Displaced Persons Act, are now prevented from sponsoring refugees. These agencies have the means and the know-how to sponsor and provide for resettlement of aliens. Barring agency activity tends to cut down the number of aliens entering under the program. Thus, on the basis of fairness, and of sound administration, my bill provides that accredited voluntary agencies can give sponsorship to refugees admittable under the act.

My bill provides for a major change in the administration of the Refugee Relief Act. At the present time, the program is directed by the Administrator of the Bureau of Security and Consular Affairs of the State Department. This official has numerous governmental responsibilities, with which the Refugee Relief Program must compete for time and attention. Yet administration of this vital activity is a complicated job,

requiring the full efforts of a skilled Administrator. Therefore, it appears to me to be necessary to have the President appoint an administrator for the refugee relief program, whose sole responsibility would be getting the victims of oppression and calamity into this Nation as simply and speedily as possible.

My entire bill has this end in view. I urge early congressional passage on this basis.

THE LATE COMPTON I. WHITE

Mrs. PFOST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

Mrs. PFOST. Mr. Speaker, both the country and my State of Idaho lost a dedicated and industrious public servant in the death earlier this month of Compton I. White. "Comp," as he was known to all, held for 16 years the congressional seat I now hold—and few Members of Congress have ever done a better job for the people back home.

"Comp" White's name was synonymous with service while he was in the Congress. No Member was ever more responsive to the needs of the people he represented, and no Member ever worked with more vigor and persuasion for the things he believed would develop his State. He was a veritable juggernaut of force and persistence when he wanted something. He literally camped in the office of a Government official until he got some injustice straightened out or some problem cleared.

Compton White was born in Baton Rouge, La., in 1877, and spent his boyhood there. When he was 13 his family moved to Clark Fork which is in Bonner County, in the Idaho panhandle. He pioneered with his father in reclaiming a farm from logged-off land, and in operating a sawmill business.

His family sent him off to business college in Chicago, and then to Gonzaga University in Spokane. He was in the railway service for a while as telegrapher, trainman, and conductor, but his love for the land brought him back to Clark Fork where he engaged in agricultural, lumbering, and mining activities.

Throughout his life, "Comp" White was devoted to the development of the West. He was a fervent advocate of the free coinage of silver, and served as chairman of the Coinage, Weights, and Measures Committee. His other committee assignments also gave him an opportunity to best serve the section of the country he loved so deeply—he held membership on the Indian Affairs, Irrigation and Reclamation, Mines and Mining, and Public Lands Committees.

"Comp" White was a colorful and effective Member of Congress. He wrote a record of accomplishment which those of us who follow him will find it difficult to equal. He will be long remembered in both Idaho and Washington.

THE SUPREME COURT VERSUS STATES' RIGHTS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Illinois [Mr. MASON] is recognized for 30 minutes.

Mr. MASON. Mr. Speaker, I have 30 minutes, but my statement will only take 15 minutes. The other 15 minutes I hope will be taken by reaction from my statement. As you Members all know, I am not a lawyer, and therefore my statement, while it is on the Supreme Court with reference to States' rights, will not be expressed in legal language. It will be expressed in layman's language.

Most of you Members know that I do not take the floor on any question outside of my own field. I have done it once before in 20 years in this House, and that was back in 1937 when the Supreme Court packing plan was brought before the House, and I just could not resist at that time. I feel the same today, and that is the reason I am taking this time, calling attention to the recent Supreme Court decisions and their effect upon States' rights.

Mr. Speaker, over a long period of time the Supreme Court has ruled that when Congress enacts legislation on any subject, Federal jurisdiction over that subject becomes exclusive; thereafter the States are deprived of power to enact or enforce similar laws, even if those laws are not in conflict with the Federal law.

During the past 20 years a New Deal Congress has legislated "all over the waterfront." Congress has stretched the Interstate Commerce Clause and the welfare clause of the Constitution to the point where they now embrace all the ills and the needs of mankind—and a New Deal-appointed Supreme Court has upheld such legislation. Under this program it is only a question of time before all power and all sovereignty residing in the States to enact and enforce laws will be taken over by the Federal Government.

THE STATE OF PENNSYLVANIA *v.* STEVE NELSON

Mr. Speaker, a case in point is the recent decision of the United States Supreme Court upholding a decision of the Supreme Court of Pennsylvania in the Steve Nelson case—a Communist convicted and sentenced under the sedition law of Pennsylvania. The Supreme Court of Pennsylvania reversed the decision of the lower court in the case, on the ground that the Smith Sedition Act passed by Congress preempted the field of sedition, and deprived the State of Pennsylvania of all jurisdiction in that field. The United States Supreme Court upheld the decision of the Supreme Court of Pennsylvania on substantially the same grounds.

Both the Supreme Court of Pennsylvania and the United States Supreme Court in rendering their decisions completely overlooked or deliberately ignored the clear intent of Congress as expressed plainly and specifically in a clause of the Smith Sedition Act which states:

> Nothing in this title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

Mr. Speaker, this clause clearly states that the passage of the Smith Act did not and should not take away from the States the responsibility and jurisdiction over sedition under the laws of the various States, as long as there is no conflict with the Federal judiciary. In their dissenting opinion Justices Reed, Burton, and Minton pointed out that this clause clearly stated the intent of Congress, and could not be ignored. They stated also that there was no conflict in the Steve Nelson case with the Federal law nor with the Federal judiciary.

Congress now must pass legislation that will in effect veto or nullify the Supreme Court decision in this case, and state again in language that cannot be misunderstood—even by a New Deal-appointed Court—what the congressional intent is in this matter. Congress has had to act at least a dozen times in the last 10 years to correct decisions of the Supreme Court, where the Court clearly ignored the intent of the Congress. The natural-gas decision is one example.

SEGREGATION IN THE PUBLIC SCHOOLS

Mr. Speaker, in the decision of the Court on segregation in the public schools, the Court overruled a 60-year-old decision of the Supreme Court giving approval to "separate but equal" facilities and services for white and colored in the public schools. The Court also overruled other recent decisions that approved the same formula, a formula under which the Negroes of the South have made steady and peaceful progress for more than half a century. Today's Court has now established a new formula—integration of races in the public schools.

The decision of the United States Supreme Court in this case was presented in the form of a thesis, a thesis supported mostly by citations from college professors, sociologists, and psychologists, but not supported by citations from eminent lawyers or by previous Court decisions. The Court did not say that "separate but equal school facilities" was bad law. What the Court did say in effect was that "separate but equal schools" was bad sociology and bad psychology.

The Court rendered its decision without any implementing legislation being passed by the Congress. In fact, the Court entirely disregarded or overlooked legislation passed by Congress setting up the school lunch program, wherein Congress specifically acknowledged and accepted "separate but equal schools" for colored children. In that legislation Congress stated that in dispensing school lunch aid in States that maintained separate but equal schools for white and colored pupils, the school lunch aid should be distributed equitably as between the separate schools.

Under the 10th amendment to the Constitution, control over the public schools was specifically reserved to the States. Under the 14th amendment no State could discriminate between colored and white pupils with reference to school facilities. Therefore, it is the function and the responsibility of

the States to provide schools, to regulate them, and to have full control over them; the only requirement being that the schools shall provide equal educational opportunities for the pupils, whether colored or white.

Mr. Speaker, under the Constitution, the United States Supreme Court is the final arbiter as to the meaning of the Constitution, and also whether legislation passed by Congress is constitutional or not. Any and all decisions of the Court become the law of the land. The Court's decisions are to all intent and purposes as much a part of the Constitution as if they had been written into that document in the first place.

For today's Court, therefore, to overrule a previous decision of the Court is the same, in effect, as if the Court amended the Constitution itself—which the Court has no power to do. If the Court has the power to overrule or change at will a previous decision of the Court, then it becomes, willy-nilly, a Court of whims and caprices, with its decisions made on the basis of political, social, or ideological theories, not based upon the provisions of the Constitution and the law.

DR. HARRY SLOCHOWER *v.* BROOKLYN CITY COLLEGE

Mr. Speaker, now comes the United States Supreme Court decision in the case of Dr. Harry Slochower against Brooklyn City College, New York City. Dr. Slochower was fired by the college authorities because he invoked the fifth amendment and refused to answer the questions of the Senate Internal Security Committee concerning his previous Communist affiliations. By a 5-to-4 decision the Court ruled that Dr. Slochower had been fired illegally because in his case "the due process of law" had not been strictly followed.

The college acted legally and properly under a provision of the New York City charter that provides for the automatic discharge of any city employee who under questioning by an official investigating committee invokes the fifth amendment. This Supreme Court decision—so the four dissenting Justices claim—"interferes with the right of New York City to protect its local government institutions from the influences of officials who do not meet the required standards for employment."

Mr. Speaker, where is the usurpation of States' rights by the United States Supreme Court going to end? It is only a question of time before the States will be deprived of all power and sovereignty in the enactment of laws for the protection of health, of welfare, of education, of labor, and so forth.

H. R. 3, by Congressman HOWARD SMITH, of Virginia, goes to the heart of this matter. If passed it would be a long way toward stopping this rapidly increasing usurpation of States' rights by means of United States Supreme Court decisions.

Mr. Speaker, Congressman SMITH's bill, H. R. 3, should be passed without further delay.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield.

Mr. DAVIS of Georgia. I want to commend the distinguished gentleman from Illinois upon the statement which he has just made to the House. I concur fully with the gentleman's support of H. R. 3. He has made a very clear and lucid statement regarding the pattern which the Supreme Court has set up in the last 20 years to establish a judicial dictatorship. I began to point this out in speeches on the floor of the House in 1949. The record of the Supreme Court in the past two decades is replete with factual evidence which demonstrates the Court's intention to change the Constitution whenever it desires, through judicial decisions, in utter disregard of the procedure required by law to amend that instrument.

In the course of those years the Court has abolished the right of political parties to set their own rules for membership. It has declared that the right to protect transfers of real estate by restrictive clauses in deeds is a violation of the Constitution. It overruled the construction of the Constitution, as the gentleman pointed out, that had been sustained for nearly 70 years when it arbitrarily declared that segregated schools violated the 14th amendment. In these cases and in other cases decided in the last 20 years the Court has overruled many more longstanding cases, and in so doing has undertaken to change the meaning of the Constitution as effectively as if it had been duly amended according to the method provided in the instrument itself.

In a step-by-step process, the Supreme Court has usurped the functions of the legislative branch of Government. It is apparent that the ultimate intention of the Supreme Court is to abolish every vestige of States' rights and replace those rights with a central bureaucracy in Washington.

Two recent decisions by the political Justices on this bench provide additional proof, if any is needed, that the Supreme Court is driving this country closer to a complete judicial dictatorship.

As the gentleman from Illinois pointed out, on Monday, April 9, 1956, the Supreme Court ruled that a college in New York could not discharge an employee because he invoked the fifth amendment when questioned about the Communist Party. In this case, Dr. Harry Slochower refused to state before the Senate Internal Security Subcommittee, in a 1952 investigation, whether he had or had not been a Communist in 1940 and 1941. His employer, Brooklyn College, took the only reasonable course and discharged him. Now the Supreme Court has denied the right of an educational institution to determine upon what grounds an employee may be discharged. With a total lack of legal precedent, the Supreme Court has undertaken to further extend its control of local educational institutions.

Colleges, like other employers, may reasonably conclude that failure to furnish appropriate information at an official inquiry is grounds for disqualifying a person for a position of public trust.

Furthermore, such employment is not a right. It is a privilege. In the first place, the State may make known membership in an organization dedicated to overthrow of the Government by force a ground for disqualifying a school teacher. If, in the determination of this policy, a school official refuses to cooperate to the extent that necessary information may be obtained, then this in itself is grounds for dismissal.

The important question here is unmistakably one of unlawful encroachment on States' rights, and not of protecting the individual rights of citizens as the Court, in its customary smokescreen manner, would have us believe.

Either through apathy, indifference, or lack of essential knowledge, many people in the remaining 47 States will meekly accept this ruling as the unquestioned law of the land. The mere fact that this decision has no personal effect on them will cause many people to regard it as of no importance.

To adopt either of these attitudes would only invite still further encroachment on States' rights in cases affecting other States and in matters of personal concern to them.

When the Supreme Court invades the reserved rights of the separate States; when the Supreme Court acts in a manner wholly disregarding the 10th amendment of the Constitution; this invasion should be met with a solid wall of resistance by the people in all of the 48 States. For, while in one instance the justices may unlawfully encroach upon the rights of only a single State, unless challenged in their abortive assumption of excessive power, it can be reasonably concluded that the Court, whenever it sees fit to do so, will also trample upon the rights of the remaining 47 States.

The Supreme Court took still another slice of the reserved powers of the States in the so-called Steve Nelson case.

In this case, the Federal Supreme Court reversed a Pennsylvania court conviction of a known Communist, supposedly on the basis that the intent of Congress at the time it passed the Smith Act was that the Federal Government should occupy the whole field against subversion, and preempt State laws on the subject.

This is a palpable and dangerous extension of congressional statute. There is no such congressional mandate present in the Smith Act. In fact, there is nothing which so much as suggests that the Federal Government intended to occupy the entire field.

The 10th amendment reserves to the States, or to the people, all powers not granted to the Federal Government. The creator, which in this case is the several States, gave to the creature, which is the Federal Government, certain powers. Extension of these powers would indicate that the creature has become larger than the creator which, of course, it cannot do.

For the Supreme Court to invalidate the sedition laws of the State of Pennsylvania, when it is obvious that it was never the intent of Congress that the Federal law should pre-empt the State law, is a brazen and irresponsible attack on the sovereignty of all of the States.

It points up in no uncertain terms that this Supreme Court has dedicated itself to the complete destruction of the States.

It states, in language too obvious to be denied, that the ultimate intention of the Supreme Court is to erase the State boundaries and create in their place a type of superbureaucratic State with Washington as the focal point.

If the integrity of our constitutional form of Government is to survive, then the sovereignty of our separate States must be maintained.

No act outside of the law, which would destroy the lines that separate the States, must be recognized. For, if we do recognize such lawless acts, we can fully expect additional usurpation of States' sovereignty until eventually the States will be powerless to administer their own affairs.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Georgia.

Mr. LANHAM. I, too, want to commend the gentleman from Illinois for his most scholarly statement. He said he was not a lawyer, but after listening to this address no one would believe it. As a matter of fact I can state that he is a better lawyer than many who are now members of the Supreme Court. I just wish we had some lawyers like him on our Supreme Court.

Mr. LANDRUM. Mr. Speaker, if the gentleman will yield, what the gentleman from Georgia means to say is he wishes we had some lawyers on the Court.

Mr. LANHAM. Some lawyers; that is exactly right. By the way, I wonder how many of you know that there are absolutely no requirements, no qualifications, other than age, in the law or the Constitution for members of the Supreme Court. The President of the United States has to be a native-born American, but the same provision does not apply to members of the Supreme Court.

Now we have seen come to pass just exactly what was predicted years ago by our Founding Fathers, and if the gentleman will permit I would like to read into the RECORD just a few brief statements, the first by George Washington, the Father of Our Country, when he warned us as follows:

> It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of Government, a real despotism. * * * If, in the opinion of the people, the distribution or modification of constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates.

And Jefferson, in speaking of the Supreme Court, had this to say:

> The legislative and executive branches may sometimes err, but elections and independent people will bring them to rights.
>
> The judiciary branch is the instrument which, working like gravity, without intermission, is the one which may some day press us into tyranny.
>
> The great object of my fear is the Federal judiciary. That body, like gravity, ever acting, with noiseless foot, and unalarming advance, gaining ground step by step, and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them.
>
> It is a very dangerous doctrine to consider the judges as the ultimate arbiters of all constitutional questions. It is one which would place us under the despotism of an oligarchy. * * * The Constitution has erected no such single tribunal, knowing that to whatever hands confided, with the corruptions of time and party, its members would become despots.

Mr. MASON. May I say before I yield further that my only purpose in taking time today was to try to strike a little spark that would spread into a prairie fire if the legal-minded Members of this body would only carry on and keep this before the people, because they do not know what is being done to them by the Supreme Court decisions.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, I was surprised to learn that the gentleman was not a lawyer, because having observed his forensic ability here over a number of years, I just assumed that he was. He is a better lawyer than many of us who are licensed to practice. I do want to make 1 or 2 comments on the statement that the gentleman has just made because he referred to a bill of which I am the author, H. R. 3, to correct a decision of the Supreme Court of the United States in the Steve Nelson and other cases. I am glad to announce at this moment that I have been advised the Judiciary Committee will proceed to conclude hearings on the bill this coming Friday. I do hope that the House will have that bill before it in a reasonable time so that we may explore the situation much further.

The gentleman referred to the segregation case. The bill which I have before the Judiciary Committee has no relationship to the segregation case. The passage of that bill would have no effect on it whatsoever. I do not think it has any effect upon the New York school teacher case either. But I would like for the Members of the House to understand that all the bill, H. R. 3, does is the Congress says to the Supreme Court that we do not intend to affect any State law unless the Congress says so. It is just about that in plain terms, it is just that simple.

I introduced the bill, H. R. 3, in another form in the last Congress and under another number immediately after the decision in the Steve Nelson case. I did not draft the bill to correct merely the Steve Nelson case. That is just one phase of a very broad situation, a situation where the Supreme Court has assumed out of a clear sky to say what the Congress intended when the Congress has not said it. If anything is to be done upon this subject, I think it is very important that we have a general law which will simply say that when Congress means to do away with State laws the Congress shall say so. If your bill is going to correct one Supreme Court decision at a time, we are just neglecting our constitutional duty and we are placing just a shin plaster on a broken leg.

I do hope that the House will realize the situation and if we pass any law at all, let us pass a general law. If you are not willing to stand up and be counted on a general law to correct this situation which we all know is wrong, then let us fight the thing out. I would rather have nothing than a bill which merely corrects decision by decision of the Supreme Court.

Mr. MASON. I agree entirely with the gentleman.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from South Carolina.

Mr. RIVERS. I want to congratulate the gentleman for bringing to the House very classically his feeling about the Supreme Court. His observation is a very fine example of what a sensible layman thinks of that outfit now occupying the black robes of the Supreme Court. They are not any more lawyers than the man in the moon. State by State they are abolishing States. The latest were the States of Pennsylvania and New York. The gentleman says that no lawyers agree with them. Not a single self-respecting lawyer in this country has written an opinion justifying the segregation decision. The American Bar Association has an outstanding offer now to any lawyer who can justify that decision, and there are no takers.

Mr. Speaker, something has got to be done to stop that Supreme Court. They are a greater threat to this Union than the entire confines of Soviet Russia. If some way is not found to stop them, God help us.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I join in commending the distinguished gentleman from Illinois, not only for the brilliance and logic of his presentation, but also for having the courage to make it. I agree with the gentleman completely, of course, with reference to H. R. 3, and I trust that the Congress will pass that legislation prior to adjournment.

I have always considered strict adherence to the constitutional limitations imposed upon the Federal establishment and the rigid protection of the reserved rights of the States to be our strongest bulwarks against despotism. It is alarming, indeed, to find that an irresponsible Supreme Court is eating these bulwarks away as fast as they can.

If the States do not use legal constitutional right of interposition against these illegal attempts by the Supreme Court to amend the Constitution, and if Congress does not act to protect the rights of the States when they are assaulted in such decisions as in the Nelson case, then I predict that even this generation will live to see the day when individual human liberty and freedom

will become nothing more than a sacred memory.

Mr. MASON. I thank the gentleman.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield

Mr. MASON. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. Mr. Speaker, I want to add my commendations to those of the other gentlemen who have spoken for the splendid presentation made by my good friend, the distinguished gentleman from Illinois, Mr. MASON. All thinking Americans everywhere, who really love this county, in every single one of the 48 States of the American Union should be grateful for the remarks you made in this House here today.

Mr. MASON. I thank the gentleman.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Alabama.

Mr. ANDREWS. Mr. Speaker, I want to commend the gentleman for the fine statement he has made. About 10 days ago one of the most distinguished lawyers in America, a former president of the American Bar Association, appeared before our committee and made the statement that 98 percent of the good lawyers of America had no respect for the legal ability of the present members of the Supreme Court. This is a sad situation in this country, when the leaders of the bar feel that way toward the present members of the Court.

Mr. MASON. I thank the gentleman.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield.

Mr. MASON. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Speaker, I just want to say to the gentleman that he has made a wonderful contribution to our form of government here today. I certainly join with him in the hope that the position he is taking is going to spread like wildfire all over our great country while there is yet time. I am sure that the gentleman knows that our Supreme Court some time ago made the statement that there were no restraints whatsoever upon them except those that they imposed upon themselves. Now, I know that the gentleman disputes that, and so do I, because we have a Constitution, and that Court is bound by the Constitution the same as you and I. Now, I might also say to the gentleman that 1 or 2 years ago there was a bill introduced and passed in the Senate which came over to our Committee on the Judiciary, and I say to the distinguished gentleman that, if I never do anything else whatsoever during the time that I am in Congress, I will always thank God that I was permitted to be here and to read that bill and to lead the fight to kill it, because that bill provided that the Supreme Court would have appellate jurisdiction on all constitutional questions of both law and fact, period.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MASON] may proceed for 10 additional minutes.

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

There was no objection.

Mr. FORRESTER. Mr. Speaker, pursuing this matter further, I want to say to the gentleman that thank God our present Constitution provides that the Supreme Court shall have appellate jurisdiction on all constitutional questions, both law and fact, subject to such exceptions and regulations as this Congress might make. What I am saying to the gentleman is that a year or two ago there was a bill which would have deprived this Congress of the power to make any exceptions or any regulations. We have that power now and it is time for the Members of Congress to rise up and exercise that power under the duty and responsibility that they owe to the people of the United States. I thank God that the gentleman is in the vanguard. I appreciate that.

Mr. MASON. I thank the gentleman.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I should like to add, for whatever it is worth, my little contribution to what has already been said about the splendid statement made by the gentleman from Illinois, a gentleman whose actions in this House I have long watched with much approbation.

What I wanted to say to the gentleman is this, that it is most refreshing to see that the gentleman, from one of our so-called Northern States, has so much in common with so many from the so-called Southern States here today.

Mr. MASON. May I interject this comment, that the last decision in the Pennsylvania case and the decision in the New York case and the one in the natural-gas case affect the whole country, not merely the South. It is only that one case that seems to apply to the South more than the North.

Mr. COLMER. The gentleman has stated what I was trying to lead up to. The constitutional provision providing a tripartite division of the functions of Government is not something that only the South believes in. It is something upon which this great and glorious Republic was built, and on which it has thrived and prospered. The point I am trying to make is that it is so encouraging to see a stalwart American such as the gentleman from Illinois [Mr. MASON] rise here and expound the views that some of us from my section of the country perhaps expound too much, if that be possible. Perhaps, sometimes, there are those who think that we, from my section, feel that we have a monopoly in the field of maintaining State sovereignty.

I agree with the gentleman in his references to the bill which has been under discussion here briefly, H. R. 3, by the very distinguished and outstanding statesman of this Congress, the gentleman from Virginia [Mr. SMITH]. I introduced a similar bill, but it is his bill and I am not trying to take any credit for that. But that bill does not affect the South any more than it affects Illinois, New York, or any other State. It attempts to raise the "halt" sign—the "stop, look, and listen" sign for the Supreme Court to see. This Congress, if it believes in what we talk about so much, in a division of the powers of Government and in the sovereignty of the several States, had better do something about it and just quit this lip service.

Mr. Speaker, I want to thank my good friend and stalwart colleague, a great American, for the contribution he has made here today.

Mr. MASON. I thank the gentleman.

THE STATE OF ISRAEL EIGHTH ANNIVERARY OF INDEPENDENCE

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Illinois [Mr. BOYLE] is recognized for 1 hour.

Mr. BOYLE. Mr. Speaker, today the people of Israel celebrate the eighth anniversary of their independence. On this occasion, I want to extend best wishes to this new nation and to her energetic people and leaders. I want to commend them for the remarkable achievements and progress in the establishment of a strong and democratic state in an area—the Middle East—which has been and remains to be of vital importance to the free world. It is satisfying indeed to reflect that the United States and her citizens have contributed moral support as well as material support to the young Republic of Israel to enable her to achieve a certain degree of the economic stability that is so vital for a healthy democracy. Today after 8 years of hard work, the people of Israel continue in their endeavors to prove that their new nation is worthy of its membership in the international community of free nations.

The history of the Jewish people has been a continuous struggle for freedom, peace, and security. It has been a history of oppression and persecution—most recently, by totalitarian dictatorships. Now in the 20th century, after many long years of suffering, they have once again acquired freedom and have been able to fulfill their hopes and cherished dreams in the establishment of a Jewish homeland.

But as the Jewish people seem to have fulfilled their dreams we find that the Communists, experts and past masters of creating tournaments of hate in every area offering an opportunity for maximum disorder, not only offer arms, but economic aid as well, in an effort to establish themselves in the Middle East. So another threat has been added to the existence of a Jewish homeland.

Since 1948, when the Jews won their independence on the battlefield, many cultural, social, and economic feats have been accomplished by the new republic of the Middle East. The dreams of yesterday have become the realities of today. The displaced Jews of Europe have been absorbed and amalgamated in the new state. They have been provided with jobs in an expanding economy. They have been given the opportunity to make a new life for themselves and

their families. They have been given a different outlook on life which holds more encouraging prospects for the future.

In its short period of existence, the Republic of Israel has made notable progress in industry and agriculture. Since 1948, population has increased from 650,000 to 1,789,000. Her industrial output has increased each year—1955 output 12 percent above 1954, with 76 new industries established in first 9 months of 1955. It has been successful in providing new farmlands for its increasing population. New crops such as cotton and peanuts helped raise farm production by more than one-third last year. By their ingenuity, the Jews have succeeded in changing barren lands into productive food-raising centers. The transportation system which plays such an important part in the economy of a nation has also been improved. A 48-mile railroad was completed last year, connecting the Negev with Jerusalem and the port of Haifa. All of these programs are to the credit of this new democracy and give testimony to the fact that the people of Israel are dynamic and progressive. Their nation, with the highest living standard in the Middle East, is worthy of being called a true modern democratic state, and entitled to its place in the family of nations under international law.

My remarks thus far have been directed toward the accomplishments and the successes that Israel, with her limited resources, has achieved during her short existence. But what does the future hold for this determined nation? What are the problems she will have to face and overcome in order to prosper? Unfortunately, they are many, and some are most complex.

Probably the most difficult problem of Israel today is the problem of defending its borders. Although the Israelis won the war for their independence in 1948 and signed an armistice agreement with the Arabs, the fighting has not stopped. The Israelis live in the constant fear that the Arabs will provoke further hostilities which will only lead to more unnecessary bloodshed. Since 1948, there have been several border incidents which make this fear even more real. The recent purchase of arms by the Arabs from the Communist bloc has added to the danger. Is it any wonder the leaders of a newly created state, if they are rational, should take cognizance of these facts and attempt to arm their own homeland—a homeland which has taken so many trying years to achieve? Therefore, in an effort to defend their borders, the officials of the Israeli Government requested permission from the United States to buy certain defensive arms. It has been over 3 months now, since this request was first made, and the State Department has yet to give either a "Yes" or "No" answer. While our State Department takes the request under advisement the Communists are active and the Soviet Union, studying closely all the varying interests in every Near East country, continues in its policy of creating unrest and tensions in the area by playing one faction against the other. Long have they been expert in appraising and evaluating conditions which readily admit of creating a maximum of disorder. The Communists have applied a new tactic in their efforts to further international communism and dominate the world. This time they offer not only arms, but economic aid as well, in an effort to establish themselves in the Middle East. While the Communists are making these moves and furthering their own cause, the State Department has yet to create or put into practice any countering plans to keep the Middle East in the Western camp. If something is not done soon, the consequences will be grim at best. Time is of the utmost importance—at this very moment and hour it is working to the advantage of the Communists and the disadvantage of the West. The loss of the Middle East with all of its vast resources and strategic location, if it should ever come, will have a tremendous effect. If it is to avoid disaster, the West must counter the moves of the Soviet Union.

In February 1956, testifying before the Senate Foreign Relations Committee on conditions in the Middle East, Secretary of State Dulles stated that Israel could not win an arms race with the Arabs. The Secretary of State based this statement on the fact that Israel is small in both size and in population and that the Arabs, numbering some 40 millions, have access to large stocks of armaments from the Communist-bloc nations. What this line of reasoning overlooks is that determination, skills, and weapons are more important in modern war than mere numbers. Israel itself demonstrated this when it fought for and won its independence in 1948. It seems to me that one sure way to bring about war in the Middle East is to let the Arabs get so far ahead of Israel in armaments, that they would be tempted by the thought of an easy victory. Our Secretary of State should immediately grant to the State of Israel the $50 million worth of armaments which she needs for her vital defense.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from New York.

Mr. CELLER. If the admonitions of our Secretary of State are cogent then we have no right to offer any aid whatsoever to the small nation presided over by Chiang Kai-shek on Formosa, because the population of Formosa is a minuscule in comparison to that of Red China on the mainland.

Mr. BOYLE. I thank my distinguished chairman of the Judiciary Committee for that very pointed analogous observation.

A second problem confronting Israel today is that posed by the Arab refugees. This is one of the main factors of contention between the Israelis and her Arab neighbors. The Arabs have charged that Israel displaced 900,000 Arabs and that she has refused to either invite them back or to pay a just compensation for the loss of their land. The Republic of Israel has shown good faith in this matter by offering to discuss the problem with the Arabs, but thus far, the Israeli proposal has fallen on deaf ears. The Arab States continue not to recognize the independent State of Israel—which was created by the United Nations—and continue to refuse to enter into any discussions which might resolve the factors of contentions on both sides. If these discussions could be approached with sincerity by both parties, they could lead to an easing of the growing tensions and bring about stability to an area that is vital to the free world.

Third, too long have some irresponsible Arab leaders themed and oversold the nonsensical stated objective of extirpating the Jewish State. This insidious aim is impossible of accomplishment but having fanned the fires of hatred for political and selfish reasons they now find themselves enmeshed in its conflagration and they are in fact its very prisoners.

Lastly, the State of Israel is confronted with the problem of expanding her economy in the fields of industry and agriculture. Israel has accomplished feats that might almost be called miraculous. This success is due primarily to her dynamic and resourceful people. Their aim is to establish their nation on a firm footing so that it might support its own economy, and they are willing to make sacrifices to accomplish this goal.

In the past Israel has suffered from the Arab boycott and blockade, which has forced her to use too much of her foreign exchange income by trading elsewhere. Because of the boycott, furthermore, firms operating in the Arab States hesitate to do business with Israel. Despite these obstacles, however, Israel is beginning to overcome her economic problems. Although she has made great progress, much is still to be done. Of her current foreign exchange requirements, Israel earns only about two-fifths. There is thus a need to utilize her resources more fully and to develop her industries.

All of these tasks will take time, but the courageous people of Israel have the drive and determination and intensity of purpose that is needed. They will, I am sure, succeed in their aim to make the new Republic of Israel a self-supporting nation, free and secure, and in so doing they will assist in the development of the resources of the entire region and make it prosperous and proof against Communist infiltration.

In closing I would like to include the following telegrams received today from some of the Jewish leaders of my community:

CHICAGO, ILL., *April 15, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As president of organization Machne Israel, which is in close affinity to the religious institutions and schools in the Holy Land auspices of his eminence, Chief Rabbi Meracham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

MACHNE ISREAL,
1535 West Touhy Avenue.
Rabbi S. HECHT,
Director.

CHICAGO, ILL., *April 15, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of congregation Kehilas Jacob Beth Shmuel, which is in close affinity to the religious institutions and school in the Holy Land auspices of his eminence Chief Rabbi Menachan Schneersohn head of Lubavitcher Chasidic movement which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer, in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institution in the Holy Land.

CONGREGATION KEHILAS JACOB BETH SHMUEL,
3701 West Devon.
Rabbi JOSEPH KAGAN,
SAMUEL T. COHEN, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of Congregation Shaarei Tfilo Anshei Maariv which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institution in the Holy Land.

CONGREGATION SHAAREI TFILO ANSHEI MAARIV,
1234 West Devon Avenue.
Rabbi B. ROSENTHAL,
ISIDORE TAITZ, *President.*

CHICAGO, ILL., *April 15, 1956.*
Congressman CHARLES A. BOYLE:

As rabbi and president of Congregation Beth David, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of His Eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION BETH DAVID,
4900 North Bernard.
Rabbi LAZAR MEISELS.
SIDNEY GENZ, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of Congregation Anshei Motele, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION ANSHEI MOTELE,
6520 North California Avenue.
Rabbi L. KAPLAN,
JACOB KOHN, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of Congregation Yisroel which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic Movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION OF YISROEL,
4610 North Kedzie Avenue,
Rabbi D. LIEBERMAN,
LOUIS BELL, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of congregation Beth Jacob of Albany Park, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of His Eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institution in the Holy Land.

CONGREGATION BETH JACOB OF ALBANY PARK,
4920 North Kimball Avenue.
Rabbi HASKELL LEHRFIELD.
BEN STIEBEL, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of Congregation Anshei Lubavitch, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April. 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGRESSMAN AMSHEI LUBAVITCH,
7424 North Paulina Street.
Rabbi S. HECHT,
JACOB KARZ, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of Congregation Agudas Chabad, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION AGUDAS CHABAD,
5021 North Winthrop Avenue.
Rabbi HAROLD SHUSTERMAN,
MAX MARCUS, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of congregation Beth Hamidroch Keser Mariv Anshei Luknik, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of His Eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Habidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION BETH HAMIDROSH KESER MARIV ANSHEI LUKNIK,
6418 North Greenview Avenue.
Rabbi ZEV WEIN,
M. MOSHEL, *President.*

CHICAGO, ILL., *April 16, 1956.*
Congressman CHARLES A. BOYLE,
Washington, D. C.:

As rabbi and president of Congregation Lev Semach, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION LEV SEMACH,
5555 North Bernard.
Rabbi H. TWERSKY.
SAM FISHMAN, *President.*

Mr. CELLER. Mr. Speaker, will the gentleman yield further?

Mr. BOYLE. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, today is the eighth anniversary of the founding of the infant State of Israel. Israel represents 8 years of heroic acts, 8 years of unremitting efforts, 8 years of unique achievements amidst triumphs, frustrations, hopes, and deferred hopes fulfilled. And all this has been accompanied by a wondrous courage on the part of her people, a wondrous faith and a great determination, a determination as firm as the rock you hold in your hands. But, of course, Israel, a land of history has now had history gathered back under it for permanent abode.

Not all is good in Israel and not all is bad. To each obverse there is a reverse. But if tremendous faith and hard work and courage are the criteria, then the metal that eventually will emerge from the mold will be brighter than Israel's own Mediterranean Sea.

I have been there, and I have seen much of Israel. The Israelis had a shortage of food, yet they fed more. They had little of clothes, yet they clothed more. They fretted how they could house everyone, yet they opened the door to more, and those portals have never been closed to the driven Jew theretofore cast about throughout the nations for centuries like dried leaves before the chilly autumn's blasts. It is a story, indeed, that tugs at one's heart and only the heartless can remain indifferent and only the selfish can refuse to look with kindly eye.

I was at a farm over there and I saw wondrous potatoes being grown. I said to the farmer, "With what do you mix your soil that you can get those potatoes which rival our own Idaho and Maine potatoes?" His answer was simple. His answer was "brains, that is what we mix our soil with." And because of the use of ingenuity and resourcefulness the Israelis have done much in that short space of 8 years.

They have even developed an Atomic Energy Commission. They have developed new processes for developing and utilizing solar energy. They extract energy from the sun and are manipulating with that energy small engines. I could go on and tell you of the vast resourcefulness and the technological know-how of these people.

But, unfortunately, they are surrounded by bellicose and extremely hostile neighbors. The frontiers are everywhere. Look out, you are told, that hill is in Syria. Do not go near it. Be careful that you do not cross the Mandelbaum gate between Jerusalem and Jordan. But, that gate is merely a railroad gate. At Acre I was told, "Be careful. This path leads to Lebanon. We do not travel that path at dusk. It is too close to the frontier of Syria, and it is dangerous to get too close. You may be sniped at by hostile Arabs." And, we now hear of the terrible plight of the Israelis as the result of the letting loose into Israel of the so-called commando squads, the suicide squads of the Arabs.

And I read to you from a press dispatch. It is called Death in Schoolhouse:

> In a small schoolhouse in Shafrir, a group of teen-aged boys were standing stiffly erect, reading their evening prayers. Out of the darkness, three figures crept silently onto the schoolhouse porch. One of them edged forward and kicked open the schoolhouse door. As it swung back, he raked the schoolroom with a burst of automatic fire. Three of the boys and their instructor were killed.

And many, many more of these lads, these innocent lads at prayer, have been wounded. This has been going on night after night in Israel, but the Israelis have shown wondrous restraint, a restraint that has elicited from United States Ambassador Edward B. Lawson, words of praise.

He said he was amazed at "Israel's patience and restraint in the face of continuing terror and night marauder squads." He said he hoped that the world appreciated Israel's behavior in this crisis.

Israel has asked for arms from the United States, but the United States, through a benighted policy, or in accordance with a benighted and shortsighted inequitable policy emanating from the White House and the State Department denies Israel's rights to purchase arms, although arms are being supplied to all the neighbors of Israel.

Even the United States has sent to Saudi Arabia, which has refused to enter into peace negotiations with Israel, tanks, the most modern tanks, and England and Czechoslovakia have supplied the most modern arms, including jet planes and Centurion tanks to Egypt and Iran and Iraq, which have refused to even enter into armistice agreements with Israel, much less peace negotiations. All of these Arab nations are well armed as the result of their purchases of arms from many countries in Europe, including Sweden and, now I am informed, Japan. Yet, Israel has its application for arms vetoed by the President. He said it would be an arms race if the United States supplied arms to Israel, but it would not be an arms race if Britain and France supplied arms. I cannot understand that upside-down logic if logic it is at all. It is just a lot of "malarkey" to say that there is no arms race if Britain and France supply arms to Egypt, but to Israel it is an arms race if the United States supplies arms. Well, this is a rather unusual arms race, if all the contestants sprint around the track at top speed save Israel. Israel is held down by shackles on her ankles at the very start of the race, when the President and Secretary of State Dulles with unhappy irony say that the United Nations will take care of you, dear little Israel. Until the United Nations could act, Israel would be destroyed. The United Nations debating society would take God knows how many days until it could come to any kind of conclusion, and I do not want to speculate as to what that conclusion may be. But, remember also, in the United Nations Russia has the veto power, and Russia is supplying these arms to Egypt.

So there is no recourse, so far as the cessation of Israel's travail is concerned, in the United Nations. It would be a hopeless application. When Israel is told, "Well, you should wait and maybe something will be done," it reminds me of a story of a pauper who lamented to his rabbi that his wife was sick and his children hungry. The rabbi said, "Go home, God will help you." That is what the rabbi assured him. The pauper said, "Thank you, rabbi. I am sure God will help, but until he does, will you lend me 5 rubles?"

That is what Israel wants, until help can come. Give her the arms so she can defend herself. She does not want United States Marines in close proximity to her land. She does not want foreign troops on her soil to fight her battle. She wants no foreign blood to be shed on her land. She wants herself to fight and she can fight if she is given the wherewithal, if she is given the arms to do so.

David Ben-Gurion, the very doughty Prime Minister of Israel, said in a news dispatch this morning that Egypt was planning to "slaughter" Israel and he called on the security forces to continue to deliver "two blows for one." He went on to say:

> A heavy responsibility toward the history of humanity has been assumed by powers that are supplying aggressive arms to the Egyptian dictator and also by those powers that deny defensive arms to Israel.

He meant thereby the United States. Also he said:

> The conscience of the great powers failed when the Nazi dictator sent to slaughter 6 million Jews of Europe. Will that conscience fail again now that this Egyptian dictator and his allies are planning to do the same thing to Israel in her own land?

You must remember, there is an old saying that on the plains of hesitation lie the countless bones of millions. It is because we hesitated when Hitler first showed his teeth and when Mussolini first showed signs of aggression and then invaded Ethiopia; when Hitler took over the Ruhr land and the iron and steel industries, that the results were tragic. Are we going to hesitate again in the case of this new dictator who is arising in Africa, whose ambition is to control the entire Near East and the Middle East if not the Far East? I remind the President and I remind Mr. Dulles of recent history when freedom bowed in fear before ruthlessness.

However, Colonel Nasser's successes to date are, we are told, merely the first act in the drama of glory which is to come. The Cairo press envisions an Egyptian empire surpassing the realm of the Pharaohs and the conquests of Mehemid Ali.

Yes, he is very ambitious. In the meanwhile, what are we doing in the face of that ambition and the marauding and rapine and plunder inspired by Nasser? I would say that our foreign policy vis-a-vis Egypt and Israel lacks forthrightness, lacks courage and is replete with hesitation. We seem to be frightened. We are constantly hesitant. Our failure to act may have most tragic consequences following in its train.

Dulles seems to be incapable of any firm decision. The price of drift is enormously dangerous. We are now told, in a recent dispatch, that the Sudan has made application for the purchase of arms from Czechoslovakia or Russia. That means that not only in Egypt but in the Sudan, adjacent to important British and French possessions, there will be Communist arms, because I can assure you that Czechoslovakia will send those arms into the Sudan. And in the meanwhile our Secretary of State does not know what to do. I think Fletcher Knebel had it right when he said the following:

> The Eisenhower team says it will fight aggression in the Middle East. However, there will be a slight pause while Secretary Dulles flips a coin to find out which side we are on.

I think that hits it right on the head. I do not think he knows himself what side he is on. I know what side he should be on. He should be on the side of democracy. Israel is the only democracy in the Near East and wherever that flame of democracy burns, we should do our utmost to nurture that flame of democracy, otherwise, it will be blotted out by Nasser and his gang. Yes, Mr. Dulles thinks that all evil including the Russian evil in the Middle East can be stopped by his lofty preachings and all the ballyhoo about moral precepts. All he does is hope for the best, or vaguely appeal to the United Nations. How long will the President dodge his responsibility in this regard and arm Israel? When will they cease taking refuge in mere words of ridiculous optimism and bland generality? Maybe if the President

played a little less golf and paid a little more attention to the serious functions of his office—and I say that advisedly—it is not an offhand statement on my part—and if Mr. Dulles sifted the situation most cautiously and with prudence and with an eye to humanity, maybe we would get some forthright action and arms would be sent to Israel presently in the most desperate plight.

Mr. Speaker, I want to thank the gentleman from Illinois [Mr. BOYLE] for giving me this opportunity, and for his foresight in getting an hour's time to discuss the question of Israel, particularly on the 8th anniversary of the founding of the first democracy in the Middle East—the free State of Israel.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point.

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

There was no objection.

Mr. ASHLEY. Mr. Speaker, I want to join in the remarks of my friend and colleague, the distinguished Member from Illinois. Neither his sound and constructive remarks nor his eloquence can come as a surprise to those of us who have listened to him on past occasions.

On this eighth anniversary of the independence of Israel, it seems to me that it is a time for us, as a Nation, to refrain from the usual congratulatory platitudes and, instead, to reaffirm the fundamental principles upon which our friendship and support for the democratic State of Israel is based.

Eight short years ago, Israel came into existence through action taken by the United Nations, and with the concurrence of the United States, Great Britain, France, and the Soviet Union.

The nature of our friendship and the principle upon which it was established was reiterated in 1950 when the United States, with Great Britain and France, issued the tripartite agreement which, among other things, declared it to be the policy of the signatory nations to act either within the United Nations or jointly against agression in the Middle East. This agreement also spelled out the policy of maintaining a balance of armaments as between Israel and her Arab neighbors.

With this friendship and support, the prospects for Israel 6 years ago were bright indeed, but in the short span of less than a decade, the positions of both Israel and the United States in the Middle East have disintegrated beyond recognition. Our policy of impartial friendship toward the Arab nations and Israel has been reciprocated by growing suspicion, cynicism, and animosity. When we are willing to face facts, we will realize that we are being damned in some quarters and scoffed at in others for our lack of resolution, our loss of political courage, and our compromise of principle.

One development in the United States attitude toward the strife-torn Middle East is the State Department's current move to downgrade the tripartite agreement of 1950—in which these powers promised to take action within and without the United Nations to keep peace in Palestine. As short a time as 6 weeks ago, there followed from the Eisenhower-Eden conferences in Washington the general, if somewhat ambiguous, affirmation of the tripartite agreement, and only 2 weeks ago, President Eisenhower was emphasizing the importance and possibilities of that pact. But today, it is conspicuous only by its omission from practically all diplomatic conversation. The closest we have come was the recent statement on behalf of the President that "the United States is likewise determined to support and assist any nation which might be subjected to such aggression."

I sincerely question the scuttling of the tripartite agreement, because I believe it was based upon principle. All of us are aware that circumstances have altered radically in the Middle East since that agreement was signed, and that additional methods must be explored to prevent aggression in light of the changed circumstances.

In light of the emergence of the Soviet Union's influence in the Middle East, it is difficult to explain the all-out effort of the administration to handle the Israeli-Arab situation exclusively through the United Nations—where Russia holds the veto power as a member of the Security Council. While all of us share the hope that a solution may be found through the United Nations, there still remains the question of the character of United States leadership in coping with Mideast tensions and the nature of our policy in this area.

These are questions which at present lack any kind of definition. We seem resolved to avoid unpleasantness at any cost, even the abdication of principle upon which our leadership has been based. We are not willing to sell arms to Israel; yet, we make it plain that we have no objection to our allies doing so. So today, we find Saudi Arabia armed with Soviet jets, American tanks, and British artillery pieces. To offset this increasing military advantage, Israel must turn to France, of all nations, for needed defensive air strength. If this is the basis of our "impartial friendship," can we expect anything other than loss of face and rebuff throughout the Mideast and throughout the world?

The time has come to speak plainly and to again return to the kind of principle for which the United States has long been respected. The problems ahead of us are complex and difficult, but they will find no solution by our failure to meet them forthrightly and honestly. It is time that our policy in the Middle East be made known not only to the nations involved in that area, but to the American people as well.

Until we do this, felicitations to the gallant State of Israel upon her eighth anniversary of independence will be hollow indeed.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point.

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

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I am most happy to have this opportunity to join with my distinguished colleague from California in expressing by sincerest friendship and encouragement to the people of Israel on this 8th anniversary of their independence. The gallant State of Israel can be everlastingly proud of its achievements, as they recall their desperate bid for independence and international recognition 8 years ago. Born out of the utmost adversity, the Israeli nation has grown and strengthened itself during these short 8 years in a manner which has astounded the world and heartened all believers in democratic institutions.

It is particularly appropriate at this moment for the friends of the Israeli people to signify their desire to see them continue their inspiring struggle to create a thriving democratic nation in an area replete with deterrents to such an enterprise. In addition to the natural drawbacks of their desert land and their unavoidably inflated rate of immigration, the Israeli people must contend along their entire frontiers with hostile Arab neighbors. In their economic relations with other countries they are severely handicapped by the boycotts and restrictions of the Arab bloc, which sits astride the Suez Canal. Under such conditions the determination of the Israeli people to demonstrate to all the world the permanence of their magnificent accomplishments has remained unwavering.

I wish to pay tribute to this determination, as well as to the economic and political accomplishments which it has fostered. My views on the imperative need for the United States to prevent any aggressor from destroying Israel are clearly on record. The balance of military capabilities between the Arab bloc and Israel should not be permitted to tip in favor of a restless and ambitious set of military leaders. It is encouraging to see our President go on record to put more teeth into the tripartite policy of Britain, France, and the United States to prevent any aggression in the Middle Eastern area from succeeding. It is also important that we are working through the United Nations to the same purpose. It is the hope of all freedom-loving people that no aggression will ever be attempted. It is my personal hope and desire that the State of Israel will continue to prosper in the next 8 years of its independence in a fashion far superior to the past time of troubles, and I look forward to tributes being paid to this intrepid and inspiring nation on its Independence Day for as long as this House continues to meet.

Mr. BOYLE. Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I appreciate greatly the opportunity of following the two distinguished addresses which have been made here today congratulating the State of Israel on its eighth anniversary of freedom and inde-

pendence. It would seem to me that it is quite significant that the first gentleman who spoke, the gentleman from Illinois, represents one of the great districts in the Middle West, coming as he does from the great city of Chicago, and that the gentleman who has just preceded me represents a district from one of the greatest cities in the world, New York City, on the east coast of our country, and I have the privilege of representing a district from the west coast in the city of Los Angeles. It seems fitting, indeed, that Israel should know that her support comes from every part of our great country and it is most important, I believe, in these days when she faces such trials and tribulations that everyone who has the opportunity to do so should send her not only best wishes but should send her the knowledge of our determination to stand behind her and not to let her down in her most difficult hour. We should not forget—we Americans—that we were the first nation to grant recognition to the newest of all democratic nations, the State of Israel. It would seem to me a great shame that, as the gentleman from New York [Mr. CELLER] has so eloquently stated, our policy today before the world is one of confusion; is one which is worse than confusion, because it gives help and encouragement to the enemies of democracy. How can we who joined with France and Great Britain in the tripartite agreement of 1950 say to our allies "It is all right for you to go ahead and give arms to the State of Israel but we will not do it." It is an open secret that the reason we have given for such a mistaken policy is that we are afraid that any action on our part might bring Russia into the picture in the Middle East. How dense and how stupid can we be? Russia is already in the Middle East. It is her technicians, it is the arms of her satellites who are today causing all of the disturbance that in a word we fear a third world war might start.

In this country we have voted billions of dollars under the principle that if one remains strong enough we defer aggressive military action by our enemies, and yet when it comes to the state of Israel we have turned around and done exactly the opposite. Here we hope perhaps reasonableness and sweetness and a fair sense of justice will be enough to deter aggression against the tiny state of Israel. We know better than that, and it is time we began to practice what we preach. I believe with all my heart that if those who will look at the broad picture will only begin to realize it, Russia is in the Middle East because she wants to take advantage of the tremendous hatred on the part of the Arabs against the democratic institutions of that little but brave and wonderful state; that she wants to go further than that and she wants to wipe out all of the American Air Force bases in North Africa, within Arab countries, which are today the great protection that we in America have against any aggressive attitude on the part of the Russian authorities. This is a bigger question than just Israel itself. It comes down to the long last hope to avert war and to establish peace. But under the leadership of the present administration there has been seemingly no consciousness of what has already taken place and what can take place if we do not quickly determine to stand by the State of Israel and let the whole world know it, so that there can be no question that any act of aggression will result in instantaneous action on our part.

How discouraging our present policy must be to those people who have to suffer indignities and terrors, which the gentleman from New York [Mr. CELLER] so brilliantly described. How discouraging it must be to be told that America may move if Congress can be summoned quickly enough to pass the necessary legislation. How her people must feel who know that it takes 8 minutes to fly from Cairo to the cities of Israel—8 minutes to drop a bomb that will wipe out almost all vestige of a civilization which has been built up by the sweat and by the courage and by the sacrifices of the men and women of Israel. Those 8 minutes will not wait. Those 8 minutes that might destroy all the hopes of democracy in the area where democracy must grow if eventually we are to have a buffer against the despotism of that great giant to the north.

So I say that in this time when we give happy birthday greetings to the State of Israel we give it with the hope that our country may soon come forward with the same kind of encouragement which came to us as a tiny nation and that when that encouragement comes that we will be able to give the signal to the whole world that we are working at last toward a permanent and lasting peace throughout the world under a system of liberty and freedom for all men everywhere.

I congratulate the gentleman from Illinois for what he has said, and I hope that his words and those of others who will speak today will have effect in our country and will convey a sense not only of our gratitude for what has been done so bravely by the people of Israel, but may also carry to them the determination of many of us that Israel shall not fall, and that we shall do our part to sustain her in the years to come.

Mr. BOYLE. Mr. Speaker, one of my colleagues, the gentleman from Illinois [Mr. O'HARA], has asked that his remarks be incorporated in the RECORD at this point. I therefore request that this may be done.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am aghast at the outrages that are being perpetrated on the State of Israel, 8 years old today, and the good men and women of that land, who are striving with vision, determination and unsurpassed bravery to build a fortress of democracy in that troubled area in the pattern of our own great democracy. Israel's cause is our cause. If we permit Israel, sorely beset by ruthless enemies, to fall we will not be guiltless of responsibility for one of the catastrophic tragedies of history. In Israel is a government, like our own, that respects the dignity of man and the divine purpose in the creation of man. It stands in its zone of influence for the things for which we in our zone stand. Any blow struck at Israel is a blow struck at us.

I am glad that my distinguished colleague from Illinois [Mr. BOYLE] has obtained this time on the birthday of Israel in order that we here in the House of Representatives of the Congress of the United States can make our position as Israel's friend so crystal-clear and so militantly positive that all the world must take notice, and especially that part of the world now in conspiracy to wipe Israel from the face of the world. Let the enemies of Israel know once and for all that the United States stands determinedly between Israel and the execution of that diabolic conspiracy.

Mr. Speaker, I wish at this point to read four telegrams that were handed me as I left my office to come to this Chamber. The wording in all the telegrams is the same, the signatures only being different, but the message is so potent and commanding that it will stand being read four times. I wish that message to sink well into the minds of my colleagues. The oftener it is read the better.

MESSAGE FROM FOUR RABBIS

Here are the telegrams that pinpoint the dangers Israel is in, the diabolical lengths to which her enemies will go, and the need of firm and prompt action by the United States.

Congressman BARRATT O'HARA:

As rabbi and president of Congregation Amschod, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION AMSCHOD,
814 East 51st Street.
Rabbi MALVIN RUSH,
HAROLD ORLINSKI, *President.*

CHICAGO, ILL., *April 16, 1956.*

Congressman BARRATT O'HARA,
Washington, D. C.:

As Rabbi and president of Congregation B'Nei Bezalel, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION B'NEI BEZALEL,
7549 South Phillips Avenue.
Rabbi EFRAIM PROMBAUN.

CHICAGO, ILL., *April 13, 1965.*

Congressman BARRATT O'HARA,
Washington, D. C.:

As rabbi and president of Congregation Beth Yosef, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we

register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

CONGREGATION BETH YOSEF,
1508 East 70th Street.
Rabbi ZELIG STARR.
ISIDORE KORETZKY, *President,*

CHICAGO, ILL., *April 16, 1956.*
Congressman BARRATT O'HARA,
Washington, D. C.:

As rabbi and president of Torah Synagogue, which is in close affinity to the religious institutions and schools in the Holy Land, auspices of his eminence, Chief Rabbi Menacham Schneersohn, head of Lubavitcher Hasidic movement, which has its center in the United States of America, we register our horror at brutal slaying of our young brothers at prayer in Habad Village, Israel, April 11. We demand our Government take immediate steps to prevent repetition and safeguard life and property of our sacred institutions in the Holy Land.

TORAH SYNAGOGUE,
2357 East 75th Street.
Rabbi M. LITOFF.
H. ROSENSON, *President.*

EIGHT YEARS OLD TODAY

It was 8 years ago that the tiny State of Israel was proclaimed a new nation among the world's powers. Since then, it has been struggling for survival and development against tremendous odds, working amidst a swirl of pressures from the conflicting great powers on the one hand and a growing Arab nationalism on the other. The fact that the Israeli nation, however, has progressed in spite of these obstacles, modernizing and developing, makes us all very proud. We warmly congratulate the Israeli people on this triumphant record produced against such great odds.

In view of these achievements, it is heartbreaking that Israel finds herself today at the vortex of a crisis that threatens to embroil the entire world in war. Let us review briefly the events that have placed her in this position. First, the British, who had formerly had the task of holding the lid on the Middle East, underwent a steady dimunition of their power.

By virtue of the fact that the United States was the only nation in the West that had the requisite strength to take over this task of preserving our common interests, we Americans found ourselves abruptly projected into the role of leader in the Middle East as in other areas. Almost immediately, the United States realized that peace in the area could be built only on a stable balance of power. However, the tensions produced by the political fragmentation and internal instabilities made this difficult indeed to realize. The center of unrest within the area—that is, as distinguished from the threat of communism and the Soviet Union—was the situation that developed with the creation of the State of Israel.

ARABS WAR ON ISREAL

The Arabs met the Israelis with war. In 1949 Egypt, and eventually the States of Jordan, Lebanon, and Syria, signed U. N.-sponsored armistices with Israel. Peace, however, was not forthcoming with the truce, and the anti-Israeli campaign of the Arabs was increasingly more belligerent and destructive. In the absence of an effective peace settlement, the United States, Great Britain, and France signed a tripartite resolution in 1950 in which it was acknowledged that the Arab States and Israel needed to maintain a certain level of armed forces for internal security, legitimate self-defense, and a participation in the defense of the area as a whole. In point 3 of this tripartite declaration the three Governments further stated the following terms: "should they"—the United States, France, and Britain—"find that any of these states was preparing to violate frontiers or armistice lines, they would, consistently with their obligations as members of the United Nations, immediately take action, both within and outside the United Nations, to prevent such violation." This resolution, however, which was intended to prevent the type of situation which has recently developed, never had teeth put into it, and it has been gradually fading into the background. It seems to me that the United States has failed in the Middle East, that its actions have actually had the effect of encouraging the Arabs to believe that they can start a new war with Israel without fear of effective interference. In calling for peace by negotiation under U. N. auspices yet failing to make a resort to arms unprofitable by announcing our determination to give the tripartite declaration teeth, we lead the Arabs—and the Soviets—to think we will not act until too late.

The British have made the tripartite declaration fundamental to their Middle Eastern policy, as we all agreed to do, and are apparently prepared to back it up. According to recent news dispatches they are now beginning to fear that inadequate United States support of that declaration has served to undermine the whole Western position. In the meantime, the Soviet Union has been encouraged by our indecisive stand and doubtless anticipates a war from which she can profit in her usual way.

WAR TO AVOID BIG WAR

It seems to me that if we are to avoid the big war we must avoid or limit small ones. In these days of crisis diplomacy when world powers must make mature and sure decisions practically on the spur of the moment, there must be agreement on basic foreign policy objectives operating within an area and our leadership must be firm. In the area of the Middle East, especially in regard to Israel, the United States must accept the responsibilities incurred from our original advocacy for the creation of a new nation-state.

Today, as never before, the United States must support the Israeli nation and people in their moment of greatest trial. It is no time for weak gestures and tongue-in-both-cheeks conversation. We are on Israel's side and all the world should know it.

Mr. BOYLE. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of inserting their remarks on this subject at this point in the RECORD.

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

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, the anniversary of the founding of the new democratic, freedom-loving State of Israel in the land of Palestine is a notable event for the world, and for America where so many of her citizens look to Israel as their spiritual homeland.

The joy with which such an event should be celebrated is, however, tinged with sadness by the dark shadows which now overhang the Middle East. We know, however, that America is taking effective steps to help dispel those shadows; and we are confident that Israel will have the glorious future so richly deserved because of the fortitude, sacrifice, and patriotism of her people.

Two recent visits to Israel have enabled me to witness in person the remarkable developments in this land. Here the people are taming the deserts and the rocky hillsides much as American frontiersmen developed our own country.

Those visits enabled me also to see the physical aspect of the country and to appreciate the value to this small republic of every acre of land within its borders; to appreciate that frontier disputes which might be of relatively small consequence to larger nations are of the utmost consequence to this smaller nation; to realize the difficulties of defense in a land where in meeting hostile attack, there can be no retreat from the frontiers.

For these reasons, I have publicly urged that Israel be granted defensive arms, that the United States participate with other nations in a security pact covering that region, and that America be prepared to stand back of its policy of opposition to aggression in that area by granting advance authority for the use of force, if found necessary, by means of a Formosa-type declaration.

America wishes Israel well on this her day of anniversary, and hopes that Israel may yet receive that priceless gift, which has indeed become a word of greeting in that hospitable land—shalom, peace.

Mr. ANFUSO. Mr. Speaker, Israel's eighth anniversary as an independent and sovereign state comes at a crucial time. During the past year the situation in the Middle East has deteriorated badly, so that the area has been kept in a constant state of tension and its peoples know no peace. It all began when Egypt concluded an agreement with the Soviet bloc some 7 or 8 months ago to obtain the newest and most modern arms from the Communist countries. Since then the entire region has been in turmoil.

The military balance of this strategic area, which is so vital to our defense structure against any possible onslaught from communism in the future, has been upset by Egypt's action in giving Soviet Russia a foothold in the Middle East. For all practical purposes, Russia has made important inroads into the area and will not be easily or quickly dis-

lodged. Egypt and its opportunistic leaders will have to bear the full blame and responsibility for this deed, for which the free world may some day have to pay a big price.

The continuing grave crisis in the Middle East threatens the existence of Israel and, in fact, the peace and security of the free world. It is now exactly 8 years since that historic day, May 14, 1948, when Israel was established as an independent state. During these 8 years the people and the Government of the United States have given Israel material and moral support and have helped that little country to build a free and democratic society and way of life which is very much like ours. Close ties of friendship have been cemented between the two countries, so that today there is not the least doubt in anyone's mind that Israel is one of our best and most sincere allies in that part of the world.

In the present crucial situation, we cannot ignore Israel's plight, nor can we afford to stand aloof when its very existence is being threatened by an aggressive neighbor who opened the door of the Middle East to Communist Russia. The Arab leaders maintain that they desire peace in the Middle East, yet they refuse to enter into peace negotiations with Israel. Their lip service and uncompromising attitude is only encouraging Soviet Russia to exploit every opportunity for further intrusion into the area—an intrusion from which the Arab people will be the first to suffer.

On several occasions during the past few months I have urged the United States Government to adopt a firmer policy in the Middle East and to end the policy of appeasement of the Arabs. The more we appease the Arabs, the less support we get from them. The more material aid we give to Egypt, to Saudi Arabia and to Syria, the less respect they seem to have for us.

This firmer stand on our part should be expressed in another way, that is, to make available to Israel the necessary arms for legitimate self-defense in the event of aggression from her Arab neighbors. It does not make sense when we provide arms to Iraq and Saudi Arabia, but we refuse to sell arms to Israel. This is not impartiality, but it constitutes a very definite and partial pro-Arab attitude. This is not the traditional American policy in that area and is not what the American people want.

On the occasion of Israel's eighth anniversary of its independence, we in the United States take note of this event with great pride because of the important role played by our country in the creation of the State of Israel and in helping it achieve a more solid economic foundation during these 8 years. We have found in Israel a devoted ally to the cause of freedom. We wish for the people of Israel that the year ahead may be a year of peace, security, and happiness.

I extend my sincerest greetings to the government and people of Israel and pray that their efforts to attain genuine peace may be realized in the very near future, so that they may continue to build up their ancient homeland. I also send my greetings to the Jews of America who deserve much praise for their continued help to Israel, for their moral and material support which is in itself a glorious chapter in the annals of humanitarianism.

Mr. ADDONIZIO. Mr. Speaker, it is a source of real pleasure to join with my colleagues to the State of Israel as it observes its eighth anniversary of statehood.

It is most fitting that at this time we extend our hand in a symbolic gesture of everlasting friendship to the gallant people of Israel. We have watched with pride as the State of Israel has labored arduously to develop into a strong and free nation, and we have thrilled at its magnificent progress during its brief existence. We are saddened today at the troubles which have come upon the Israeli people. They are a people in jeopardy, a nation exposed to the gravest peril. Their cause is our cause—the universal cause of freedom and justice.

Our course is clear. We must act with dispatch and with energy. We must support Israel for the sake of peace and decency among nations. Let us approach this problem on the high plane of prudent statesmanship and farsighted diplomacy and muster all the energies within us to resolve this dispute honorably and wisely.

More than just a small, independent nation is involved in this Middle Eastern crisis. To be sure America has a strong sense of moral compulsion to safeguard Israel. We have watched hopefully while that young independent nation grew and prospered since her declaration of independence in 1948. But our interests extend to far broader dimensions than the borders of Israel. Our own national interest is involved in this crisis.

It is vital that we act decisively to end the threat of war in the Near East. The American people will not tolerate anything so immoral as the sacrifice of Israel to Communist infiltration of the Near East.

As we send our warmest greetings to the State of Israel on this eighth anniversay, may she be heartened and encouraged by the knowledge that the sympathy and support of the American people are with her in this hour of grave danger to her continued existence as a free and valiant nation.

Mr. FOGARTY. Mr. Speaker, I appreciate having this opportunity to extend to the people of Israel my most sincere congratulations on the anniversary of the founding of their country. Eight years ago today, the State of Israel came into being—the final culmination of centuries of earnest hope and prayer.

The world will long remember the valiant struggle for freedom which led to their declaration of independence when the new State of Israel was established just 8 years ago. It is not necessary for me to go into the history of the political struggle of the Jews in Palestine to establish their new homeland. That has already been done by other speakers here in the House of Representatives today. It is, however, well to recall that in accordance with the decision of the United Nations in November 1947, the territory that was mandated was to be divided into a Jewish and an Arab State. This mandate ended in 1948 and the youngest democracy in the world, the State of Israel then declared its independence.

The progress made by this new democratic country since that date has indeed been phenomenal. The new nation can well be proud of the courage it has displayed in hewing to the line laid down for it by its founding fathers. We, too, have a right to share in that pride by virtue of the contribution we in the United States, Jews and Christians alike, have made to insure the successful launching of the Israeli ship of state. We must, however, in justice continue our efforts to guarantee that Israel, the one country in the Middle East that has proven itself steadfast in the fight for democracy, shall not fall before the critical onslaught with which she is presently faced. For such to happen would be an international tragedy.

It was with this thought in mind that on December 27 of 1955 I wrote to the President of the United States as follows:

> The furnishing of large quantities of Communist arms to Egypt has created a grave crisis in the Middle East and threatens not only the very existence of the State of Israel but poses a distinct threat to world peace.
>
> The situation appears to be worsening with each passing day. The free world cannot afford to let Israel, the single bastion of democracy in the Near East, become another Korea. It cannot afford to allow the Communists to gain a foothold in the Middle East. The United States must take direct and positive action to counteract the gravity of the pending situation and prevent the conflagration of large-scale war in that area.
>
> I strongly urge (1) that the United States take immediate steps to maintain the balance of power in the Middle East by furnishing the necessary arms to Israel for self-defense and (2) that the United States offer to enter into mutual-security pacts with both Israel and the Arab States, guaranteeing the borders of those countries.

Since the date of my letter to the President, the threat to Israel has increased and the tension and possibility of armed warfare greatly aggravated. I am convinced that this Soviet action poses a distinct threat, not only to Israel, but to our own national interest as well. I believe that it is in the best interests of the United States that immediate action be taken by this country to maintain the balance of power in the Middle East. Our entire heritage and tradition tells us that we must stand with the free nations of the world.

We must not turn our backs on the people of Israel who so desperately need our help.

Mr. DOLLINGER. Mr. Speaker, today the people of Israel are observing their eighth anniversary as a free and independent nation. I am happy to salute her and it is gratifying to know that millions of my fellow Americans send their best wishes and greetings to the new state on this occasion.

Israel has concluded 8 years of extreme hardship, struggle against overwhelming odds, enmity and aggression by her neighbors. Although she has not been permitted to enjoy peace, for which she

has begged, she has managed to hold her own. She has made tremendous strides in building her economy, reclaiming lands, developing her agricultural program, and expanding her industries in spite of the fact that she has had to deflect a major portion of her assets, resources, and manpower to the building of her defenses against enemy neighbors who have sworn her defeat and extinction.

We cannot use the word celebrate in connection with Israel's eighth anniversary for she is now in her darkest hour. The threat of war was never more ominous; her enemies are mightily armed. The small State of Israel stands alone and, in view of the military might of her aggressors, defenseless. So, in this time of crisis, Israel needs more than our expressions of friendship; she needs our help, she needs our prayers.

At this point, when the moral isolation of Israel has been very largely achieved, it will be of great comfort to her citizens to know that they have the good wishes of encouragement and the prayers of so many Americans. The Israelis have a right to a homeland; Americans recognize their right to have peace in their homeland. This is our opportunity to let her know of our confidence in her prowess as a state, in the courage and ideals of her citizens, and our conviction that Israel is here to stay. It is going to stay. The American people, who helped create Israel, who were the first to recognize her, and who hold warm feelings of friendship for her, are going to see to it that she stays.

Mr. REUSS. Mr. Speaker, a new country is being built today in the heart of the most ancient cradle of civilization. Israel is a pioneer land. Looking back into our own history, we are proud that our country offered a haven to the persecuted and an opportunity for those seeking a better life. Now, in the mid-20th century, it is Israel which is a citadel of hope and opportunity for the oppressed and the ill-advantaged. More than that, Israel, like our own country, is a bastion of the democratic heritage. There is no question in my mind but that Israel's devotion to political freedom has been the cornerstone of all her progress in her 8 years of independence, for it has inspired the support of her own people, and of people all over the world, for the great material advances of less than a decade. It is this same dedication to freedom which makes Israel such a stanch ally of the United States today. In these days of tension, the American people will never lose sight of this basic fact.

Mr. RHODES of Pennsylvania. Mr. Speaker, in these grim days of tension in the Middle East, it is most fitting to mark the eighth anniversary of the founding of the independent State of Israel and to hail the advancements which the people of this democratic outpost in the strategically important area have made in these 8 short years.

Israel today stands as a model of enlightened progress in the spirit of free democratic government. The evil forces of world communism are attempting to destroy this symbol of democracy by incitement of the racial and nationalistic prejudices of its neighbors. Israel has stood firm for freedom and resisted the blandishments of the Communists. It has also fiercely resisted harassing border raids from its hostile neighboring countries and has reaffirmed its intention of maintaining at all costs its freedom and territorial integrity won in bitter conflict only a few short years ago.

The United States played an important role in the founding and recognition of Israel as an independent nation. Under the Tripartite Declaration of 1950, our Nation recognized the importance of military preparedness among both the Arab States and Israel, in the defense of their own nations against aggression. Military assistance has been given to the anti-Communist nations of the Middle East in the past. But the threat posed to the continued independence of Israel by the recent shipment of arms from Communist Czechoslovakia to the Egyptian Government raises a serious new problem which must be met by the United States in a positive and decisive manner. We must face this immediate crisis by making available supplies and weapons for the defense of Israel by its embattled citizens.

Our Nation has a significant opportunity to demonstrate to the world its determination to assist free peoples in the defense of their homeland, while at the same time offering to all the downtrodden peoples of the Middle East a positive alternative to the Communist efforts to sacrifice them in another move for world conquest.

We must renew our efforts to erase the age-old marks of poverty, misery, sickness, and economic exploitation which still haunt these peoples and nations. We must convince them that the bright new tomorrow which they seek does not lie down the road toward war against Israel, with the blind and forlorn hopes of economic reward and plunder. Instead, we must make every possible effort to channel their fierce nationalism and desire for economic abundance along the road toward the constructive realization of these goals, through self-help, technical assistance, and economic rebuilding programs.

In this way we can reveal the true intent of the calculated Soviet power manuever in the Middle East in all of its cold-blooded deceit and cynical promises and win a smashing victory for the free world in its struggle against Communist imperialism.

Israel, the people of the United States commend you for your valor and high resolve in the name of freedom. We salute you for your significant accomplishments in these past 8 years. We pledge ourselves to strengthen your people in our common struggle and to make every effort to assist in the preservation of your hard-won freedom and independence.

Mrs. GREEN of Oregon. Mr. Speaker, I rise to join in the tribute that Members of this House are paying today to the gallant nation of Israel on her 8th anniversary. It would be a far happier occasion if, in paying our tribute, we could see, for the people of Israel, a time of peace and mutually beneficial relations with neighboring nations as they begin this, the 9th year of their existence as a nation. But we can see no such prospect. Surrounded by hostile nations dedicated to her destruction, this small but brave nation has endured in the past several weeks some of the worst depredations of her short but war-torn existence. Lawless and brutal gangs have invaded even the quiet of children at prayer to wipe out young lives in this terrible contest.

Yet we can and should, I think speak some words of hope to this gallant nation today. We too were once a small and struggling people, threatened in our early years by hostile powers that coveted our land. We have good reason to stand as a loyal friend to others who are working, as we worked to become strong and to secure to their children the blessings of peace and abundance. Many of us have watched, with great concern, in the past several years, the increase of tension and violence in the Middle East and the growing threat of war. We have urged our own leaders to take firm and vigorous action to forestall the terrible prospect of war. In recent days, we have finally seen signs that this administration is awakening to the danger that looms there and is stirring from its lethargy to do what should have been long since done. So I think that we can say today, with some assurance, to our friends in Israel that we will not stand idly by and watch their destruction. Like them, we are determined that there shall be peace in the Middle East. We are determined that no nation shall be destroyed by the aggression of her neighbors. We are determined to shoulder responsibility and to do our share in building, where now there is violence and distrust, relations of peace and mutual help, to the end that Israel and her neighbors may some day share in the kind of peaceful interchange that will mean stability and prosperity and a happier future for all the people of the Middle East.

That, I think, is the best pledge we can make to the people of Israel on their 8th anniversary. I, for one, am ready to work wholeheartedly to redeem that pledge. As the people of Israel celebrate this day, our hearts should go out to them, in compassion, for the trials they are now suffering. Our purpose should be firm to do everything in our power to bring their trials to a speedy end and everything in our power to help them and their neighbors to build a better and happier future.

Mr. MULTER. Mr. Speaker, April 16, 1956, marks the anniversary of the independence of the State of Israel. Eight years ago a new nation arose from the depths of despair and oppression to walk vigorously in a new light of hope, fulfilling a dream of 2,000 years. If we could persuade some individuals in this country to forget for a moment the envy, hate, and animosity indiscriminately hurled against the young nation of Israel, if we could remind them how similar are the struggles and sufferings undergone by Israel to those experienced by our Founding Fathers when they fled religious oppression and persecution to establish a peaceful haven in this country, if we could remember how much we appreciated the sympathies and help of some European countries in the struggle

to secure our independence, we would all then be better disposed toward Israel. We would understand that she has only one desire—and that is to live peaceably alongside her hostile neighbors. Because there is this striking similarity in the history of our people and that of the Israeli nation, the American people have deeply sympathized with the cause of Israel and have given liberally to help her in every possible way.

Nevertheless, against this tangible and most generous proof given by a majority of the American public in support of the righteousness of Israel's aspirations, there stands the ill will of a few who nest themselves behind the shield of a Government agency, the Department of State. These do everything to promote hostility rather than peace. They have encouraged Arab belligerency over Israel's protests; they have rejected Israel's request for equal treatment—in short, they have done their best to provoke another war. Our Secretary of State has proved himself insensitive and insensible to the facts and moralities of the area.

How can they ignore the fact that at the very time that the representative of the United Nations was pleading in Cairo for peace, Egyptian murderers shot down in cold blood children at prayer in Israel?

Can we in good faith claim that the best interests of the United States are served by the few in the Department of State whose actions result in encouraging feuding among nations? Why should they be so anxious to appease the Arabs at the expense of Israel? If we agree to extend military assistance to one, we should in fairness grant the same to the other. Are we to have more faith in the Arabs than in Israel? Has not this young state clearly demonstrated how seriously and efficiently she has been working and progressing during the past 8 years?

Israel's record is proof of her aim for peaceful existence to carry on her programs of agricultural and industrial improvement. In her struggle Israel aspires to become again the promised land for thousands and thousands of refugees, so that all people can say, with the Prophet Ezekiel:

> This land that was untilled is become as a garden of pleasure, and the cities that were abandoned and desolate and destroyed are peopled and fenced.

Israel has become the most progressive and energetic state in the Middle East. In the last 8 years more than 400 new agricultural settlements have been created in a small area, compared to less than 300 in the 70 years prior to Israel's coming into existence. Every type of industry has bloomed; transportation and housing have flourished—but beyond this material success, Israel is today the symbol of courage and expectation for all humanity who secretly hope and pray that in this chosen land, the people of the earth, if God touches their hearts and enlightens their minds, might finally reach a mutual understanding and establish the foundation of a new era of everlasting peace for the entire world.

In rejoicing over the recurrence of the birth of Israel, we also voice the prayer that the relations between the United States and Israel will be strengthened and more closely bound.

We pray that the benighted officials in our executive department will open their eyes and their hearts and that they will lend the might and power of our great country, material and spiritual, to establishing true peace in the world.

Mr. PRICE. Mr. Speaker, today one of the most ancient lands observes its status as the youngest of free nations.

Israel observes its eighth anniversary on this April 16, 1956, its indepenedence threatened by unfriendly neighbors. In this hour of trial I believe the great majority of American join me in the devout prayer that this new democracy will prevail.

Eight years ago the United States was the first to recognize the new nation of Israel. On this anniversary I am happy to see other Members of Congress joining me in an expression of reassurance to Israel that its people still have our friendship and support.

The threat to Israel's survival is a threat to all free nations, and the increasing tension in the Middle East is a threat to world peace. I share the disappointment of the people of Israel over our State Department's delay on Israel's urgent plea for defensive arms.

Mr. SCOTT. Mr. Speaker, under leave granted, I would like to insert the following statement in the RECORD on the occasion of the eighth anniversary of the State of Israel:

I am happy to join in extending my heartfelt congratulations to Israel on the eighth anniversary of its proclamation as a state. Americans everywhere can be proud of their contribution to this achievement.

As we look back upon the events since May 14, 1948, when Israel again achieved statehood after an exile of over 2,000 years, we find a remarkable record of progress and accomplishment. Here is a country which has given shelter to hundreds of thousands of homeless people, most of whom were victims of the war, and provided them with a chance to live productive lives. On the eastern shores of the Mediterranean, the State of Israel was built, a great new outpost of Western democracy, on a foundation of freedom and liberty.

Israel is an example of democracy in action whose accomplishments for human welfare and civilization in 8 years rivals anything done in countries ruled by dictators. Israel has made this progress without paying the totalitarian price of slave labor and ruthless pressure.

The people of Israel have come from all parts of the world, speaking many languages and representing many cultures. Like the immigrants who came to this country, they have joined in a common endeavor, learned to speak a common language and helped to build a common civilization. This is in miniature a repetition of the great American experiment in creating a civilization out of a wilderness with men and women whose common heritage is their humanity. And, indeed, many Americans have recognized in the people of Israel a spirit that closely resembles that of our pioneers a century ago.

Today Israel is threatened as never before by the forces of dictatorship and oppression. Yet it has maintained the rights and liberties of its people despite the danger of invasion and has constantly sought and worked for peace. At the same time, it has realistically been compelled to provide for its defense against the growing arsenal in Arab lands.

The United States has done much to foster and encourage the development of Israel, and the people of Israel have repeatedly demonstrated their appreciation. Our country has made a firm commitment to preserve the integrity of the State of Israel, and I am sure that we have every intention of standing by that commitment. Many of us in Congress, however, are convinced that one of the steps we must take without delay is to restore the military balance in the Middle East. We can do this by allowing Israel to purchase the defensive weapons she must have to discourage would-be aggressors.

The fact that Moscow has shipped modern weapons to Egypt and other Arab States in quantity makes it imperative that our country take the lead in helping Israel to defend itself. The press has reported that France, Italy, Canada, and other nations are ready to help this fellow democracy with jet fighter planes and other arms for defense, but I should like to see my country demonstrate its willingness to go further than others in releasing arms to a beleaguered ally. All the world looks to us for the example to follow, and we dare not yield our responsibility to any other nation.

I recognize, of course, that defensive arms to Israel are not a solution to the problem of achieving peace in the Middle East, but their deterrent effect can avert war and give us time to work for peace, time in which tensions may be relaxed and reason prevail. Let no one be deceived into thinking that this is an isolated conflict between the Arabs and Israel. It cannot be localized. Our civilization is so constituted that the problems of the Middle East reflect the worldwide conflict of ideas between the East and the West, and whatever happens between Israel and her neighbors will inevitably affect the lives of all Americans.

As Israel enters the ninth year of its existence, we hope and pray that a beginning shall be made toward the establishment of peace, not only in that troubled area, but for all people all over the world. With firmness and resolution we can defeat the Communist threat of war and bring about the initial steps to a lasting peace. On this anniversary we can bring to the people of Israel an assurance that they do not stand alone in their gallant fight to create a nation of free people under God and that we stand with them against the enemies of democracy.

Mr. DAVIDSON. Mr. Speaker, it is a privilege to join with my distinguished colleagues and say a word with regard

to the observation of the eighth anniversary of the State of Israel. I am unable to say "happy birthday" for this is not a happy day for the little democracy which is surrounded on all sides by hostile, aggressive, and threatening neighbors.

I wonder how long the State of Israel will have to stand on guard. I wonder for what period of time she will have to continue to spend practically all of her substance on armament and a military establishment. This is the state which cheerfully burdened itself with a program of immigration for distressed and homeless people and sought to work out an economy amidst most inhospitable surroundings. From a harsh, cruel, and unyielding desert of sand, Israel's people have brought forth a citrus industry. They have worked the farms so that now her people are self-sufficient insofar as vegetables are concerned.

Israel has worked and has accomplished much to educate and give medical ministrations to the people of the Middle East. She has given dignity and self-respect to people who have heretofore despaired of any further whatsoever. All the while she has had to stand guard. Farming, with a rifle ready at hand. Teaching children with a lookout on the hill. Nursing the sick with an armed guard on the roof of the hospital.

Israel has endeavored and succeeded in making a great humanitarian contribution to a benighted and backward part of the world. She is entitled to a happier birthday than the one she celebrates today.

I wish merely to say, Mr. Speaker, that if Israel's requests for defensive arms are granted by this country, Israel will have a happy birthday because war will be averted. There will be no conflagration in the Middle East with the fearsome possibility of its spreading throughout the world. Stability will take the place of impending chaos. There will be no need for foreign intervention. And I must here repeat, Israel is not asking that the United States send its soldiers to fight her battle. Israel wants to defend itself, or better yet, ward off and avert Nasser's threatened aggression.

President Eisenhower and Secretary Dulles, you, gentlemen, can make this a happy birthday for Israel, and at the same time, you can serve the cause of world peace, democracy, and fair play. As Winston Churchill has recently put it, you can discharge an obligation which this country owes to the democracy of Israel as a matter of honor.

Mr. RODINO. Mr. Speaker, this is a historic day for the people of Israel, for it was 8 years ago that the dynamic democracy now known as the State of Israel was established. Once merely a dream and an idea in the minds and hearts of many who now call it their homeland it is now a reality. The courage and the fortitude displayed by these people in their great struggle brought about this gallant little nation which is now a matter of history. Their spirit of freedom and their desire for peace, their determination to live as a truly democratic nation among the family of free nations, is worthy of their great heritage.

Today, as I have done before, I salute the State of Israel and its proud people. Theirs is a record of achievement and accomplishment during 8 short years of existence.

But today this bulwark of democracy in the Middle East is threatened. It is threatened by the shadow of international communism which has been reaching out over the Middle East fomenting hostilities and creating tensions. We know that this is a threat not alone to the security and peace of Israel—the Middle East—but to the whole free world. For pulling the strings behind the whole Arab-Israeli conflict are the Soviet agents who by their offer of arms and economic aid to the Arabs seek to establish themselves in the Middle East.

We must not permit this nation to fall at the hands of the Communist conspirators. The United States should take immediate steps to maintain the balance of power in the Middle East by providing Israel with defensive arms. We must in justice to the name of democracy, in the interest of world peace and freedom, help to preserve the integrity of Israel as a nation. The people of Israel look to us—as the champions of democracy—we cannot and must not turn our backs on them. Let us help to maintain this fortress of freedom.

Mr. FRIEDEL. Mr. Speaker, it is a privilege for me to extend my most heartfelt and sincere felicitations to the gallant people of Israel on this the occasion of the eighth anniversary of the State of Israel as a free and independent nation.

The tremendous social, political, and cultural accomplishments that have transpired in Israel since its independence was declared in 1948 are an inspiration to every democratic form of government in the world as an example of what free men can do under the flag of democracy.

Today the State of Israel stands as the bulwark of democracy in the Middle East.

Yet, in the face of all these accomplishments, this tiny democracy is confronted with an alarming situation which affects not only the peace and tranquillity of the Middle East, but the peace and tranquillity of the entire free world. This crisis in the Middle East has been brought about by the steadfast refusal of the Arab States to recognize Israel as a democracy, recently aided and abetted by the creeping shadow of international communism.

We cannot permit this nation to fail at the hands of the Communist conspirators. We in the West are faced with the necessity of taking decisive steps to prevent an all-out war in this area. This can be done quickly and effectively if the Arab countries can only be made to realize that Israel herself is interested only in peace. If the Arab leaders can be convinced of this, and be persuaded to make peace with Israel, the economic, spiritual, and social benefits reaped by all the countries in the areas will be overwhelming.

Mr. KLEIN. Mr. Speaker, I am privileged today to add my sentiments to those of my distinguished colleagues in the House and Senate in congratulations to the State of Israel upon the occasion of the eighth anniversary of its establishment as a free, independent, and sovereign state.

This is a singularly happy occasion that shines out like a star of hope in a dark-clouded sky. In a world beset by confusion, aggressions, and subversions, in a world where the democratic ideal is so often under attack, it is an exhilarating satisfaction to call attention to one new nation that has from the beginning manifested its adherence to the ideas and ideals of a democratic society.

It is also gratifying to know that this new nation has exhibited a generosity of national spirit that has solved a problem of homelessness for hundreds of thousands of people to whom it opened its doors in welcome. The great humanitarian service that Israel has rendered in converting desperate people from the category of "refugees" to that of upright, free citizens will always shine as a bright page in the history of our times.

In saluting the State of Israel and extending to it our good wishes, I cannot help but draw parallels with the early history of our own country, the United States of America. We, too, started as a new young Republic after the embroilment of war, with a devotion to independence and democracy and in need of understanding and friendship. It is heartening to know that the social and spiritual concepts that marked the birth of the United States have their parallels in the State of Israel.

I hope that the views expressed by Members of both Houses will give notice to the world at large of American friendship and support for the State of Israel. Those with aggressive designs on the security and independence of Israel might do well to read the record of the United States Congress and reconcile themselves to the bonds of friendship and mutual regard that link the people of the United States of America and the people of the State of Israel.

This occasion, however, must not be noted without regard for the threats of an actual aggression that hover like a calamitous cloud over the State of Israel. The cry of the victims reaches out to us and calls upon us to reassert vigorously our national policy to prevent aggression and to warn and, if need be, punish aggressors.

The security of the State of Israel is vital to the stability of the entire area of the Middle East and this in turn is basic to America's own defense and the defense of the free world. This calls for an administrative policy of action rather than of inaction; and of direct, friendly, and timely intervention rather than by a nod to our allies. It calls for prompt and sympathetic action as to the defense needs of the State of Israel, out of the same considerations that justify our provision for our own defense needs and for those of the Western World.

It calls for an ample and timely counterweight to the armaments furnished by the Communist and satellite governments.

Above all, it calls for a clear unambiguous assertion on the highest level that the United States is committed to the proposition that peace is indivisible

and that peace and the safeguards of peace for the State of Israel are basic in our national policy.

NEGOTIATED CONSENT DECREES IN ANTITRUST CASES

The SPEAKER pro tempore (Mr. EVINS). Under the previous order of the House, the gentleman from California [Mr. ROOSEVELT] is recognized for 45 minutes.

Mr. ROOSEVELT. Mr. Speaker, acting on the basis of complaints of small-business men, Subcommittee No. 5 of the House Small Business Committee, of which I am chairman and the Honorable TOM STEED, Democrat, of Oklahoma, and the Honorable TIMOTHY P. SHEEHAN, Republican, of Illinois, are members, held hearings on March 28 and 29, 1956, on the effect on small business of consent decree procedures in Government antitrust actions against large corporate defendants.

In the preparation for and during these hearings I had the opportunity to study the antitrust consent decree negotiated between the Government as plaintiff and the American Telephone & Telegraph Co. and the Western Electric Co. as defendants, which was entered into by the Attorney General on January 23, 1956.

I am convinced that this consent decree represents the lowest point in modern times in the disposition of major antitrust litigation.

The A. T. & T. consent decree cannot be reconciled with the purpose of the Government in filing the original action. It cannot be reconciled with present facts. It cannot be reconciled with Judge Barnes' position in other major antitrust litigations. It cannot be reconciled with any known philosophy of antitrust enforcement.

The only conclusion possible from the facts is that A. T. & T. has been given favored and special treatment by the present administration and Attorney General Brownell.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. CELLER. I take it that it is the gentleman's point that in the decree there should have been divestiture and Western Electric should have been separated and truncated from American Telephone & Telegraph Co.

Mr. ROOSEVELT. The distinguished chairman of the Judiciary Committee is absolutely correct. I am going to cover that in full and it will be noted that in the testimony before the subcommittee, Judge Barnes admitted that the original purposes for which the suit was filed were completely forgotten.

Mr. CELLER. As for myself I embrace the gentleman's point of view in that regard.

Mr. ROOSEVELT. I thank the gentleman and appreciate his statement very much.

Because the implications of this decree go far beyond the jurisdiction of the House Small Business Committee, I feel it is my duty to report all the facts within my knowledge to the Congress and to recommend that a thorough and complete investigation be made, not only as to the reasons why A. T. & T. received favored and special treatment in the consent judgment, but also the extent to which special privileges have been afforded A. T. & T. by other Government agencies to enhance its monopoly power and monopoly profits.

While the operations of A. T. & T. are subject to public utility regulation, those of its wholly owned subsidiary, Western Electric, are meant to be in the area of our free enterprise economy. The Government's complaint against A. T. & T. and Western Electric was to put an end to Western Electric's illegal monopoly existing under the protection of the monopoly at A. T. & T. as a public utility. The Government's complaint was preceded by a very long, careful investigation by the Federal Communications Commission of the problems generated by this monopoly which resulted in a comprehensive report, containing findings and recommendations in great detail.

The complaint filed in 1949 charged that Western Electric manufactures and supplies more than 90 percent of all telephones, telephone apparatus and equipment sold in the United States. It also charged that A. T. & T. required its operating companies as well as its Long Line Department to buy substantially all of its equipment from Western Electric. The significance of this is indicated by the fact that A. T. & T. owns and operates more than 98 percent of the long distance telephone facilities in the United States, and owns and controls operating companies which furnish approximately 85 percent of the country's local telephone service.

To remedy the almost complete lack of competition in the manufacture, distribution and sale of telephone equipment, the complaint sought a separation of Western Electric from A. T. & T. and a dissolution of Western Electric into three competing, manufacturing concerns. Relief of this kind was the principal reason the case was brought. This relief was essential to thwart the monopoly and to protect the public.

The Assistant Attorney General in charge of the Antitrust Division, Judge Barnes, admits all of these facts. He states that A. T. & T. has "practically a 100-percent monopoly" on the facilities used in the rendition of long distance service in the United States.

He admits that A. T. & T. owns and controls operating telephone companies which furnish approximately 85 percent of all local telephone service in the United States.

He admits that Western Electric manufactures and sells between eighty to ninety percent of all telephones, telephone apparatus, and equipment sold in the United States.

He admits that A. T. & T. requires its operating companies, as well as its long-lines department, to buy virtually all of their telephone equipment from Western Electric.

He admits that as a part of an alleged conspiracy between A. T. & T. and Western Electric to monopolize the telephonic industry that they bought up or otherwise eliminated competitive manufacturers of telephones, telephone apparatus, and equipment. Judge Barnes states that this "is a matter of record."

Finally, Judge Barnes admits that in filing the complaint "the purpose certainly was to restore competition. The charge was that it"—Western Electric—"should be broken up."

Judge Barnes nevertheless testified that the original purpose of the suit to separate A. T. & T. and Western Electric had to be abandoned because there was insufficient evidence. In the face of his own admissions as to the facts involved, this excuse defies creditability.

Certain there can be no question that the facts stated to be true by Judge Barnes are more than sufficient to prove the prima facie case that Western Electric is a monopoly of formidable proportions and as such is illegal under the antitrust laws of the United States.

What then does the consent decree do to break up this monopoly as charged in the original complaint filed in 1949 and as stated by Judge Barnes in the hearings before our subcommittee on March 29, 1956? The answer is that the consent decree is worse than nothing. For the consent decree solidifies and gives Government sanction to the very monopoly which the complaint was designed to break up, and makes impossible the bringing of any further action by future administrations.

What justification can there be for such a shocking consent decree against the public interest and against all known philosophies of antitrust enforcement?

The feebleness of the explanation given by the Department of Justice serves only to emphasize the conclusion that the administration has granted A. T. & T. favored and special treatment.

Mr. Speaker, I ask unanimous consent to extend at this point in the RECORD an article by John Harriman appearing in the Boston Daily Globe April 2, 1956.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The article is as follows:

Last week Antitrust Chief Stanley Barnes announced an action by the Department of Justice against the American Radiator and Standard Sanitary Co. and Mullins Manufacturing Corp.

This is the sixth major antitrust action, of which Mr. Barnes spoke early in the week before the House Small Business Committee. (Another said to be cooking on back of the fire is General Motors.) So far these suits are in the style of trust busting initiated under the present administration.

FASHION NOWADAYS TO NEGOTIATE

Nowadays it is the fashion in these actions not to go to trial. What happens is that the Department of Justice works up its case, and then sits down with the defendant and talks things over. In most cases a meeting of the minds is arrived at, and the defendant consents to certain demands in the Government's case. These consents are then incorporated in a decree, and all is settled amicably.

This, of course, makes for good feeling all around, and provides a nice show of newspaper headlines of the sort which in an election year never hurt anybody.

But there are those who look at these consent decrees, and utter a mild horse laugh. This, they say, is trust busting a la mode,

with the ice cream going to the Government and the pie to the offending company.

In short, say the skeptics, this isn't really trust busting at all, but the giving of what amounts in effect to immunity from further prosecution to companies at a very small cost to them.

For instance, no other administration, it is being pointed out, will now bring an antitrust action against the Bell System, which has just submitted to one of Mr. Barnes' consent decrees. And Bell, it is argued, may be very satisfied to have put itself in this position by yielding to Mr. Barnes on points which were relatively minor.

BELL MADE PATENTS AVAILABLE TO ALL

Originally the Government's suit sought to force Bell to divest itself of Western Electric, its manufacturing subsidiary. But in the consent decree entered, there were mighty compromises.

Western Electric was left with Bell, which was only required to drop certain activities which in toto are estimated to account for not much more than 1 percent of the parent company's gross revenues.

All the Government really won was that Bell should make its patents available to all. And this, say some, is of no great importance, as Bell is the main customer for the products made under these patents, and Bell will presumably buy only from its own subsidiary.

It was these facts which cause the major victory claimed by the Department of Justice in this case, to look to the penetrating eyes of Business Week like "little more than a slap on the wrist."

It will be interesting to see the nature of the Government's suit against General Motors, it comes off. We hear that it will be concerned not with that company's position in the whole automobile field—just in its activities in supplying 80 percent of the bus market.

Mr. ROOSEVELT. Mr. Speaker, one of the two major points made by the Department of Justice in attempting to justify the consent decree is that the cost of Western Electric equipment sold to A. T. & T. is subject to public utility regulation and that such regulation is made easier by the decree. Why is this purported to be so? Because, according to the Department of Justice, the consent decree provides that Western Electric must—and I quote and emphasize—"maintain cost accounting methods that conform with such accounting practices as may be generally accepted, taking into account the magnitude and the complexity of the operations involved." This provision is useless and meaningless. I asked Judge Barnes what changes it would make in Western Electric's accounting methods. He replied "We do not necessarily know that it will make any." Further, it is obvious that this provision is so broad, vague, and ambiguous that no court could ever hold Western Electric in contempt for violation.

But even more important, the purpose of the antitrust laws and the duty of the Attorney General is to restore competition in those fields of our free enterprise economy where it does not exist. The fact that A. T. & T. is subject to public utility regulation gives no immunity to Western Electric from the antitrust laws. In the Government's antitrust case against the Pullman Co., the court ordered the separation of Pullman's unregulated monopoly in the manufacture and sale of sleeping cars from its monopoly of sleeping cars service, the latter being subject to Federal regulation. Since the court did break up the Pullman monopoly, what conceivable reasons could lead Judge Barnes to believe that the court could not similarly break up the A. T. & T.-Western Electric monopoly?

The Attorney General through Judge Barnes does not dispute the fact that there is a monopoly in the manufacture and sale of telephonic equipment, materials, and apparatus, that this monopoly is not protected by public utility legislation and is subject to the full force of our antitrust laws. The consent decree, however, allows Western Electric to remain a monopoly. This is a betrayal of the most basic principles of our antitrust laws which Attorney General Brownell has sworn to uphold. This betrayal cannot be justified. It must be censured.

The second point made by the Attorney General in his attempt to justify the decree is that a measure of patent relief has been granted in the electronics field. The suit was not brought for this purpose. The suit was brought to restore competition in the manufacture and sale of telephonic equipment and all the patent relief in the world cannot restore competition as long as Western Electric is left with some 80 to 90 percent control of the market and as long as A. T. & T. will purchase its equipment only from Western Electric.

But even so, the patent relief contained in the consent decree is completely imaginary. Judge Barnes states that the decree requires royalty free licensing to all applicants on some 8,600 existing patents of A. T. & T. But in the same breath he was forced to admit that A. T. & T. under the decree could still make a charge to licensees for "know-how" and that this could be virtually the same as the royalty charge. Judge Barnes was read a statement made by Dr. Vannevar A. Bush, a director of A. T. & T., in which he pointed out "that the royalty rate charged by A. T. & T. for its patents subject to the decree had been based upon the know-how that went with the patents." Judge Barnes then admitted that the charge for know-how and technical information which can still be made under the consent decree could be as much as the former royalty.

Secondly, the decree accomplishes very little in requiring the licensing of the patents involved, since the Bell System Co. has had a licensing policy since 1949 to license anyone for any purpose.

Thirdly, with respect to the alleged 8,600 patents involved in the consent decree, RCA has the unrestricted right to sublicense, retain royalties, and sue for infringement on a substantial number of these patents—the exact ones being unknown to the Department of Justice. The consent decree does not affect these rights of RCA.

Fourthly, a substantial number of the patents involved in the consent decree have expired.

Finally, a substantial number of the patents involved in the consent decree are not sufficient to enable the licensee to manufacture and sell FM and TV commercial broadcast transmitters or receivers without an RCA package license. In brief, Judge Barnes admits that many of the licenses allegedly made available to others by the consent decree are worthless because, and I quote Judge Barnes' testimony, "in the RCA pool there are patents over and beyond A. T. & T. or Bell Laboratories patents which may well be necessary before you can get into an open-handed, free, and easy production of electronic devices."

Mr. Brownell stated in his press release accompanying the signing of the A. T. & T. consent decree that—

> The patent relief obtained in this decree is a long stride forward in the efforts of the Department of Justice to destroy the divisions of patent rights * * * in electronics. The decree makes available to any citizen all inventions and know-how of the Bell System.

But Judge Barnes testified before the subcommittee:

> I would certainly agree with you, sir, that the entire field of electronic patented articles cannot be freed to universal competition until and unless something is done in the RCA case.

The key to patent relief in electronics is, therefore, in the pending RCA case, and not in the A. T. & T. consent decree.

What then is left of the consent decree? I submit there is nothing—except an urgent need for a complete explanation from Mr. Brownell as to why he and several of his subordinates abdicated their responsibilities and lent themselves to the preservation of the A. T. & T.-Western Electric monopoly.

In this connection an attorney in the Antitrust Division of the Department of Justice, familiar with the case, recently stated that Mr. Brownell, himself, established the policy that a consent decree was to be negotiated with A. T. & T. and Western Electric without separating the two. Instructions to this effect were made known by Mr. Brownell's office to the members of the Antitrust Division. This official has stated that the Antitrust Division was put into a straitjacket in negotiating the decree by virtue of these instructions.

What is more, the consent decree was signed and negotiated by the first assistant to Judge Barnes, who has a reputation, both within and without the Department, for his softness toward antitrust enforcement and solicitude for big business. I believe it can be established that he was placed in the Antitrust Division at the request of highly placed, big business officials close to the administration. Was there secret connivance between him and Mr. Brownell? It has been reported that these two met in private to determine policy as to the consent decree at the very time Judge Barnes was absent from the city.

True, some attorneys in the Antitrust Division realized that the proposed consent decree would in effect give Government sanction to Western Electric's monopoly and prevent further prosecution. They recommended that the lesser evil would be to dismiss the suit entirely, but were overruled.

Relevant in this regard is the testimony of Judge Barnes before our Subcommittee of the House Small Business Committee on March 29, 1956. The judge stated that high Government officials insisted that A. T. & T. and West-

ern Electric could not be separated and Western Electric split up because, and again I quote directly from Judge Barnes:

> You have got a situation where you have got research half way between manufacture and operations, and so tied up, according to certain allegations, that from a practical standpoint they have to be together. Now, I am not buying that. I am just saying that is an argument which has been expressed, and very violently expressed, by people in high places in the Government.

Whether Judge Barnes, himself, bought this argument is immaterial since the decree gave A. T. & T. precisely what these people in high places in the Government wanted. The decree also gave A. T. & T. what it wanted. As reported in the February 6, 1956, issue of Newsweek:

> How much was A. T. & T. harmed by its consent judgment? Nothing really hurts, A. T. & T. President C. F. Craig implied, so long as the whole team—Bell Telephone Laboratories, Western Electric, and the Bell System—remain intact, instead of being split up as the Government originally demanded.

The question remains unanswered. Who were the people in high places in the Government who violently expressed the argument that A. T. & T. and Western Electric could not be separated? And if Judge Barnes did not buy their argument, why did the Department of Justice still accede to their request.

Let us open Pandora's box and see who are some of the people in high places in the Government who would have had the greatest governmental interest—and the greatest private interest—in the A. T. & T. consent decree. Here is the rollcall of the officials or directors of A. T. & T. or its subsidiary companies who have held policymaking and influential positions in the United States Government under the present administration:

Cole A. Armstrong, Office of Defense Mobilization.

Donald R. Belcher, first assistant, Director of the Bureau of the Budget.

Harold M. Botkin, Office of Defense Mobilization.

Robert Burgess, Director of the Census.

Albert J. Carey, Office of Defense Mobilization.

A. B. Clark, National Security Agency.

Victor E. Cooley, Deputy Administrator, Office of Defense Mobilization.

Stanley Damkroeger, Department of Commerce.

William Means Day, Department of the Army.

John M. Ferry, Special Assistant to the Under Secretary of the Air Force.

G. D. Garner, Office of the Assistant Secretary of Defense (Supply and Logistics).

Frederick J. Given, Office of the Secretary of Defense.

R. Karl Honaman, Office of the Secretary of Defense and the Department of Commerce.

George Ireland, Department of Commerce.

Dr. Marvin J. Kelly, Department of the Air Force and the National Bureau of Standards.

George A. Landry, Office of Defense Mobilization.

George B. Larkin, Office of the Assistant Secretaary of Defense (Supply and Logistics).

Walter A. MacNair, Department of the Army.

George C. McConnaughey, Chairman, Federal Communications Commission.

William H. Martin, Director of Research and Development, Department of the Army, and prior to that appointment Deputy Assistant Secretary of Defense.

Stewart E. Miller, Department of the Air Force.

Arthur W. Page, Cabinet Committee on Transportation Policy and Organization.

Charles W. Potter, Office of Defense Mobilization.

Donald A. Quarles, Secretary of the Air Force.

Robert T. Stevens, Secretary of the Army.

Joseph D. Stockton, Office of Defense Mobilization.

William A. Vanstory, Department of Commerce.

Charles E. Wampler, Office of Defense Mobilization.

Benjamin F. Young, Office of the Director, Office of Defense Mobilization.

This list, while not complete, is nevertheless illustrative of the force and influence that A. T. & T. can exert upon Government policy and Government actions. Indeed, there appears to be no area of Government whose activity affects A. T. & T. where an A. T. & T. official is not in a position of influence or control.

This infiltration of A. T. & T. officials throughout the top levels of the administration, whether accomplished with the best or the worst of motives, represents a real threat and danger to our democratic processes.

A. T. & T. officials in Government have been in a position, for instance, to control or influence Government policy in relation to the SAGE project. But thanks to the vigilance of our distinguished majority leader, the Honorable JOHN MCCORMACK, to the vigilance of our distinguished chairman of the Committee on Armed Services, the Honorable CARL VINSON, and the distinguished gentleman from Ohio, the Honorable CLARENCE BROWN, the American people were saved the sum of $830 million which otherwise would have improperly gone to the A. T. & T. monopoly.

And thanks to my distinguished colleague from Montana, the Honorable LEE METCALF, provisions have been made so that rural electric cooperatives will not be excluded by the A. T. & T. from participating in the Government work to be done in connection with the SAGE project.

I can only say with the deepest regret that the full implications of the A. T. & T. consent decree, entered into by Mr. Brownell, were not similarly recognized and action taken by the Congress before it became a fait accompli. However, the A. T. & T. consent decree does raise a warning for the future which, I believe, cannot be ignored. I, therefore, respectfully recommend to the House that a thoroughgoing investigation be made of the influence of A. T. & T. upon Government and in particular upon the Department of Defense, the Department of the Air Force, the Office of Defense Mobilization, the Federal Communications Commission, and the Department of Justice.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. BURDICK. In this situation it is not a question that we do not have enough laws on the statute books to cope with the situation. The trouble lies in the fact that we do not use the laws we have. Is that not right?

Mr. ROOSEVELT. I completely agree with the distinguished gentleman, and I point out that if the original purposes for which this suit was filed had been adhered to there would have been no such case as can now be made. I do not think it is a question of needing new legislation. I think it is a real and not an imaginary enforcement of the antitrust laws.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the distinguished majority leader.

Mr. McCORMACK. I want to express my appreciation to the gentleman from California, Mr. ROOSEVELT, for the generous references he made to me in his very able speech. I also want to congratulate my friend from California for the tremendous work he has done in connection with this important matter and in the powerful address he has just made, conveying to the House and to the country very important information which all adds up toward the one powerful message of big business control of our country through this administration and also discrimination against small and independent businessmen.

The gentleman from California is chairman of a subcommittee of the Special Committee on Small Business. The special committee itself has done outstanding work. The subcommittee of which the gentleman from California is chairman has also done outstanding work and I extend my hearty congratulations to him and the other members of his subcommittee.

Mr. ROOSEVELT. I am very grateful to the distinguished majority leader.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Tennessee.

Mr. EVINS. Mr. Speaker, I have listened to the statement of the gentleman with a great deal of interest and I join with my friend from Massachusetts, the distinguished majority leader, in extending congratulations to the distinguished gentleman from California for bringing this matter to the attention of the House. The gentleman has said that some of the scope of the matter is beyond the jurisdiction of our committee, but certainly it is not beyond the jurisdiction, as the gentleman has pointed out, to censure this procedure; and I commend the gentleman for it.

It would seem to me that the lengthy list of the men whose names he has called, former employees or people closely associated with the American Telephone & Telegraph Co., is indicative of the influence which they exert in this

administration and of the great power which no doubt has been exercised in the bringing about of this consent decree.

It would also seem to me that, while the present administration is opposed to 90 percent of parity for the farmers, it is in favor of 90 percent plus in the form of monopoly for the A. T. & T.

Mr. ROOSEVELT. I thank my distinguished colleagues of the Small Business Committee.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. MADDEN. I want to join in commending the gentleman from California for the outstanding statement he has just made in bringing the A. T. & T. case to the attention of the country and also its relation to this present administration.

Only 2 weeks ago the Armed Services Committee appeared before the Rules Committee on a piece of legislation that would protect small industry and small business as far as their applications for procurement and contracts through the Defense Department were concerned. The most astounding revelation that Chairman VINSON of the Armed Services Committee brought out before the Rules Committee was that approximately 94 percent of the procurement and the contracts that have been given by the Secretary of Defense went through without competitive bids being asked for by the head of the Defense Department. If the Defense Department under former President Truman defied the law and procurement regulations in this way, the newspapers would be demanding his impeachment.

The fact is that 94 percent of approximately three billion and some odd hundred million dollars worth of contracts was released by negotiation without any competitive bids being called for on the part of the Secretary of Defense.

The legislation that passed this House will, we hope, in future give small industrial competitors as against General Motors an opportunity to participate in some of the defense contracts and procurement purchases in the future. I do hope this new law will help small business to be recognized by the Secretary of Defense as competitors against big business and particularly General Motors.

I again want to commend the gentleman from California for the outstanding contributions he has made for the benefit of American taxpayers in his remarks to the House this afternoon.

Mr. ROOSEVELT. I thank the gentleman from Indiana very much. I would reemphasize again, sir, that if we are going to survive as a democracy we must have competition, not only competition which allows small business to exist, but in this particular instance I would be perfectly happy if they would let a few big people compete in order to get some of these large contracts.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I know the gentleman will agree with me that it is much better for our country and our national economy if we have more companies rather that less companies.

Mr. ROOSEVELT. Exactly. That is the only way we can stop an economic dictatorship and I think the gentleman will agree with me that economic dictatorship is, unfortunately, the forerunner of political dictatorship, and that is what we must fight with all our might.

THE CASE OF SPENCER WELSH

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Pennsylvania [Mr. QUIGLEY] is recognized for 20 minutes.

Mr. QUIGLEY. Mr. Speaker, one of the more eloquent and most effective declarations of fundamental American principles was made, in my opinion, by President Eisenhower on the night of November 23, 1953. On that date he was addressing a dinner, at which he received an award, conducted by the B'nai B'rith Antidefamation League, at the Mayflower Hotel, here in Washington. The President's remarks on that occasion were carried to millions of Americans by radio and television.

Speaking very informally, Mr. Eisenhower pointed out that our pride in being Americans was a spiritual rather than a material thing. Then he went on to say, according to the text reproduced in the New York Times of November 24, 1953:

> We are proud first of all because from the beginning of this Nation a man can walk upright, no matter who he is, or who she is. He can walk upright and meet his friend or his enemy, and he does not fear that because that enemy may be in a position of great power that he can suddenly be thrown in jail to rot there without charges and with no recourse of justice.
>
> We have the Habeas Corpus Act and we respect it.
>
> I was raised in a little town of which most of you have never heard. But in the West it's a famous place. It's called Abilene, Kans. We had as our marshal for a long time a man named Wild Bill Hickock. If you don't know about him, read your westerns more.
>
> Now that town had a code, and I was raised as a boy to prize that code. It was: Meet anyone face to face with whom you disagree. You could not sneak up on him from behind, do any damage to him without suffering the penalty of an outraged citizenry. If you met him face to face and took the same risk he did, you could get away with almost anything, as long as the bullet was in front.
>
> And today, although none of you have the great fortune, I think, of being from Abilene, Kans., you live, after all, by that same code in your ideals and in the respect you give to certain qualities.
>
> In this country, if someone dislikes you or accuses you, he must come up in front. He cannot hide behind the shadows, he cannot assassinate you or your character from behind without suffering the penalties an outraged citizenry would inflict.

These remarks by the President were universally well received. The people accepted this declaration as a muchly needed expression of the philosophy of Mr. Eisenhower and as ground rules for the conduct of his administration.

Earlier this year, however, my attention was invited to a situation where President Eisenhower's subordinates—the Foreign Claims Settlement Commission—were doing great violence to the "code of Abilene." As a consequence, on February 28 I addressed the following letter to the President:

> The PRESIDENT,
> *The White House.*
>
> DEAR MR. PRESIDENT: The purpose of this letter is to bring to your attention the situation in which one Spencer Welsh now finds himself. Mr. Welsh is a young veteran who resides in York County, Pa., not too many miles from your home in Gettysburg, and, as such, he is one of my constituents. I hasten to add this latter fact does not in itself justify this letter, but it does explain how I became aware of Mr. Welsh's present predicament. However, the frightful implications of things destructive to fundamental American concepts inherent in this young man's case, in my opinion, more than justify this appeal to you as President of the United States.
>
> Very briefly Mr. Welsh's situation is this: In March of 1950, at the age of 17, he enlisted in the United States Army. Eventually he reached Korea and landed in a Communist prison camp. He remained in Communist prison camps for 34 months before he was released under the Korean truce prisoner exchange agreement. Following his release, he was honorably discharged. In addition, Mr. Welsh received the Good Conduct Medal, and at present he receives Veterans' Administration compensation for a 10-percent disability. Beyond this, Mr. Welsh applied for and received approval by the Veterans' Administration for a GI loan. Accordingly, it would seem that the United States Army and the Veterans' Administration considered Mr. Welsh a good soldier and a deserving veteran, and until very recently he was considered to be both by all of his friends and neighbors. However, this was before the Foreign Claims Settlement Commission was heard from. This Commission recently ruled that Mr. Welsh is not entitled to the prisoner of war compensation payable to ex-POW's under Public Law 615, because he had not proven to the Commission's satisfaction that during the course of his imprisonment in Korea he had not collaborated with the enemy.
>
> Mr. President, I think you will agree that no more serious charge than collaborating with the enemy could possibly be made against any American citizen. I know further that you will agree that when such a serious charge is made the accused should be given every conceivable right to defend himself in a fair hearing after having been advised as to the true basis of the charge against him and that, most important of all, the accused should be given the right to confront and cross-examine his accusers. I regret to advise you that the Foreign Claims Settlement Commission, in the case of Mr. Welsh, saw fit to observe none of these fundamental American precepts of fair play and justice. Charges made against Mr. Welsh by the Commission were couched in the vaguest and most general terms without any specifics as to the time and place of his alleged collaboration. To this date, Mr. Welsh does not know whether in the Foreign Claims Settlement Commission's files he has one or many accusers and, while he was given what the Commission called a hearing in which he was represented by counsel, this hearing made a mockery of the traditions of American justice. At the hearing no one appeared to testify against Mr. Welsh, and the entire burden of proving his innocence was upon Mr. Welsh.
>
> In reviewing the manner in which this case was handled, I want to make it crystal clear that I am, in no way, passing on the guilt or innocence of Mr. Welsh. It seems to me if I were to do that without hearing all the evidence I would be guilty of the same shoddy un-American conduct as the Commission itself.

If Mr. Welsh's situation were the only case of its kind, I think it would demand your personal attention. However, I regret to further inform you that I have been advised that there are at least 250 other exprisoners of war whose cases have been handled in a similar manner by the Foreign Claims Settlement Commission.

Mr. President, I know I do not have to point out to you that what is involved here is a flagrant violation of one of the things that makes this country really great. What that something is has been expressed in many ways, but seldom more eloquently than you yourself expressed it in your famous speech about the Code of Abilene. I am sorely afraid that the members of the Foreign Claims Settlement Commission never heard of that code, let alone of Abilene. On the basis of their conduct in this case, I am not certain that they even heard of Kansas and, if they heard of America, I'm afraid that its true meaning and real purpose managed to escape them completely.

It is my present plan to support legislation in the Congress which would abolish the kangaroo-court proceedings now being pursued by the Foreign Claims Settlement Commission. I further understand that the appropriate committee of the United States Senate contemplates holding public hearings on the manner in which the Commision has administered the act. However, it appears to me that this is a situation which should not and need not require legislative action. Since the members of the Commission were appointed by you, this should be a matter which could be corrected once and for all if you did nothing more than indicate to the Commission members your great displeasure that they are administering the law in a manner which violates sacred fundamental American principles. Such action on your part, I am certain, would guarantee to these American combat veterans the rights for which they fought and, if it didn't, I am confident you would not hesitate to replace the present members of the Commission with Americans who give more than lip service to our American ideals.

Sincerely,

JAMES M. QUIGLEY,
Member of Congress.

It took the White House 5 weeks to answer that letter. Why it took so long I will never know; perhaps a lack of courage, perhaps a lack of convictions. When the answer finally did come I found out it was both. And when the answer finally did come it came, not from the President, but from Gerald D. Morgan, his special counsel.

Mr. Morgan wrote:

The President asked me to look into the matter you wrote about under date of February 28, and to reply to your letter.

The administration was from the beginning opposed to the provision contained in the bill that became Public Law 615 requiring the Foreign Claims Settlement Commission to pass upon the serious charge of collaboration in connection with its consideration of a claim for prisoner of war compensation. It is still opposed to having the Foreign Claims Settlement Commission, in the absence of a final determination by the armed service concerned, pass upon such a serious matter, and hopes that the Congress will see fit to amend the law.

With respect to the claim of Mr. Spencer Welsh, the chairman of the Commission has advised me that no finding of collaboration was in fact made, and that no inference of such a finding is to be drawn from the Commission's decision in his case.

Let us examine these White House weasel words; let us contrast them with the big, bold language of the code of Abilene.

Mr. Morgan says:

The administration was from the beginning opposed to the provision contained in the bill that became Public Law 615 requiring the Foreign Claims Settlement Commission to pass upon the serious charge of collaboration in connection with its consideration of a claim for prisoner of war compensation.

The administration was opposed, we are told; but what odd opposition. Insofar as I have been able to find out, the record shows that no such opposition was ever made known to Congress. In the 83d Congress, the President did submit a reorganization message to the Congress changing the name of the War Claims Commission to the Foreign Claims Settlement Commission. In that message he recommended that legislation be adopted extending compensation to Korean POW's, just as it had been granted to POW's of World War II.

The House passed a bill which went to the Senate, where it was accepted by the Judiciary Committee and the Senate without amendment. It was signed into law by the President. The 83d Congress was controlled by the President's own party. Now I recognize that the 83d Congress gave the President a great deal less than wholehearted support and cooperation, but I do not believe we can blame the 83d Congress for failure to read the President's mind. It would seem to have been the easiest matter in the world for the President, or one of his assistants, to have picked up a telephone, to have communicated with some of the able Republican leaders, and to have had that provision removed. He could have vetoed the bill and requested new legislation. He did none of these things. Yet, Mr. Morgan tells us now that "the administration was from the beginning opposed to the provision."

Mr. Morgan, presumably speaking for the President, goes on to inform me that the administration is still opposed to this provision and "hopes that the Congress will see fit to amend the law."

If this is the attitude of the administration, I have found nothing in the record to show that Congress has been so advised. This Congress has been in existence since January 5, 1955—a matter of 15 months and 2 weeks. I find no communication from the President or anyone else in the administration expressing opposition to this provision of Public Law 615, 83d Congress, and asking that it be eliminated.

In both these matters, I can be in error. If I am, I hope that the documents may be produced to show that my search of the record has not been complete.

In Mr. Morgan's final paragraph he informs me that the Commission made no finding that Mr. Spencer Welsh had been a collaborator, and further that no such inference is intended.

This was further clarified when a member of my staff discussed this case, by telephone, with Mr. Andrew T. McGuire, Foreign Claims Settlement Commission counsel. News dispatches appearing in the York (Pa.) Gazette and Daily indicate that Mr. McGuire made much the same comment to that paper's Washington correspondent.

Mr. McGuire pointed out that while a finding of collaboration made a claimant ineligible, there were two other reasons for denying claims. These were failure to prove that a prisoner was mistreated, or underfed.

Mr. McGuire further explained that the Commission did not specify why claimants were denied compensation in order to avoid tainting a veteran with suspicion of collaboration.

I felt then that my efforts had not been completely in vain, that something had been accomplished. Mr. Welsh could once more face his friends and neighbors, secure in the knowledge that his government was not branding him as a collaborator.

An indication of how this clean bill—no matter how difficult it was to pry it loose—was received is contained in a letter I have received from Eugene H. Stauffer, who was until last week, commander, West York Memorial Post, No. 8951, Veterans of Foreign Wars. The VFW, it might be noted, first approached me to ask that I intercede in behalf of Mr. Welsh. In his letter, Commander Stauffer said in part:

I want to commend you on your very fine efforts and services in bringing to the attention of the President of the United States the case of Spencer Welsh and the injustice done to him by denying him his POW bonus. Although the injustice has been by no means corrected as yet, and I know you have not relinquished your efforts to have them corrected, the fact that the President's reply to your letter stated that the Foreign Claims Settlement Commission Chairman said and I quote "no finding of collaboration was in fact made and that no inference of such finding is to be drawn from the commissioner's decision in this case," does remove a stigma that would have been placed over Comrade Welsh's head for the rest of his life and would have been a question as to his loyalty to the United States Government. This in itself is a partial victory as I said before when I conferred with you in the presence of Comrade Welsh that this stigma was one of the reasons for objecting to this injustice. However I am by no means satisfied that the injustice done to Comrade Welsh has been corrected by these statements. From your past efforts and interest shown in this case, I am cognizant that you will continue through other means to correct it.

Unfortunately, Mr. Speaker, the "partial victory" which Commander Stauffer hailed has been short lived. Last Tuesday evening Whitney Gillilland, chairman, Foreign Claims Settlement Commission, addressed a meeting of joint veterans' organizations in Council Bluffs, Iowa. According to the text of his remarks, as released to the press, he said, in part:

Now it will be noted that anyone who might have been guilty of outright disloyalty, that is, voluntarily, knowingly and without duress, collaborating with the enemy, would in any event be excluded by either the provisions (1) concerning food and mistreatment or (2) those precluding payment to anyone who voluntarily, knowingly and without duress at any time or in any manner served such hostile forces. Therefore, it never became necessary to pass on the issue of collaboration and no claim was rejected

on that ground. Therefore, no inference is to be drawn that any particular individual denied benefits was disloyal.

On the other hand, it will have been apparent that any collaborators would be included among those claimants denied for the two mentioned grounds and that the total number of collaborators could in no event have exceeded the total number of claims denied on those two grounds.

Despite the pious claim that Foreign Claims Settlement Commission did not wish to taint the character of any claimant; and although technically these veterans are not charged with being collaborators, what Mr. Gillilland is saying is that every one turned down was a collaborator.

When President Eisenhower made his "Abilene code" speech I was under the impression he was talking off the cuff but from the heart. But when the chips are down the President hides behind the shadow of a White House aide and Foreign Claims Settlement Commission's chairman hides behind the shadows of legal technicalities and bureaucratic doubletalk. Everybody has something to hide behind except the veteran. The veteran who went out to fight to defend his Government and the Code and is now rewarded for that effort by having that Government assassinate his character from behind.

I have seen their victim and I can assure "Wild Ike" Eisenhower and his partner "Jingles" Gillilland that the bullet was not in the front.

I hope, Mr. Speaker, that the Congress will have the courage to act where others have faltered, that we will step into the breach and enact legislation which will grant Mr. Welsh and all the others in his circumstances—men who braved enemy gunfire and suffered the rigors of Communist prison camps—the chance to have their day in court; the opportunity to meet their accusers, face to face, in accord with the Code of Abilene.

THE FARM BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 10 minutes.

Mr. LAIRD. Mr. Speaker, speaking for the six Republican Wisconsin Members of Congress, Messrs. SMITH, BYRNES, DAVIS, WITHROW, VAN PELT, and myself, I wish to commend President Eisenhower for his veto message which was read this morning to the House of Representatives. The Wisconsin farmers whom we represent will be ever indebted to President Eisenhower for his action in promptly vetoing H. R. 12.

The farm bill as it was placed on the President's desk by this Democrat Congress would have meant loss of income to the Wisconsin farmers of over $12 million and would have materially aggravated the cost-price squeeze. In 1955, Wisconsin farmers paid $130 million for feed used but not produced on their farms. Under the vetoed farm bill, Wisconsin farmers' costs would have been increased by 20 percent to at least $156 million because of the increase in feed grains support levels required by the legislation. Wisconsin farmers, under the terms of H. R. 12, would have received $14 million by the increase which was granted in the farm bill in the manufacturing milk support price. This entire increase of $14 million would have been wiped out and plowed under by the $26 million increase in their feed bills.

The President in vetoing the farm bill and directing the Secretary of Agriculture to increase the support price of manufacturing milk to $3.25 per hundred pounds and the support price of butter fat to 58.6 cents a pound, has truly befriended the Wisconsin farmer.

Mr. Speaker, under unanimous consent, the text of the letter to President Eisenhower from six Wisconsin Republican Representatives, urging his veto of H. R. 12, the farm bill, is included at this point in the RECORD:

TEXT OF LETTER TO PRESIDENT EISENHOWER FROM SIX WISCONSIN REPUBLICAN REPRESENTATIVES URGING HIS VETO OF H. R. 12, THE FARM BILL

APRIL 15, 1956.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: We feel it our duty as Representatives from a State which derives over half of its cash farm receipts from dairy products, to point out to you the dangers to the dairy farmer inherent in H. R. 12, the farm bill now on your desk.

H. R. 12 was written for the basic crop farmer, particularly the commercial producers of peanuts, rice, cotton, tobacco, corn and wheat. It is loaded with all manner of devices to increase, through Government payments, the prices of these products. While we have no quarrel with these farmers, we must protest when legislation discriminates to heavily in their favor to the detriment of the majority of other farmers in the Nation, particularly the dairy farmer.

There is little need for us to elaborate on the importance of the dairy and livestock industries to American agriculture. Next to receipts from cattle and calves (a good share of which is derived as a byproduct of dairying) the single largest source of cash receipts for American farmers is dairy products. Farmers receive almost as much cash from dairy products as from cotton, tobacco, rice and peanuts combined. Cash income from the closely-allied dairy and beef industries is almost $2 billion more annually than from all of the basic crops together.

In States like Wisconsin, the relative importance of dairying and livestock is even more striking. In our State, 50 percent of the farmer's cash receipts is derived from dairy products. Seventy-two percent of our farm cash receipts come from three sources—dairy products, cattle, and poultry. Eighty-seven percent of our farm income is derived from livestock and its products. In contrast, only 2½ percent of our farm cash income comes from basic crops.

You can, we believe, understand our concern over a bill which will prove temporarily beneficial only to those farmers producing less than a quarter of our cash crops nationwide and only at the expense of major elements of American agriculture, particularly the dairy industry. A bill which sacrifices the dairy farmer on the altar of the basic crop farmer should be summarily rejected.

The harmful effect upon the dairy farmer of H. R. 12's bias in favor of the basic crop farmer may be summarized as follows:

1. The bill raises the general support level of basic crops, and feed grains, by 15 to 20 percent while providing only a temporary 2½ percent increase in the support level of milk.

There can be no logic, or fairness, in a national farm program which so discriminates against a major segment of our farm population. If increases in the support level are necessary, they should be uniform. Crops which represent income to some farmers represent costs to others. A dairy farmer's net income is based not only on his milk check but upon his feed bill as well.

It should be understood that, for the first time, feed grains are required to be supported at a fixed support price level pegged to the basic commodities. This raises the price of feed in excess of 20 percent.

The discrimination in support levels will cost the Wisconsin dairy farmer, for example, $12 million in 1956. The estimated $14 million Wisconsin farmers will receive from the raise in their milk support price will be wiped out and plowed under by a $26 million increase in their feed bill. In 1955, Wisconsin farmers paid $130 million for feed used but not produced on their farms. Under H. R. 12, this bill will be increased 20 percent to at least $156 million because of the increase in feed grain support levels the legislation requires.

The impact of this $1 million a month loss upon Wisconsin producers of milk, poultry, beef and hogs will be disastrous.

2. The bill requires the support of certain basic crops at the higher of two methods of computing parity. Manufacturing milk, on the other hand, would be supported, in future marketing years, under a formula which leads to a constantly decreasing minimum support price.

The dual parity provision for basic crops, in effect, throws out the parity theory in an effort to get the highest possible support price for these favored crops. The bill, on the other hand, approves, after the current marketing year, a formula producing a constantly reduced support price for manufacturing milk. At that time, manufacturing milk supports would be calculated under a formula which leads to a constantly lower parity equivalent because of the growing disparity between the price of fluid and manufacturing milk. In our State, 80 percent of our milk production goes into manufactured dairy products, and the combination of increasing basic crop support prices and constantly decreasing manufacturing milk prices would be economically disastrous. Our efforts to stabilize the parity equivalent for manufacturing milk, by providing a representative rather than a moving base period, were fought and defeated in the House by the Democratic leadership.

3. The bill provides no protection to the dairy farmer from the production of milk by basic crop farmers on land under acreage allotment, and worse, adds immeasurably to this problem by failing to provide adequate protection on land put in the soil bank.

Twenty yearse ago, a distinguished Wisconsin Representative, now Judge Gerald Boileau, pointed out the need for dealing with the problem created by acres taken out of production of basic crops under acreage allotments, converted to feed production, either of grains or roughage, and then utilized to produce milk. This problem has never been dealt with by Congress and it is not dealt with in H. R. 12. Wisconsin farmers are able and willing to compete with farmers in other areas of the country on a freely competitive basis but they cannot do so if other farmers are being paid out of the Treasury for withholding acres from the production of certain crops while being at liberty to use those acres for the production of livestock and milk.

H. R. 12 not only fails to deal with this problem; it compounds it by creating a new diverted acreage problem. It provides no real safeguards against the use of soil-bank acreage for milk and livestock production. The conference report itself states that the conference committee struck from the bill "a provision desired chiefly by livestock pro-

ducers as a protection against a farmer placing land into the soil bank, receiving his payment therefor, and then using the land for grazing purposes."

The dairyland is composed of farmers who devote their lives to providing the Nation with pure, wholesome milk. It constantly strives to keep its production in line with demand. Milk production will surge, and depress prices everywhere, as long as farmers outside the dairy area are subsidized by the Government to go into the dairy business.

These, Mr. President, are the principal reasons why we fought and voted against H. R. 12. It will be injurious to the farmers we represent and to the dairy and livestock industries which form the backbone of American agriculture. These same reasons, we are confident, will lead you to the conclusion that H. R. 12 would prove a disservice to agriculture and the Nation at large. We urge your prompt veto of the bill.

Congress can still pass sound farm legislation if it forgets politics and buckles down to it. We suggest, therefore, that you not only veto H. R. 12 but that you urge the Congress to pass forthwith legislation which will provide a sound, long-range solution to the farm problem, dealing equitably with all segments of agriculture.

H. R. 12, if amended by the motion to recommit which we supported in the House, forms the basis for such legislation. It would embody the far-seeing proposals you made to Congress early in this session. It would remove the bulk of the objection we raise in this letter on behalf of the dairy farmer.

That motion to recommit, you will recall, would have:

(1) Removed the discriminations in favor of basic crop farmers and detrimental to dairy and livestock farmers by eliminating mandatory 90 percent supports for basic crops and striking out the dual parity provision.

(2) Lowered basic feed costs by eliminating mandatory price supports for feed grains.

(3) Provide a sound and permanent formula for computing the parity equivalent of manufacturing milk. It would have provided an immediate price support increase for manufacturing milk, prevented the drop which can take place next April and assured the dairy farmer of stability of price.

We can have sound farm legislation this year. It can best be obtained by a veto of H. R. 12 and a plea by you to Congress to assume its responsibilities for the welfare of all American farmers.

Respectfully yours,

GLENN R. DAVIS,
Member of Congress, Second District. Wisconsin.

GARDNER R. WITHROW,
Third District, Wisconsin.

LAWRENCE H. SMITH,
First District, Wisconsin.

JOHN W. BYRNES,
Member of Congress, Eighth District, Wisconsin.

MELVIN R. LAIRD,
Member of Congress, Seventh District, Wisconsin.

WILLIAM K. VAN PELT,
Member of Congress, Sixth District, Wisconsin.

THE STATE OF ISRAEL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 15 minutes.

Mr. DINGELL. Mr. Speaker, it is my desire today to add my voice to the voice of my distinguished colleagues, the gentlemen from California [Mr. ROOSEVELT], the gentleman from New York [Mr. CELLER], and my good friend from the State of Illinois [Mr. BOYLE], in congratulating the infant State of Israel on its eighth birthday. As you know, Mr. Speaker, we in this country and we in this Congress had a great deal to do not only with the formation of the State of Israel but with the wonderful growth which the people of Israel have enjoyed since the formation of that state. It was my late father, Congressman John Dingell of Michigan, who introduced one of the first pieces of legislation which was aimed at aiding the infant State of Israel during its time of trouble after our great former President, Harry Truman, extended to that state the recognition which made its present existence possible.

Today Israel is 8 years old. An article recognizing its eighth birthday yesterday in one of the Washington papers appeared in the same section which had to do with the obituaries of certain of our prominent citizens. It is my hope that we in this Congress and this country will not permit those two facts to have any significance.

Israel today is faced by 40 million hostile Arabs. Israel has a population in its own country of slightly in excess of a million, odds of 40 to 1. Each day Israel's enemies grow stronger. They are getting arms which are furnished to them by Communist Russia, an enemy not only of our own country but an enemy of the freedom of all countries throughout the world.

Mr. Speaker, one fact which I think many people overlook in their appraisal of the present Middle Eastern situation is that Israel, being the size of the State of Massachusetts, some 8,000 square miles, is so small that it could be overrun before the United States could send aid to help Israel against an aggressor. Our foreign policy overlooks the fact today that before the U. N., which has been supervising the attempts of the world to solve the problems of the Middle East, could arrive on the scene to determine who is the aggressor, Israel probably would not only have been overrun but its people would have been exterminated under a pogram of the type that has shamed Russia for so many years. The administration has consistently delayed the delivery of arms to Israel or any consideration of the subject. Yet during this time substantial amounts of arms have flowed to the Arab nations and in one instance 18 tanks were delivered to Saudi Arabia. It is interesting to note that not only does Saudi Arabia ally itself with Egypt, but that its troops are being led by Egyptian army officers and that its whole economy is infiltrated by the Egyptians with economic advisers, much in the same manner, as a matter of fact, as the Russians infiltrate an area when they send their economic advisers in to guide and to control the destiny of a country. We seem to overlook in this country the series of incidents which have been provoked by the Arabs during the recent weeks. On some of these occasions, Israel has acted in the only way that a country dare act. They have retaliated strongly, and they have retaliated as a deterrent to protect themselves against further depredations. Now, the Arabs want war, Mr. Speaker. Nassar himself said that the Arab world will not rest until—and I am quoting from Mr. Nassar now—"until the Israel cancer has been cut from the Arab heart." Everyone knows that that is the same man that endorsed the candidacy of Mr. Eisenhower for President.

Now, Israel asks for only one thing, that we furnish her with the arms that she requires to protect herself in time of trouble. She has asked us for arms. There are many in this Congress, myself included, who advocate that Israel not only receive these arms but that she be accorded the protection which the United States could give her by including her in a defensive alliance, in NATO or in SEATO or in any alliance or organization which would offer the security she so desperately needs. Yet, nothing has been done.

Mr. Speaker, there is something that this Congress should take very serious cognizance of. While the administration has been vacillating and doing nothing, Mr. Dulles and Mr. Eisenhower have come out and told the Congress that we, the Congress, are expected to come forward and to approve the sending of troops into this area, after the administration, through its present policy of muddle and delay, has arrived at a situation where the peace of the world is endangered and where the peace of the Middle East is probably reaching its last days. We, according to the White House, may expect, in this Congress, after this policy of muddle and delay, to send American troops to fight in an area where that fighting would not be necessary had arms been sent in time so that Israel could have been sufficiently strong to defend herself.

Now, I want our people to know about this because we are, in this Congress, being asked to ratify a muddled administration policy and are being asked to place our stamp of approval on that policy. We are being asked to send American troops into an area where there is no necessity for them being there if we had acted vigorously in the time in which we should act. Now, this country can do much yet to head off the war that is impending. We read in the intelligence reports that Egypt will probably have assimilated its arms from the Soviet bloc by late summer. By that time there are a large number of people, who know much about the area, who expect that Israel will be attacked by Egypt. There have been a large number of people who are well familiar with the area who have told us that Egypt could and possible would attack the Israelis as early as 2 weeks hence. These things our people must know.

Now, Mr. Speaker, I again call to the attention of the administration the fact that a large number of Members of this House and a large number of Members of the other body are on record at this time as favoring furnishing military aid to Israel and to furnish that aid at an early date. I hope that the administration will take that counsel, and I hope that the administration will see to it that Israel gets the arms which she needs, so

that our sister democracy's next celebration of its independence day will be in sufficient strength that Israel and her friends will know that it will continue to exist as we and the free world so strongly hope.

ANNIVERSARY OF THE CREATION OF THE STATE OF ISRAEL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes, to revise and extend my remarks, and to include an editorial.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, on this eighth anniversary of the rebirth of Israel, I am happy to join in saluting that gallant little nation. Americans naturally and traditionally have had a special regard for a nation that has fought for and won its independence, but this is an occasion for special pride and rejoicing. For in the face of mammoth physical odds and the ruthless hostility of her neighbors, Israel has made tremendous progress in the short space of 8 years, and has vindicated the democratic ideal in an area where feudalism and corrupt dictatorship have flourished.

A year ago I stood on the floor of the House and recounted some of Israel's achievements. I am proud to be able to say that during the last 12 months Israel has continued that forward march, an eloquent tribute to the courage and spirit of her people. They bring to mind our own hardy pioneers who overcame the obstacles of nature and man to carve out the great Nation America is today. The people of Israel, with their indomitable spirit, have likewise built a new nation in the face of even greater natural hazards and man-made obstacles. They have converted a desert into a nation of thriving industry and agricultural settlements.

Israel has won for her people a standard of living which is today the highest in the Middle East. Over 75 new industries alone were established last year. Israel has built additional rail facilities and increased the size of its merchant marine fleet. This progress, remarkable as it is, is even more impressive when we consider that Israel has been compelled to divert a good part of its resources and manpower from peaceful civilian pursuits in order to defend herself against the constant threat of attack. How much further could Israel have advanced if her Arab neighbors had accepted Israel's repeated pleas for peace.

But this story of Israel's material progress is only a part of the story. It neglects the human side. It does not tell how Israel in the 8 years of its existence has opened wide its doors to over 800,000 immigrants, most of whom were refugees from Nazi and Soviet concentration camps. It does not tell the story of how Israel has given life new meaning for these immigrants where once they faced only a hopeless future. It does not tell the story of the magnificent scientific, educational, and medical achievements of the young state, and it does not tell the story of her democracy in an area surrounded by feudal dictators more interested in preserving their own power than in the welfare of their impoverished subjects.

Israel today has a government that in spirit and ideal is very much like our own. Her people enjoy a free press, free speech, and a freely elected representative government, with Moslem, Christian, and Jewish officials. In the 8 years which have passed since its independence, Israel has proved itself to be the most stable and representative government in the Middle East.

Israel's eighth birthday is, indeed, an occasion for pride and joy for Americans, because the United States played such a significant role in its establishment, in the development of its economy, and in making it the strong state which it is today. Former President Harry S. Truman, in the name of the United States, 8 years ago, promptly recognized the new nation and welcomed it into the family of nations; and in the years since, this country, I am proud to say, has included Israel in its economic assistance program. And Israel has amply justified America's confidence and support by her steadfast defense of freedom and her determination to fight for the democratic way of life.

But our joy on this occasion, great as it is, is nevertheless tempered because Israel today is in the hour of its greatest peril. It faces a threat even greater than any since it declared its independence. Then five Arab armies marched on Israel but the Israelis repelled the invaders and threw them back. Today, however, they face a militarily stronger foe, a foe armed and trained by the Kremlin. Israel looks to the nations of the free world for needed assistance to halt this threat of Arab-Soviet aggression to its own borders and, indeed, to the peace of the world.

Just a little over 2 months ago I joined with many Members of this body in urging our Government to make defensive arms available to Israel to deter this threat of war in the Middle East. At that time we said:

> While we are opposed to an arms race in the Near East, we believe that the military capability for safeguarding Israel's national existence must be maintained. We believe that the danger of war will be seriously increased if the Arab nations attain a military preponderance capable of use for aggression because of the Communist initiative.

Unfortunately events since that time have made this statement even truer today. The continuing flow of Communist arms to the Arab States has encouraged Premier Nasser of Egypt to undertake a series of military incursions into Israel, and to intensify his campaign against the West by stirring up trouble for France in north Africa and by playing a sinister part in Glubb Pasha's ouster from Jordan.

I realize, of course, Mr. Speaker, that an arms race will not bring peace to the Middle East. But we are not suggesting such an arms race and that is not the issue. A recent New York Times editorial defined the issue so simply that I think it well to refer to it at this time. The editorial said:

> We say we will not furnish arms to Israel because we do not want to see an arms race. This merely confuses the issue. How have we kept the peace in the world against Russia since the war except by arming ourselves and our allies to the point where the Russians do not dare to start a war? It is not an arms race to let Israel acquire fighter planes for defense against the Ilyushin bombers the Czechs have sold to Egypt? There may well be war in the Middle East if one side gets much stronger than the other.

If we were to furnish defensive arms to Israel, we would be doing no more than what we have done elsewhere in the world in order to deter the Soviet aggressor. In Korea, in Greece, in Formosa, in Southeast Asia, and in many other parts of the world we proved our readiness to take the lead in the defense of freedom. Now it is Israel that is being threatened by the Cairo-Kremlin axis which seeks to overrun the entire Middle East, and we must meet that challenge by permitting Israel to get the weapons she needs to defend herself. It is time for action and deeds, not words.

I recognize, of course, that we need the friendship of the Arab States. I realize, too, how important Middle East oil is to our own security and how important it is to keep that oil out of Russian hands. But I submit that our Middle East policy today—if it can be called a policy—is bringing about the very result which we are seeking to avoid. Each day we see further evidence that, while we pursue a policy of drift and improvisation, the Middle East is being gradually turned over to the Communist sphere of influence. We saw only too well how drift and appeasement failed before World War II. They will not work now. The dictator, whether he be Russian, Nazi, or the feudal despot, respects only courage and principle backed by determination. We can win the respect of the Kremlin-Cairo axis only if we show our resolve to prevent Israel's destruction, and we can show that determination by giving Israel the necessary arms to defend herself.

The administration policy—or lack of policy—has served only to embolden the Arab States. We all know of the flagrant discrimination which Saudi Arabia and the other Arab States have practiced against Americans of the Jewish faith. They have denied visas to Americans because they happen to be Jews. They have instituted boycotts against American business firms which are owned in part by Americans of the Jewish faith. They have now gone so far as to dictate to us which American soldiers we should send to our airbase at Dharan by requiring us not to send American soldiers of the Jewish faith.

How can this country expect to win the respect of the Arab States when we submit to such degrading demands? What we need today is a policy which is based on moral principles rather than expediency.

We do well to recall the words of a great Democrat whose hundredth anni-

versary of his birth we celebrate this year—Woodrow Wilson. In 1911 the Russian Government was practicing an offensive discrimination against Americans of the Jewish faith, and Wilson demanded that we resist it, saying:

Russia cannot respect us when she sees us * * * preferring our interests to our rights. * * * An intolerable situation will be remedied just as soon as Russia is convinced that for us it is indeed intolerable.

These eloquent words are worth remembering today. They point the moral for our problem in the Middle East. It is only when we assert our rights and principles that the Arab States will really respect us. Then and only then will we be able to win a friendship based on respect. Then and only then can we help to build peace in this area and make a contribution in the finest tradition of American diplomacy.

Mr. Speaker, I include in my remarks an editorial, "Storm in the Middle East," appearing in the New York Times of April 10, 1956:

STORM IN THE MIDDLE EAST

As the Secretary General of the United Nations hastens eastward on his peace mission into the face of the gathering storm, the war clouds are rolling up again around Israel's embattled borders. The latest outbursts, involving the death of at least 75 persons, are the most serious in several months. A special session of the Israeli Parliament has been called. There is no doubt that the situation is dangerous.

Border clashes between Egyptian and Israeli troops last week led to the shelling of Gaza, and this in turn led to the penetration of Israel by Arab "commando" raiders. Cease-fires have been arranged only to be broken. Tension is high. Each side, as usual, accuses the other of starting the affray, and each side is committed to a policy of retaliation. The Premier of Israel said Sunday there would be no reprisal for 48 hours, pending certain assurances from Egypt; if the raids—whether from Egypt or Jordan or both—are not curbed by the Arab Governments involved in conformity with the cease-fire, there is no telling what will happen.

What is of paramount importance in the present crisis, similar to and yet different from the many crises that have preceded it, is that the shooting, the border-crossing, the murders be halted. These border incidents have in them the potentiality of blowing the Middle East sky high; and the first duty incumbent upon Cairo, upon Tel Aviv, upon Amman, is to call them off. They can and must be stopped. If they are, the deep-seated quarrel between Israel and the Arabs will be no nearer a solution; but it will be further from the ultimate folly, the anarchy of war.

Peace in the eastern Mediterranean will not be easy to come by, but it is still not too late for effective action. It is still not too late for the United States to allow the sale of defensive arms to Israel; it is still not too late for us to join the Baghdad Pact that we ourselves inspired; it is still not too late for us to make it clear that we are prepared to implement the tripartite agreement by intervening with force if necessary to forestall an aggressive war in the Middle East, which would be the best guaranty that it would not become necessary.

In his statement yesterday that the United States would observe its commitments under this and other agreements to oppose any aggression within constitutional means, the President moved in the direction of a more forceful enunciation of American policy; and the meeting of congressional leaders with Secretary Dulles today is designed to strengthen it still further. We believe the President should ask for specific congressional endorsement of the use of troops in the Middle East in view of the fact that he once before felt obliged to ask similar congressional approval in respect to the Far East. Up to the present, the American position has been too nebulous, vague, and uncertain to afford the vigorous leadership required in this critical juncture in Middle Eastern and in world affairs.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SCHERER (at the request of Mr. BROWN of Ohio), from April 16 through April 20, on account of official committee business.

Mr. VAN ZANDT (at the request of Mr. MARTIN), for Monday, April 16, and Tuesday, April 17, on account of death of his mother.

Mr. SCOTT (at the request of Mr. SAYLOR), for the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered was granted to:

Mr. SIKES, for 30 minutes, on Monday next.

Mr. PRICE, for 15 minutes, on Thursday.

Mr. POWELL, for 30 minutes, on April 17, and for 1 hour, on Wednesday, April 18.

Mr. CELLER, for 1 hour, today.

Mr. LAIRD, today, for 10 minutes.

Mr. DINGELL, for 15 minutes, today.

Mr. POAGE, for 30 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROONEY, with regard to Pan-American Day.

Mr. SEELY-BROWN and to include extraneous matter.

Mr. BENTLEY and to include extraneous matter.

Mr. KEATING in two instances and to include extraneous matter.

Mr. MCGREGOR and to include the partial result of a poll recently taken.

Mr. KEARNS (at the request of Mr. ARENDS) and to include an article.

Mrs. FRANCES P. BOLTON and to include extraneous matter.

Mr. HESELTON and to include extraneous material.

Mr. OSTERTAG and to include extraneous matter.

Mr. FULTON (at the request of Mr. MARTIN).

Mr. MCDONOUGH.

Mr. WIGGLESWORTH.

Mr. FEIGHAN.

Mr. PHILBIN in two instances.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3481. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes; to the Committee on Foreign Affairs.

S. Con. Res. 36. Concurrent resolution requiring conference reports to be accompanied by statements signed by a majority of the managers of each House; to the Committee on Rules.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6712. An act to amend section 1237 of the Internal Revenue Code of 1954.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Tuesday, April 17, 1956, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1742. A letter from the Acting Secretary of Agriculture, relative to reporting that there have been no significant developments to report for the month of February relating to the cooperative program of the United States with Mexico for the control and the eradication of foot-and-mouth disease, pursuant to section 3 of Public Law 8, 80th Congress; to the Committee on Agriculture.

1743. A letter from the Acting Secretary of Agriculture, transmitting a report of over-obligation of two allotments, pursuant to section 3679, Revised Statutes, as amended by section 1211 of the General Appropriation Act, 1951, and administrative regulations promulgated thereunder by the Department of Agriculture and procedures of the former Production and Marketing Administration; to the Committee on Appropriations.

1744. A letter from the Director, Central Intelligence Agency, transmitting a draft of proposed legislation entitled "A bill to amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes"; to the Committee on Armed Services.

1745. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the District of Columbia Unemployment Compensation Act so as to extend the coverage of such act to employees of the municipal government of the District of Columbia employed in District of Columbia institutions located in Maryland and Virginia"; to the Committee on the District of Columbia.

1746. A letter from the Secretary of State transmitting a copy of a special resolution concerning the late Honorable Chauncey W. Reed adopted by the Council of the Intergovernmental Committee for European Migration at its meeting on February 20, 1956; to the Committee on the Judiciary.

1747. A letter from the Secretary of the Interior, transmitting a report on the Little Wood River project, Idaho, pursuant to section 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 381); to the Committee on Interior and Insular Affairs, and ordered to be printed, with illustrations.

1748. A letter from the Commissioner, Immigration and Naturalization Service, United States Department of Justice, transmitting additional information relative to the case to Karl Yu, A-8870546, involving the provisions of section 6 of the Refugee Relief Act of 1953, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of this service; to the Committee on the Judiciary.

1749. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Crop Insurance Corporation, Department of Agriculture for the fiscal year ended June 30, 1955, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 382); to the Committee on Government Operations and ordered to be printed.

1750. A letter from the Attorney General, transmitting the second report of the Attorney General of the United States, pursuant to section 207 (a) of the Small Business Act of 1953, as amended; to the Committee on Banking and Currency.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House on April 12, 1956, the following resolutions were reported on April 13, 1956:

Mr. BOLLING: Committee on Rules. House Resolution 473. Resolution providing for the consideration of House Joint Resolution 501, a joint resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization; without amendment (Rept. No. 1999). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 474. Resolution for consideration of H. R. 10387. A bill to authorize appropriations for the Atomic Energy Commission for acquisition or condemnation of real property or any facilities, or for plant or facility acquisition, construction, or expansion, and for other purposes; without amendment (Rept. No. 2000). Referred to the House Calendar.

[*Submitted April 16, 1956*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3897. A bill to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof; with amendment (Rept. No. 2001). Referred to the Committee of the whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H. R. 10500. A bill to require the Secretary of the Army to make certain payments to the counties of Dinwiddie, Nottoway, Brunswick, and Lunenburg, Va., from the proceeds of sales of timber located on lands within Camp Pickett, Va.; to the Committee on Armed Services.

H. R. 10501. A bill to require the Secretary of the Army to make certain payments to the county of Mecklenburg, Va., from the proceeds of sales of timber located on that portion of the land within the John H. Kerr Reservoir, Va. and N. C., situated in the State of Virginia; to the Committee on Armed Services.

By Mr. ALBERT:

H. R. 10502. A bill to provide for the control of destructive aphids; to the Committee on Agriculture.

By Mr. ASHLEY:

H. R. 10503. A bill to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability; to the Committee on Merchant Marine and Fisheries.

By Mr. BARTLETT:

H. R. 10504. A bill to allow a homesteader settling on unsurveyed public land in Alaska to make single final proof prior to survey of the lands; to the Committee on Interior and Insular Affairs.

H. R. 10505. A bill to authorize the conveyance of homestead allotments to Indians or Eskimos in Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BELCHER:

H. R. 10506. A bill to provide for the control of destructive aphids; to the Committee on Agriculture.

By Mr. BRAY:

H. R. 10507. A bill to prohibit the importation of certain agricultural commodities which are in surplus supply; to the Committee on Agriculture.

By Mr. CRAMER:

H. R. 10508. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the southern district of Florida; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 10509. A bill to provide for the collection of income tax at source on dividends; to the Committee on Ways and Means.

H. R. 10510. A bill to allow amounts paid for the institutional care and training of a mentally retarded child of a taxpayer to be deducted for Federal income tax purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H. R. 10511. A bill to amend the Refugee Relief Act of 1953 to redefine the term "refugee", to admit (subject to adequate safeguards) certain aliens afflicted with tuberculosis, to provide for agency assurances, to eliminate readmission requirements, and for other purposes; to the Commitee on the Judiciary.

By Mr. EDMONDSON:

H. R. 10512. A bill to provide for the control of destructive aphids; to the Committee on Agriculture.

By Mr. HARRISON of Nebraska:

H. R. 10513. A bill to provide for the control of destructive aphids; to the Committee on Agriculture.

By Mr. HOEVEN:

H. R. 10514. A bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products; to the Committee on Agriculture.

By Mr. JARMAN:

H. R. 10515. A bill to provide for the control of destructive aphids; to the Committee on Agriculture.

By Mr. JONAS:

H. R. 10516. A bill to provide that the Blue Ridge Parkway shall be toll free; to the Committee on Interior and Insular Affairs.

By Mr. KARSTEN:

H. R. 10517. A bill to clarify the jurisdiction of the Tax Court in abnormality relief cases arising under the World War II Excess Profits Tax Act; to the Committee on Ways and Means.

By Mr. KEARNEY:

H. R. 10518. A bill to amend section 6 of Public, No. 2, 73d Congress, to establish a priority for combat and overseas war veterans in obtaining hospitalization from the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. KLEIN:

H. R. 10519. A bill to amend section 304 (d) of the Federal Food, Drug, and Cosmetic Act, with respect to the disposition of certain imported articles which have been seized and condemned; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG:

H. R. 10520. A bill to designate the Veterans' Administration hospital at Seattle, Wash., as the George E. Flood Memorial Hospital; to the Committee on Veterans' Affairs.

By Mr. MILLS:

H. R. 10521. A bill to amend section 172 (f) of the Internal Revenue Code of 1954, relating to the net operating loss deduction in case of taxable years beginning in 1953 and ending in 1954; to the Committee on Ways and Means.

By Mr. MOLLOHAN:

H. R. 10522. A bill to allow certain persons to deduct for income-tax purposes amounts paid for meals and lodging and travel when employed away from home for temporary periods; to the Committee on Ways and Means.

By Mr. MURRAY of Tennessee:

H. R. 10523. A bill to confirm the appointment and compensation of the chief legal officer of the Post Office Department to the method of appointment and rate of compensation provided for comparable positions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Minnesota:

H. R. 10524. A bill to amend section 307 of the Communications Act of 1934, so as to place certain restrictions upon ownership or control of broadcast stations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H. R. 10525. A bill to amend the Internal Revenue Code of 1954 to place a maximum limitation on the 3-percent tax on the transportation of property; to the Committee on Ways and Means.

H. R. 10526. A bill to provide for the disposition of certain property of the United States heretofore conveyed to the Housing Authority of the city of Seattle, Wash.; to the Committee on Banking and Currency.

By Mr. POLK:

H. R. 10527. A bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products; to the Committee on Agriculture.

By Mr. PRESTON:

H. R. 10528. A bill to amend section 13 of the Surplus Property Act of 1944 to clarify the authority of the Administrator of Civil Aeronautics thereunder, and for other purposes; to the Committee on Government Operations.

By Mr. PRIEST:

H. R. 10529. A bill to amend the Communications Act of 1934 with respect to the use of broadcasting stations by Presidential, Vice Presidential, and congressional candidates; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H. R. 10530. A bill to amend chapter V of the Servicemen's Readjustment Act of 1944 to extend the period during which World War II veterans may obtain guaranteed loans; to the Committee on Veterans' Affairs.

By Mr. O'HARA of Illinois:

H. R. 10531. A bill to amend chapter V of the Servicemen's Readjustment Act of 1944 to extend the period during which World

War II veterans may obtain guaranteed loans; to the Committee on Veterans' Affairs.

By Mr. ADDONIZIO:

H. R. 10532. A bill to amend chapter V of the Servicemen's Readjustment Act of 1944 to extend the period during which World War II veterans may obtain guaranteed loans; to the Committee on Veterans' Affairs.

By Mr. BARRETT:

H. R. 10533. A bill to amend chapter V of the Servicemen's Readjustment Act of 1944 to extend the period during which World War II veterans may obtain guaranteed loans; to the Committee on Veterans' Affairs.

By Mr. ASHLEY:

H. R. 10534. A bill to amend chapter V of the Servicemen's Readjustment Act of 1944 to extend the period during which World War II veterans may obtain guaranteed loans; to the Committee on Veterans' Affairs.

By Mr. DIXON:

H. R. 10535. A bill to include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RHODES of Arizona:

H. R. 10536. A bill to prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide procedures for assisting employees in collecting wages lost by reason of any such discrimination; to the Committee on Education and Labor.

H. R. 10537. A bill to encourage the discovery, development, and production of nonferrous chrysotile asbestos in the United States, its Territories, and possessions, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 10538. A bill to amend the Federal Employees' Compensation Act, approved September 7, 1916, as amended, by providing for reimbursement of expenditures from the employees' compensation fund by Federal employing agencies, and for other purposes; to the Committee on Education and Labor.

H. R. 10539. A bill to adjust the limitations imposed on veterans outpatient dental care; to the Committee on Veterans' Affairs.

By Mr. SHUFORD:

H. R. 10540. A bill to provide that the Blue Ridge Parkway shall be toll free; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H. R. 10541. A bill to provide pension for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

H. R. 10542. A bill to liberalize certain criteria for determining eligibility of widows for benefits; to the Committee on Veterans' Affairs.

By Mr. STEED:

H. R. 10543. A bill to provide for the control of destructive aphids; to the Committee on Agriculture.

H. R. 10544. A bill to amend the Railroad Retirement Act of 1937 to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS:

H. R. 10545. A bill to provide for the modification of the Houston Ship Channel, Tex.; to the Committee on Public Works.

By Mr. THOMPSON of Louisiana:

H. R. 10546. A bill to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability; to the Committee on Merchant Marine and Fisheries.

By Mr. WESTLAND:

H. R. 10547. A bill to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability; to the Committee on Merchant Marine and Fisheries.

By Mr. YOUNG:

H. R. 10548. A bill to provide that withdrawals or reservations of more than 5,000 acres of public lands of the United States for certain purposes shall not become effective until approved by act of Congress; to the Committee on Interior and Insular Affairs.

By Mr. YOUNGER:

H. R. 10549. A bill to amend the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. FERNÓS-ISERN:

H. J. Res. 603. Joint resolution transferring to the Commonwealth of Puerto Rico certain archives and records in possession of the National Archives; to the Committee on Post Office and Civil Service.

By Mr. RICHARDS:

H. Con. Res. 232. Concurrent resolution extending greetings to the American National Red Cross on the occasion of its 75th anniversary; to the Committee on Foreign Affairs.

By Mr. EBERHARTER:

H. Res. 475. Resolution of inquiry regarding settlement of tax claim in case against American Distilling Co.; to the Committee on Ways and Means.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to Armed Forces bombing and artillery ranges; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to commending the Boy Scouts of America and supporting the 1957 Boy Scout Jamboree at Valley Forge; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the proposed Washoe project; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to flood control on the Mad and Eel Rivers, South Fork of Eel River, Redwood Creek, Klamath, Mattole, Russian, Smith, and Van Duzen Rivers; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 10550. A bill for the relief of Ernesto Losco; to the Committee on the Judiciary.

By Mr. BALDWIN:

H. R. 10551. A bill for the relief of Santiago S. Nazareta; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 10552. A bill for the relief of Miss Adria Del Rosario; to the Committee on the Judiciary.

H. R. 10553. A bill for the relief of Miss Emilia M. Romero; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H. R. 10554. A bill for the relief of Geronimo Navarrete-Rivera; to the Committee of the Judiciary.

H. R. 10555. A bill for the relief of Jose Mariscal Avina; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 10556. A bill for the relief of Husam Amin Darwazh; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 10557. A bill for the relief of Herman Skiber; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 10558. A bill for the relief of Marian Anthony Rotnicki; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H. R. 10559. For the relief of Henry G. Chalkley, et al.: to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

897. By Mr. BURDICK: Petition of Helmer Twito and other North Dakotans urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

898. By Mr. BUSH: Petition of 45 residents of Williamsport and Lycoming County, Pa., urging the enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

899. By Mr. HAYS of Arkansas: Petition of Mr. and Mrs. John Zulpo, Bigelow, Ark., and others urging a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

900. Also, petition of J. Orville Cheney, secretary, Arkansas State Racing Commission, expressing the opposition of the commission to H. R. 8781 and S. 3043, which would reduce to $5,000 the maximum amount of deduction allowable to individuals in the recomputation of taxable income in a trade or business carried on for 5 consecutive taxable years in the case of any taxable year beginning after December 31, 1956; to the Committee on Ways and Means.

901. By Mr. HINSHAW: Petition of approximately 160 citizens of Pasadena and southern California urging immediate enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

902. By Mr. LECOMPTE: Petition of American Legion Auxiliary of Osceola, Iowa, urging enactment of a separate and liberal pension program for veterans of World War I and their widows and orphans; to the Committee on Veterans' Affairs.

903. By Mr. SMITH of Wisconsin: Resolution of naturalized American citizens of Greek origin and descent, of Beloit, Wis., urging Congress to carefully study the present Cyprus situation and to take immediate action to promote the interest of freedom and justice, thereby to avoid the unrest and bloodshed now rampant and to bring both to Cyprus and to Greece itself, America's traditional and historic friend, the peace, freedom and tranquillity which they deserve; to the Committee on Foreign Affairs.

904. By Mr. WOLCOTT: Petition of Iova D. Alexander, Centerline, Mich., and 45 others for separate pension program for World War I Veterans and their widows and orphans; to the Committee on Veterans' Affairs.

905. By the SPEAKER: Petition of the Clerk, the California Junior Statesmen of America, Southern Region, Santa Barbara, Calif., petitioning consideration of their

resolution with reference to requesting that they be placed on record as opposing the adoption of any system of subscription television for the home; to the Committee on Interstate and Foreign Commerce.

906. Also, petition of Clifford Grail, Cincinnati, Ohio, stating certain grievances against the executive and legislative branches of the Government, and the Governor of Ohio, etc.; to the Committee on the Judiciary.

907. Also, petition of the president, Chamber of Commerce of Honolulu, Honolulu, T. H., requesting that the Hawaiian Organic Act be amended so as to provide for reapportionment of the Legislature of the Territory of Hawaii substantially upon the basis set forth in the proposed Hawaii State Constitution ratified by the voters of the Territory of Hawaii in 1950; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

American Doctrine for American Progress

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Monday, April 16, 1956

Mr. KUCHEL. Mr. President, on Tuesday, April 10, I had the pleasure of speaking in Los Angeles at the Rodger Young Auditorium, and I ask unanimous consent to have printed in the RECORD the remarks which I made at that time.

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

AMERICAN DOCTRINE FOR AMERICAN PROGRESS

I cannot tell you how grateful I am to meet with all of you today. I am proud to be introduced by a distinguished American, Mr. Manchester Boddy, lifelong Democrat, and former publisher of a great daily newspaper in Los Angeles.

This is not a personal meeting. It represents, rather, a typical American opportunity for all of us—regardless of political party—to voice our agreement on some fundamentals by which we hope our Federal Government will be guided in the future, and through which we pray the cause of American freedom will be strengthened and the cause of a just and enduring peace in the world will be advanced.

We believe in the freedom of man. We are devoted to the American constitutional system whose goal is to preserve our free American society, and to guarantee to each citizen in our Nation the right to live his own life and do as he wishes with those opportunities which may present themselves to him. The civil rights written into our Constitution belong to each of us, and belong, also to our Nation. We decline to be pushed around as citizens or as a people. In the spirit of the Declaration of Independence, we intend to pursue happiness, to enjoy life as we may, all under the liberty which our Republic was founded to maintain.

Ours has been a magnificent history. I think we rather convincingly demonstrated in 1776 that Americans intend to be citizens and not subjects. That was the year, you know, when we first rejected colonialism and laid down the precept that Americans believe in the self-determination of peoples. And ever since the rebellious American colonists wrote a Constitution, and conceived the free society of the Republic of the United States, we have overcome the dangers which new situations have placed before us. Each succeeding American generation has preserved American freedom, and has resolutely clung to the same self-evident truths which the patriots laid down at Philadelphia 170 years ago.

All in all, ours has been a history of progress, and we mean, under the providence of God, to continue that progress in the years and generations which lie ahead.

We are now well embarked into a new era on the globe. Unhappily, the struggle for freedom must continue. Almost entirely from the Red ideology of communism stems the current danger to freedom which our generation must overcome. This is the era of the atom and of thermonuclear energy. Men have discovered the secrets of unbelieveable physical power. It is available, on both sides of the Iron Curtain, for either evil or for good. It can annihilate the whole world and all its peoples, or it can be the source of a truly amazing new age of happiness. It can turn wheels, supply power, and wondrously contribute to man's health. One of our great challenges is to assure the use of it in the cause of peace and not in the cause of war.

It is in that background that we can assess our lot in 1956. Our country is at peace. The Korean war ended a little less than 3 years ago. We can be grateful that no American casualty lists are being published. And a very great man, a very humble man, is leading our Government in a dedicated search for the achievement of peace with justice among all nations.

There are many sorely troubled areas around the globe. The insidious policies of Communist Russia in the Middle East are an appalling and heavy factor in the strife and bloodshed in that unhappy area. Russia's aim is to become a power in the Middle East. A conflict of arms between the Israelis and the Arabs poses a most tragic danger to the cause of freedom everywhere. Positive steps must be taken to avert it.

The travail on Cyprus seriously disconcerts all of us. Greece and Turkey, as well as Great Britain, are all our friends, and are all implacable foes of communism. Now, to find them embroiled in a bitter conflict is almost unthinkable.

The Middle East and Cyprus, indeed each sector of the world, must have the closest attention of our Government. Through the United Nations, and also through arrangements with our free friends, which have been made and which are being made, all our actions are designed to bring about a just and enduring peace among all nations.

I sincerely believe that war was averted a year ago in the Far East by the bold leadership of our President, in which Congress, controlled by one political party, and the executive branch by another, stood firmly together in approving an official American policy—the Formosa resolution—which made unmistakably clear our firm and inflexible decision that Free China shall not be overrun by communism. I mention this here because I hope, and I believe, that politics must still stop at the water's edge. And I hope, and I believe, that almost all the people of the United States are knit closely together in their desire to maintain a foreign policy free from partisanship—or from extremes—designed solely for our own people's security in a world of peace and justice.

Those are my views, and I feel assured that they are yours as well. Extremes and extremists, either left or right, must be avoided, as they are being avoided, in all our foreign policy decisions, and, for that matter, in our domestic decisions as well.

Every facet of our foreign policy must be determined on the basis of our own American self-interest, albeit an enlightened self-interest. We are a peaceful nation. We are a free nation. We intend, as Americans, not as partisans, to determine a course that is best for us, as Americans, to pursue. It is to our own interests to promote peace in the world and comradeship among free peoples. That is what we are doing, that is what we propose to do.

That is what this Nation was doing when President Eisenhower last year voiced his electrifying proposal for "open sky" reciprocal air inspection for both Communist territory and the free world. Just a few days ago at the meeting of the United Nations Subcommittee on Disarmament at London, and for the first time, the Soviet apparently announced some tentative acceptance of the Presidential plan. Their deeds, rather than their words will, however, still be the measure of their sincerity.

"What we are trying to do here," said a Western representative at the London Conference, "is to establish some common ground with the Russians. * * * In this nuclear age, if you can devise a sure guard against surprise attack, there will be no attack. And if there is no attack, there will be no war."

In the last 2 years, substantial progress has been made in our mutual-security agreements. Over the violent protests of Mr. Molotov and Russia, our Government led the way in granting sovereignty to the Federal German Republic and approved—with our fellow members—her entrance into the North Atlantic Treaty Organization—a real achievement. How the Russians hate it and fear it.

Austria's sovereignty has been restored, not, it is true, as an active ally of the West, but certainly not a partner of Moscow. I feel reasonably assured that Austria's spirit and prayers are entirely with the free nations and entirely against the Communist nations. And on the other side of the world in Southeast Asia, the multilateral mutual security pact continues to furnish the means for friendly cooperation and for agreement to stand firm against aggression.

So, I repeat, our generation continues making progress in determining and overcoming those modern dangers to the cause of our freedom. There are some deadly serious questions remaining with which we must deal, and deal firmly. But the basic hazards of Communist aggression and intrigue is not one for the people of the United States alone. They are the concern of all free peoples, and it will be in concert with them that we shall continue to oppose the Communist ideology.

Meanwhile, the whole world now knows of the fantastic changes in the Communist line. Almost deified in his lifetime, Stalin now is reviled by the Kremlin as a sadist and a wanton murderer. I suppose we will have to wait some time before understanding the full implications of this abrupt change in Soviet philosophy.

There is one part in the Communist line here in California, which remains steadfast. I am proud to tell you that the Communist newspapers in California say a lot of terrible things about me. They are asking our