our solvency can permit such a way of conducting the crucial business of national defense."

That was over 3½ years ago.

Not a single change in the law has been suggested by this administration to correct the situation described by General Eisenhower on September 25, 1952.

Instead of any proposals to bring "all this to as swift an end as possible," the President's own people volunteer that triplication and waste has increased heavily since he took office in January 1953.

The former Assistant Secretary of Air Force Research and Development, Mr. Trevor Gardner, resigned early this year in bitter protest at the current disorganization in the Pentagon.

Only last month Mr. Gardner wrote in Look magazine as follows:

"We must junk the creaking, decentralized reviewing and re-reviewing machinery we now so foolishly look to for decisions. In place of this bureaucratic Noah's Ark, we urgently need a streamlined mechanism capable of responding to new dangers as quickly as they become known."

As an illustration of what Mr. Gardner is talking about, this country fought and won the greatest war in history—and at that time its military departments contained a total of eight Secretaries.

Today, despite all this talk about the importance of further service unification in order to increase security and, at the same time, cut expenses, there are 31 Secretaries.

And the President has just asked the Congress to approve 3 more, for a total of 34.

Because of the rising criticism resulting from the bitter interservice rows which have recently broken out in the open, it is reported that something will be done about the deteriorating situation in the Pentagon.

Last week Time magazine stated:

"It is the duty of Commander in Chief Dwight Eisenhower to insure that the machine—in all its countless parts—adds up to a single unit meshed for a sole purpose: to keep war away by its total retaliatory power.

"That aim no longer permits the luxury of the three services and their many subservices wrangling for power and heading in different directions. For this reason President Eisenhower has come to one of the most important decisions of his administration: to move for a truly unified armed service that will work in practice as well as on paper, as a single machine. Last week he ordered his White House staff planners to start work immediately on mapping out a unification plan for completion this fall. If he is reelected he hopes to present his unification proposals to Congress next year."

But we heard all that in Baltimore, back in September 1952.

Why should be believe it now, any more than we should have believed it then?

For many years some of us have stated and restated that if President Eisenhower would only carry out what he said should be done in 1945, 1946, and 1948—and what he in effect promised would be done in 1952, many billions of dollars annually could be saved in our national defense cost, at no sacrifice whatever to our military strength.

The saving could mean a balanced Federal budget; and should mean a heavy reduction in income taxes.

Apparently some people believe that emphasis on the importance of national defense indicates a certain narrowness of viewpoint; a failure to recognize that military power is only a part of that much broader struggle which is rapidly shaping up for the political and economic control of the world.

Quite obviously the Communists, dedicated to world conquest, don't want to gain control of a devastated country. There is no profit in acquiring a lot of smoldering, radioactive real estate. They want to take over a going concern, at the peak of its productivity. Therefore their approach now is political and economic as well as military.

But their political warfare rests upon a military standoff. Note they did not even begin their successful recent developments on the political front until they felt they were at least within reaching distance of military equality.

It goes without saying that the political-economic struggle is an even larger, more difficult, and more challenging problem than the problem of maintaining military superiority.

To put it another way, the problem of military superiority is in itself a challenge to our resources. But it is small compared to the vast challenge of the overall struggle, including the struggle for the minds of men.

If the present leaders of this administration have been unable to cope with the current world-wide political struggle from a position of military strength, how will they manage from a position of military weakness?

If, during the Korean War our choices of action were limited by fear the enemy would "enlarge the war" (don't dare bomb beyond the Yalu, don't dare use atomic weapons), how will our policy and program be restricted if and when the Russians have a superiority in arms?

This is an intensely practical problem, one which must be faced if we are to continue in a free world.

Some future administration may have the genius to deal successfully in foreign affairs from a position of relative weakness; but this administration does not seem to be able to exploit its asserted position of relative strength.

We have a right to expect our Government to deal effectively with the broader problem, handling the military problem in stride. But this administration seems unable to handle either without a succession of obvious failure.

We might forgive the mistakes in foreign policy; but management—with a capital M—was to have been the great talent of the crowd now in office. (If you once ran General Motors, you are equipped to run the country.)

Yet in the very place where we were led to expect the pinnacle of competence, we have seen bungling and shortsightedness.

Again, preoccupation on my part with the military-defense problem does not mean any lack of awareness of the broader political struggle now taking place all over the world.

But the military problem is elementary. If we cannot handle that, how can we handle something far more complex?

If we—the United States—cannot maintain a superiority of arms, apparently cannot even maintain a military standoff, how can we expect to win the larger diplomatic and economic struggle?

The argument is made that America cannot spend for arms at the expense of its economy.

Who says we should? This is to avoid and evade the real problem. The real problem—the real measure of the problem—is to obtain the necessary capability without injuring the economy.

It can be done; and it will have to be done.

If we don't enlarge our vision, broaden our concepts, and achieve a better comprehension of the total problem, our failures in this field are just a foretaste of the much larger failures in store for us on the international political front.

We have come here today to honor a great Missourian, to honor him for what he has stood for over the years.

To him we express the gratitude of his party, his community, his district, his State, and his Nation.

Several weeks ago in the bright morning sun, I journeyed through the farms of western Kentucky. On the train was Alben Barkley, being carried to his eternal rest.

As we went by, farmers were kneeling among their crops in the fields, paying respect to one they loved, because they knew this great Democrat had devoted his life to attaining a better life for them.

Fortunately for us, another great Democrat is with us today, with many years of public service ahead of him.

We know, CLARENCE CANNON, that at the same time you participate in our most important national problem—the insurance of a more prosperous and a more secure America—the problems of your friends and neighbors are always in your heart and mind.

It is for that reason you have our respect, our affection, and our eternal gratitude.

SENATE

THURSDAY, JUNE 14, 1956

(Legislative day of Monday, June 11, 1956)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

Our Father God, we thank Thee on this national day of pledged allegiance to the flag of our Republic, for all the memories and the faith and the principles which its folds symbolize wherever it floats on land or air or sea, making tyranny tremble. As we bow in reverence this day, beneath the white-domed shrine of each patriot's devotion, with grateful hearts we come in this night of global conflict between falsehood and truth, light and darkness, with joy that our flag is still there—emblem of freedom's holy light, and that, seeing it, captive and enslaved peoples thank God and take courage. Though the road to a just peace for our time and for our children's children be tedious and toilsome, still lead us on, with patience following the gleam of the flag with clear heads and pure hearts, worthy of the trust the Nation has committed to our hands. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 13, 1956, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed the bill (S. 890) to extend and strengthen the Water Pollution Control Act, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BLATNIK, Mr. JONES of Alabama, Mr. DEMPSEY, Mr. DONDERO, and Mr. MCGREGOR were appointed managers on the part of the House at the conference.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The message also announced that the House had passed a bill (H. R. 4090) to amend part II of title III of the Communications Act of 1934, so as to require the installation of an automatic radiotelegraph call selector on cargo ships of the United States carrying less than two radio operators, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 872. An act for the relief of Sam Bergesen;

S. 910. An act for the relief of Lino Perez Martinez;

S. 1067. An act for the relief of Tibor Horvath; and

S. 1221. An act for the relief of the estate of Joseph Kelsch.

HOUSE BILL REFERRED

The bill (H. R. 4090) to amend part II of title III of the Communications Act of 1934, so as to require the installation of an automatic radio-telegraph call selector on cargo ships of the United States carrying less than two radio operators, and for other purposes, was read twice by its title and referred to the Committee on Interstate and Foreign Commerce.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Special Committee Investigating Lobbying Activities and the Subcommittee on the Air Force of the Committee on Armed Forces were authorized to meet during the session of the Senate today.

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until Monday next at 12 o'clock noon.

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

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be a morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, with statements limited to 2 minutes.

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

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

CONTINUANCE OF EFFECTIVENESS OF MISSING PERSONS ACT

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to continue the effectiveness of the Missing Persons Act, as extended, until July 1, 1957 (with an accompanying paper); to the Committee on Armed Services.

ENLARGEMENT OF WATER-SUPPLY FACILITIES, SAN DIEGO, CALIF.

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend the act entitled "An act to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif. area in order to insure the existence of an adequate water supply for naval installations and defense production plants in such area," approved October 11, 1951 (with an accompanying paper); to the Committee on Armed Services.

AUDIT REPORT ON ARMY INDUSTRIAL FUND

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Army Industrial Fund, Maintenance and Industrial Division, Jeffersonville Quartermaster Depot, Quartermaster Corps, Department of the Army, for the period July 1, 1952, to March 31, 1955 (with an accompanying report); to the Committee on Government Operations.

PROPOSED CONCESSION CONTRACT, HOT SPRINGS NATIONAL PARK, ARK.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Hot Springs National Park, Ark. (with accompanying papers); to the Committee on Interior and Insular Affairs.

VALIDATION OF OVERPAYMENTS OF PAY AND ALLOWANCES TO CERTAIN OFFICERS OF THE ARMED SERVICES

A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force while undergoing training at civilian hospitals, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the American Defenders of Bataan and Corregidor, Inc., at Asheville, N. C., relating to a pilgrimage of Gold Star Mothers to the graves of deceased servicemen buried overseas; to the Committee on Armed Services.

A resolution adopted by the American Defenders of Bataan and Corregidor, Inc., at Asheville, N. C., relating to disability pensions for certain prisoners of war; to the Committee on Finance.

A resolution adopted by the American Defenders of Bataan and Corregidor, Inc., at Asheville, N. C., favoring a continuance of the studies of the effects of malnutrition and other hardships on the mortality and morbidity of former United States prisoners of war and civilian internees of World War II; to the Committee on Labor and Public Welfare.

A resolution adopted by the Niagara County Democratic Committee, Niagara Falls, N. Y., favoring the enactment of legislation providing for the development of electric power installations on the Niagara River; to the Committee on Public Works.

REORGANIZATION OF SAFETY FUNCTIONS OF THE FEDERAL GOVERNMENT—EDITORIAL

Mr. HUMPHREY. Mr. President, the May issue of the Safety Maintenance and Production magazine contains an editorial about the bill (S. 3517) to provide for the reorganization of the safety functions of the Federal Government, introduced by me, which is now before the Committee on Government Operations.

I ask unanimous consent that this excellent editorial be printed in the RECORD at this point in my remarks and appropriately referred.

There being no objection, the editorial was referred to the Committee on Government Operations and ordered to be printed in the RECORD, as follows:

SENATOR SPONSORS SAFETY BILL

That the legislative branch of the Federal Government has good reason to concern itself with the safety of Federal employees is indicated by a bill introduced in the United States Senate by Senator H. H. HUMPHREY, Minnesota.

It seems ironic that the Government which should set an outstanding record for accident prevention among its own employees now finds itself in the position of lagging behind private industry in accident frequency. This is particularly true in certain agencies ordinarily considered far less hazardous than the so-called danger spots in heavy industry operated privately.

Sparked by Senator HUMPHREY and a number of Senators from other States, the bill would provide for the reorganization of the safety functions of the Federal Government and create within the framework of the Department of Labor a Federal Safety Division.

It must be emphasized that nowhere under the proposed legislation would the Government "take over" any functions of the safety movement operating so efficiently in private enterprise. Instead, if enacted into law, the bill would attempt to do for Government employees what private industry is doing to curtail the tragic losses resulting from preventable accidents.

According to the Senator from Minnesota, the direct and indirect costs of occupation accidents alone in the Federal Government amounted to well over a half billion dollars between 1950 and 1954 with a very meager reduction of about 10 percent compared with industry's reduction of 23 percent for the same period.

Elsewhere in this issue, Senator HUMPHREY gives high praise for the accident reduction accomplishments of some branches of the Government, such as the Navy Department, Atomic Energy Commission, and the outstanding safety work in the naval shipyards. These excellent records serve to underscore the deplorable toll of other less dedicated departments and pinpoint the need for proving that a better safety job can be done by all Government agencies.

The Senate bill carries provision for the appointment by the Secretary of Labor of a Director of Federal Safety who together with 10 qualified safety engineers, technically experienced, would be above all political considerations. Instead their appointments and promotions would be made on the basis of qualifications, merit, and efficiency under rules of the Civil Service Commission.

It would be the duty of the Director to collect and analyze data concerning safety standards and programs now in operation in the Federal agencies; to develop and establish minimum safe working standards to be maintained; to promote uniformity by cooperating with related health and fire prevention activities; to develop programs designed to reduce the claims against the Federal Government resulting from injuries to private persons and property; to set up a system for inspections looking toward a greater emphasis upon safety. Further, the Director of Federal Safety would recommend to the Secretary of Labor for transmittal to the Bureau of the Budget the amount needed to be

allocated in the budget of each Federal agency for carrying out the safety programs approved by the Federal Safety Division.

An analysis of the bill reveals that the method of selecting a Director provides for a leader who would possess the proper degree of experience and background in industrial safety. Moreover, the bill would promote a realistic safety educational program and safety inspection procedures designed to reduce the human suffering and financial losses incurred by accident victims employed in the Federal service.

It has been alleged over the years that, in the administration of the Federal Employees' Compensation Act, some individuals have discouraged employees and dependents from filing claims in bona fide injury and death situations, merely to show an apparently good but fictitious safety record. Senator HUMPHREY's bill would discourage such actions and impose sanctions and penalties where the forbidden acts are attempted or accomplished.

It is high time that all possible encouragement be given to developing safety consciousness in Federal employees in every agency of government.

Safety leaders, operating officials, and production men can perform no greater service toward reducing our national accident record than to write their respective Senators and Representatives urging a favorable vote on the Humphrey bill.

Enacted into law, the legislation would bring to the federally employed the same high degree of safety activity which has saved countless lives and financial loss in private enterprise over the past 50 years.—H. A.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ERVIN, from the Committee on Government Operations, with an amendment:

H. R. 8634. A bill to authorize the conveyance of a certain tract of land in North Carolina to the city of Charlotte, N. C. (Rept. No. 2228).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3467. A bill to authorize the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States (Rept. No. 2231).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, without amendment:

S. 2881. A bill to direct the Secretary of Commerce to collect and publish annually statistics as to the number of certain types of textile looms in place and in operation on a State-by-State basis (Rept. No. 2232); and

S. 3215. A bill authorizing the Postmaster General to provide for the use of special canceling stamps or postmarking dies in order to encourage registration for voting in general elections (Rept. No. 2233).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with an amendment:

H. R. 9842. A bill to authorize the Postmaster General to hold and detain mail for temporary periods in certain cases (Rept. No. 2234).

By Mr. CLEMENTS, from the Committee on Appropriations, with amendments:

H. R. 11473. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1957, and for other purposes (Rept. No. 2236).

INTERPRETATION OF EFFECT OF ACTS OF CONGRESS ON STATE LAWS—REPORT OF COMMITTEE—ADDITIONAL COSPONSORS

Mr. McCLELLAN. Mr. President, from the Commitee on the Judiciary, I report favorably, with an amendment, the bill (S. 3143) to establish rules of interpretation governing questions of the effect of acts of Congress on State laws, and I submit a report (No. 2230) thereon.

I ask unanimous consent that the names of the Senator from Indiana [Mr. JENNER] and the Senator from South Carolina [Mr. WOFFORD] may be added as cosponsors of the bill.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the names of Senators JENNER and WOFFORD will be added as cosponsors of the bill.

REPORT ENTITLED "MACHINE-TOOL PROGRAMS" (S. REPT. NO. 2229)

Mr. THYE. Mr. President, from the Select Committee on Small Business I submit a report entitled "Government Plans and Programs Relating to the Machine-Tool Industry" which I ask to have printed. This report is based on hearings held last February before the Subcommittee on Relations of Business With Government, of which I have the pleasure of serving as chairman. This report was unanimously adopted by the full Small Business Committee.

Mr. President, this report is a constructive effort to encourage a reexamination of Government machine-tool policy in this time of relative quiet, so as to avoid, in a future emergency, the serious machine-tool bottleneck which beset our defense efforts in World War II and again in Korea. This report points out that the Director of the Office of Defense Mobilization and the Secretary of Defense have a continuing responsibility to see that wise machine-tool policies are promptly devised and forcefully implemented. In particular, the Secretary of Defense has the duty of seeing that financial barriers are overcome, and that each Military Department accords adequate budgetary priority to its machine-tool program.

Mr. President, Government machine-tool policies bear heavily on our small-business community. Further, the bulk of the machine-tool industry, itself, falls within the category of "small business" and a healthy machine-tool industry is a defense asset of highest order. I commend this report to members of this body and to responsible officials of the executive branch of our Government.

The VICE PRESIDENT. The report will be received and printed.

EXTENSION OF TIME FOR FILING REPORT BY SUBCOMMITTEE ON DISARMAMENT (S. REPT. NO. 2235)

Mr. HUMPHREY, from the Committee on Foreign Relations, reported an original resolution (S. Res. 286), and submitted a report thereon, which was placed on the calendar, as follows:

Resolved, That Senate Resolution 185, extending the time for filing a report by the Subcommittee on Disarmament, 84th Congress, 2d session, agreed to February 8, 1956, is hereby amended as follows:

(a) In section 2, strike out "July 1, 1956" and substitute in lieu thereof "January 31, 1957."

(b) In section 3, strike out "July 1, 1956" and substitute in lieu thereof "January 31, 1957."

(c) In section 4, strike out "$35,000" and substitute in lieu thereof "$67,000."

EXTENSION OF DEFENSE PRODUCTION ACT OF 1950, AS AMENDED—INDIVIDUAL VIEWS

Mr. FULBRIGHT. Mr. President, from the Committee on Banking and Currency, I report favorably, with amendments, the bill (H. R. 9852) to extend the Defense Production Act of 1950, as amended, together with individual views of the Senator from Connecticut [Mr. BUSH], and I submit a report (No. 2237) thereon.

I ask unanimous consent that the report be printed, with the individual views of the Senator from Connecticut [Mr. BUSH].

The VICE PRESIDENT. Without objection, the report will be received and printed, together with the individual views, and the bill will be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 4055. A bill to provide for the disposal of certain surplus real property in Seattle, Wash., for educational use in conformity wth section 203 (k) of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 4056. A bill to repeal certain Federal excise taxes on facilities and services, and certain manufacturers excise taxes; to the Committee on Finance.

(See the remarks of Mr. BEALL when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. 4057. A bill for the relief of Nicholas P. Alessi; to the Committee on Finance.

By Mr. MANSFIELD (by request):

S. 4058. A bill to authorize the Secretary of Agriculture to extend and renew to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. for the term of 10 years a lease of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 26, 1946; to the Committee on Agriculture and Forestry.

By Mr. HUMPHREY (for himself, Mr. STENNIS, Mr. FLANDERS, Mr. MORSE, Mr. NEUBERGER, and Mr. SPARKMAN):

S. 4059. A bill providing for price reporting and research with respect to forest products; to the Committee on Agriculture and Forestry.

By Mr. JOHNSTON of South Carolina:

S. 4060. A bill to amend section 607 of the Postal Field Service Compensation Act of 1955 to include employees in the Motor Vehicle Service; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

S. 4061. A bill to allow additional income-tax exemptions for a taxpayer or a spouse, or a dependent child, who is a full-time student at an educational institution above the secondary level; to the Committee on Finance.

S. 4062. A bill to facilitate the administration and development of the Whitman National Monument, in the State of Washington, by authorizing the acquisition of additional land for the monument, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 4063. A bill for the relief of Aida M. Shanafelt; to the Committee on the Judiciary.

RESOLUTIONS

The following resolutions were submitted or reported, and agreed to, referred, or placed on the calendar, as indicated:

By Mr. ELLENDER (for himself and Mr. MUNDT):

S. Res. 283. Resolution providing for a compilation of material on the price-support program; agreed to.

(See the remarks of Mr. ELLENDER when he submitted the above resolution, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. Res. 284. Resolution to disapprove the sale of the Government-owned alcohol butadiene plant at Louisville, Ky.; to the Committee on Banking and Currency.

(See the remarks of Mr. FULBRIGHT when he submitted the above resolution, which appear under a separate heading.)

STUDIES REGARDING FOREIGN ASSISTANCE BY THE UNITED STATES GOVERNMENT

Mr. MANSFIELD submitted the following resolution (S. Res. 285), which was referred to the Committee on Foreign Relations:

Whereas there has been no public, nonpartisan examination of United States foreign aid policies since studies undertaken prior to the beginning of the Marshall plan; and

Whereas an important portion of the United States Government budget has been and is being devoted to foreign aid programs; and

Whereas since the inception of foreign aid programs fundamental changes have taken place in the world situation and in the relative strength of countries both friendly and unfriendly toward the United States: Now, therefore, be it

Resolved, That the Committee on Foreign Relations shall arrange for exhaustive studies to be made of the extent to which foreign assistance by the United States Government serves, can be made to serve, or does not serve, the national interest, to the end that such studies and recommendations based thereon may be available to the Senate in considering foreign aid policies for the future.

SEC. 2. The committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

(a) The proper objectives of foreign aid programs and the criteria which can be used to measure accomplishment.

(b) The capability of the United States to extend aid, in terms of the Nation's economic, technical, personnel, and other resources.

(c) The need and willingness of foreign countries to receive aid, and their capacity to make effective use thereof.

(d) The various kinds of foreign aid and alternatives thereto as well as the methods by which and conditions on which aid might be furnished.

(e) The related actions which should be taken to make foreign aid effective in achieving national objectives.

SEC. 3. The committee shall transmit to the Senate not later than February 15, 1957, the results of the study herein authorized together with such recommendations as may at that time be found desirable.

SEC. 4. In the conduct of this study full use shall be made of the experience, knowledge, and advice of private organizations, schools, institutions, and individuals. The committee may divide the work of the study among such groups and institutions as it may deem appropriate and may enter into contracts for this purpose. Full use shall be made of studies and plans prepared by executive agencies, and such agencies are requested to give the committee or any of its authorized study groups or consultants such assistance as may be required.

SEC. 5. For the purpose of this resolution, the committee is authorized to employ on a temporary basis through February 15, 1957, such technical, clerical, or other assistants, experts, and consultants, as it deems desirable. The expenses of the committee under this resolution, which shall not exceed $300,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Foreign Relations.

By Mr. HUMPHREY:

S. Res. 286. Resolution extending the time for filing a report by the Subcommittee on Disarmament; reported from the Committee on Foreign Relations; placed on the calendar.

(See resolution printed in full which appears under the heading "Reports of Committees.")

REPORTS OF RESULTS OF TESTS OF SAMPLES OF OPIUM SEIZED IN ILLICIT TRAFFIC

Mr. DANIEL (for himself, Mr. EASTLAND, Mr. O'MAHONEY, Mr. WELKER, Mr. BUTLER, Mr. WILEY, and Mr. MANSFIELD) submitted the following resolution (S. Res. 287), which was referred to the Committee on Foreign Relations:

Whereas at present, the United Nations Narcotic Laboratory, in testing samples of opium seized in the illicit traffic, reports the results of those tests only to the determined country of origin and to the country in which the drugs were seized: Now, therefore, be it

Resolved, That it is strongly recommended that the results of such tests, in every case, be also communicated to the Commission on Narcotic Drugs of the United Nations.

SEC. 2. The Secretary of the Senate shall forward a copy of this resolution to the Secretary of State for transmission to the Secretary-General of the United Nations.

URGING CERTAIN COUNTRIES TO PROSCRIBE HEROIN

Mr. DANIEL (for himself, Mr. EASTLAND, Mr. O'MAHONEY, Mr. WELKER, Mr. BUTLER, Mr. WILEY, and Mr. MANSFIELD) submitted the following resolution (S. Res. 288), which was referred to the Committee on Foreign Relations:

Whereas the United States considers that the drug heroin is the most dangerous of addicting narcotic drugs; that the availability and use of this drug is conducive to a tenacious type of drug addiction which wreaks havoc upon and slowly destroys human lives; and

Whereas it has been established that the limited medical use formerly made of heroin can be met by other less dangerous narcotic drugs, and all except seven countries (Albania, Bahrein, Belgium, France, Hungary, Italy, and Paraguay) have taken action to proscribe heroin: Now, therefore, be it

Resolved, That the United Nations should urge the governments of those countries which have not yet taken action to proscribe heroin to do so at the earliest possible moment.

SEC. 2. The Secretary of the Senate shall forward a copy of this resolution to the Secretary of State for transmission to the Secretary-General of the United Nations.

NEGOTIATIONS WITH MEXICO FOR A MORE EFFECTIVE CONTROL OVER ILLICIT NARCOTIC DRUGS

Mr. DANIEL (for himself, Mr. EASTLAND, Mr. O'MAHONEY, Mr. WELKER, Mr. BUTLER, Mr. WILEY, and Mr. MANSFIELD) submitted the following resolution (S. Res. 289), which was referred to the Committee on Foreign Relations:

Whereas the Senate of the United States has learned with great concern that drug addicts and convicted narcotic law violators, who are residents of the United States and Mexico, are constantly crossing the United States-Mexican boundary for the purpose of obtaining, using, and trafficking in narcotic drugs and marihuana; and

Whereas the Senate of the United States believes that addiction to narcotic drugs is reprehensible, in that it wreaks havoc upon and slowly destroys human lives; and

Whereas the Senate of the United States believes that continued agitation along the United States-Mexican boundary relative to the sale and purchase of narcotic drugs might adversely affect the splendid and cordial relations existing between Mexico and the United States: Therefore be it

Resolved, That the President is requested to commence negotiations with the Mexican Government, for the purpose of concluding a treaty which will result in a more effective control of the traffic in illicit narcotic drugs and marihuana, such negotiations to include methods for the prohibition of boundary crossings by users of such illicit narcotics drugs, users of marihuana, drug addicts, and convicted narcotic law violators of both nations, and provisions for the exchange of specialized personnel for the purpose of providing closer liaison between both nations in the control of the traffic in such illicit narcotic drugs and marihuana.

URGING CERTAIN COUNTRIES TO RATIFY PROTOCOL OF 1953 RELATING TO CULTIVATION OF THE POPPY PLANT AND THE USE OF OPIUM

Mr. DANIEL (for himself, Mr. EASTLAND, Mr. O'MAHONEY, Mr. WELKER, Mr. BUTLER, Mr. WILEY, and Mr. MANSFIELD) submitted the following resolution (S. Res. 290), which was referred to the Committee on Foreign Relations:

Whereas the Senate of the United States has learned with regret that only 15 of the required minimum of 25 countries have ratified or acceded to the Protocol of 1953 for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium; and

Whereas the Commission on Narcotic Drugs of the United Nations has been engaged for several years in the task of drafting a single convention on narcotic drugs designed to modernize, codify, and replace existing conventions and protocols on this subject: Therefore be it

Resolved, That (a) the United Nations should urge the Governments of all countries which have not yet ratified or acceded to the said Protocol of 1953 (particularly the producing countries, Bulgaria, Greece, Iran, Turkey, Union of Soviet Socialist Republics, and Yugoslavia) to do so at the earliest possible moment.

(b) The Commission on Narcotic Drugs of the United Nations and the governments of countries represented on that Commission are hereby urged to take appropriate steps to expedite the preparation of a final draft of the proposed single convention which may be acceptable as an improved international agreement to control more effectively the traffic in narcotic drugs.

SEC. 2. The Secretary of the Senate shall forward a copy of this resolution to the Secretary of State for transmission to the Secretary-General of the United Nations.

DISPOSAL OF CERTAIN SURPLUS REAL PROPERTY IN SEATTLE, WASH.

Mr. JACKSON. Mr. President, on behalf of myself, and my colleague, the senior Senator from Washington [Mr. MAGNUSON], I introduce, for appropriate reference, a bill to provide for the disposal of certain surplus real property in Seattle, Wash., for educational use in conformity with section 203 (k) of the Federal Property and Administrative Services Act of 1949.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4055) to provide for the disposal of certain surplus real property in Seattle, Wash., for educational use in conformity with section 203 (k) of the Federal Property and Administrative Services Act of 1949, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. JACKSON. Mr. President, in the heart of the south end of Seattle, about 8 blocks from the Boeing Aircraft Co. plant, and surrounded by the homes of workers, is the Seattle Christian School. This school is sponsored on a nondenominational basis by some 55 Seattle churches.

The 1.7 acres of property on which the school is located was acquired from the Federal Government for educational use and since this acquisition the school has grown until it now teaches approximately 300 students in 12 grades.

The Federal Government has now declared surplus approximately 9 acres of property which adjoins the present school site and the Seattle Christian School has made application for this property. The application has been approved by the Department of Health, Education, and Welfare.

However, the General Services Administration has turned down the school's application, claiming this property should be used for industrial purposes. GSA has scheduled an auction for June 29 at the Olympic Hotel in Seattle at which this property will be offered to the highest bidder.

Mr. President, this property is not needed for industrial purposes—it is needed for expanding the fine work that is being carried on by the Seattle Christian School. If the property is occupied by industry, not only will expansion of the educational opportunities for students at the school be impossible, but continued operation of the school may be impractical.

A more detailed analysis of the background of this matter is contained in a letter I addressed to the Administrator of GSA on May 8. I ask unanimous consent that this letter be printed in the RECORD at this point along with a copy of a reply received from the Commissioner of Public Buildings.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 8, 1956.

Mr. FRANKLIN G. FLOETE,
Administrator, General Services Administration, Washington, D. C.

MY DEAR MR. ADMINISTRATOR: I am writing to you with reference to your disposal of 8.831 acres of land and 1 building which were a part of War Housing Project, Wash., 45227.

I would like to review for you briefly the history of the disposal as I know it. When this property was originally released by the Public Housing Administration, the Seattle Christian Schools Association immediately made application for the property through the Department of Health, Education, and Welfare. The Seattle Christian Schools Association is sponsored by 57 local Seattle churches of the Protestant denomination. The guiding motivation of their school program is to impart Christian education as well as secular training. It is a nonprofit organization financed completely by donations from the membership of the 57 sponsoring churches.

It now operates very successfully a school on the acreage adjoining the property which is now up for disposal. The property which it now occupies is a part of War Housing Project No. 45227 and was obtained by the association through the disposal program on the recommendation of the Department of Health, Education, and Welfare. The association needs the additional acreage to expand the educational program and fill out a well-rounded educational program for its students.

The Department of Health, Education, and Welfare reviewed the application of the association and recommended that this property be disposed of to the association. However, in accordance with the law, the General Services Administration had to circularize the various Federal agencies to see if any of them had need for this property.

On May 3, 1955, the Office of the Assistant Secretary of Defense, Properties, and Installations, requested that the disposal of this property be held in abeyance as the possible site of an Army Reserve training center. Subsequently, the Army released its hold on this property and I was informed on March 22, 1956, that the General Services Administration had determined this area to be surplus and issued notice that the property would be sold by auction sale to the highest bidder for a sale scheduled to be held during the month of June.

When I was advised of this action I immediately contacted the Department of Health, Education, and Welfare and was informally advised that the agency's recommendation that the property be disposed of to the Seattle Christian Schools Association was still in effect. However, I was further informed both by that agency and by your agency that the GSA had rendered a decision that this recommendation could not be acceded to and that the property would be sold at public auction.

So far as I can determine the reason for this decision is that the property in question has been classified as "industrial" and would therefore not qualify for disposal for educational use.

I most respectfully and urgently request that this decision be reconsidered on the basis of the following factors:

(a) This property will be developed primarily to serve the needs of families of persons employed by a Government contractor, namely the Boeing Aircraft Co., Seattle, Wash. A majority of the students are from the families of Boeing workers. The Boeing Aircraft Co. has endorsed this proposal very strongly because it has been a great help to Boeing in meeting its defense labor requirements. This is particularly true where both parents are employed and they are able to deliver and pick up their children while on route to and from work. The school has made special arrangements in order to meet this need.

(b) A portion of the students are also from the families of the Federal civilian and military personnel of the cadre attached to Boeing Aircraft Co.

(c) This property is located only three blocks from the Boeing Aircraft Co. and as I mentioned above, is part of the same housing project, a portion of which has already been disposed of to the Seattle Christian Schools Association. The property in question adjoins the school which is now in operation and the additional property and surplus building would help them to meet their expanding needs and round out their educational program.

(d) A hospital adjoins this property on one side which would indicate that this area is not exclusively industrial in nature. It is also surrounded by a considerable residential area, mainly of low-income families.

For the above-named reasons I feel very strongly that this property should be disposed of in accordance with the recommendation of the Department of Health, Education, and Welfare to the Seattle Christian Schools Association.

I feel that all factors considered, particularly the contribution which it is making to the national defense effort by providing schooling for children of Federal military and civilian personnel and employees of a Federal contractor engaged in the most vital type of work, disposal in this way would be the highest and best functional use of this relatively small area possible.

I would like to point out further that Congress, for the past decade, has recognized the responsibility of the Federal Government for the education of children belonging to families in the above classifications. I would like to call to your attention to the Lanhan Acts and Public Laws 815 and 874 which are currently in effect. Funds under these acts, of course, are allocated to tax supported institutions. However, the fact that the Seattle Christian Schools are supported by vountary donations and not supported by taxpayers' funds seems to me only to strengthen their case inasmuch as they are accomplishing the same results, namely the education of such children, to meet the requirements for Federal assistance.

While it is possible that public auction of this property conceivably could bring a moderately higher monetary return to the Federal Government at this moment, such a result in no way equals the overall contribution which this nonprofit institution will be making for years to come to the children of the Seattle community both in terms of dollar savings to the taxpayer and the successful efforts it will be making in the fight against costly juvenile delinquency.

In conclusion, I therefore most strongly urge that immediate reconsideration of this

decision be made and that every possible legal effort be made toward disposing of this property to the Seattle Christian Schools Association. Because of my deep personal interest in this problem I will certainly be most happy to provide you, upon request, with any further information or factual data that you may find necessary in reaching a favorable decision on this matter.

Sincerely yours,

HENRY M. JACKSON,
United States Senator.

GENERAL SERVICES ADMINISTRATION,
PUBLIC BUILDINGS SERVICE,
Washington, D. C., May 18, 1956.

Hon. HENRY M. JACKSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JACKSON: Your letter of May 8 to the Administrator states the reasons why you feel the decision classifying as industrial 8.831 acres of land and one building at the former war-housing project, WASH.-45227, Seattle, Wash., should be rescinded in favor of the school use application of the Seattle Christian Schools Association.

The assignment of surplus real property to the Department of Health, Education, and Welfare for transfer for educational purposes, under section 203 (k) of Public Law 152, 81st Congress, is discretionary on the part of GSA. In order that a policy commensurate with the best interest of the Government could be formulated a number of conferences were held during the past months, between officials of GSA, DHEW, and the Bureau of the Budget. Certain criteria developed from these conferences, among which were those applicable to industrial property.

Therefore, under the above circumstances, we must inform you that the property for which the Seattle Christian Schools Association made application should not be assigned for educational use. It has been classified as having its highest and best use as industrial property. The land is estimated to have a value in excess of $200,000 because of the industrial nature of the neighborhood.

The auction sale of this property is scheduled for Friday, June 29, at the Olympic Hotel in Seattle.

Sincerely yours,

F. MORAN MCCONIHE,
Commissioner of Public Buildings.

REPEAL OF CERTAIN EXCISE TAXES

Mr. BEALL. Mr. President, it is becoming increasingly apparent each day that a number of killjoy taxes are putting an unfair burden on certain areas of our recreation.

This toll is being exacted somewhat ruthlessly, drawing from youngsters interested in athletics, from men and women out for a few hours of relaxation, and even from families who like to stay at home for an evening of playing cards.

The Federal revenue from this systematic raiding of our leisure hours was a mere $207 million last year, and the next few years do not offer any prospects for much more in the way of financial gain.

On the other hand, the so-called amusement taxes have a very important place in our economy when they appear in their true form—as the extra 10 percent or so that we have to pay for the recreation we seek.

These amusement taxes are, in effect, legal killjoys; and I now introduce, for appropriate reference, a bill designed to remove them completely from admissions, sporting goods, playing cards, club dues, and cabaret checks.

Behind the measure I introduce is my basic belief that such taxes are not only unfair but even harmful.

I should also like to point out that my bill offers a measure of tax relief which would be reflected immediately in the pockets of every American.

I have consistently advocated that we balance the budget before making tax reductions, and present indications are that we can put our budget on an even keel and grant at least this $207 million cut.

Since this seems rather apparent in the light of present estimates on our expected surplus, and since this is actually a very secondary reason for my proposal, I shall not dwell on it.

My primary idea, as I have indicated, is to free our entertainments and sports from the taxes which make them less accessible.

Whether we balance the budget or not, the amusement taxes should be abolished.

Actually, they never should have been imposed in the first place, and the fact that our present financial outlook is such that we can now remove them without damaging our Nation's economy is just an added reason why we should act now.

It is completely incongruous, I think, for us to promote widespread recreation programs and, at the same time, maintain taxes which have such a hostile effect on our purpose.

Each day we encourage the young men and women of this country to expend their energies in sports and wholesome recreation instead of in gang fights.

We listen to our doctors' advice that relaxation is of prime importance to our physical and mental health.

Why, then, should we continue to tax the sources of our relaxation?

As I have said, it is ridiculous to admit that today's stresses and strains need to be counterbalanced, and then refuse to do everything possible to ease their effects.

In the past this Nation has spent billions of dollars for the treatment and correction of its citizens' mental and physical ailments.

My bill, I feel, will help place the emphasis where it should be—on prevention.

It has been argued that any tampering with our excise taxes will lead to additional demands and complications.

Even if this were true, our answer should be a blunt "So what?"

The taxes are bad.

They should be removed.

If complications arise, it will be unfortunate.

But let us get rid of the "killjoy taxes."

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 4056) to repeal certain Federal excise taxes on facilities and services, and certain manufacturers excise taxes, introduced by Mr. BEALL, was received, read twice by its title, and referred to the Committee on Finance.

COMPILATION OF MATERIAL ON THE PRICE-SUPPORT PROGRAM

Mr. ELLENDER. Mr. President, each year the high schools all over the country conduct a debate on some topic of general interest. For the year 1956–57, the topics are rigid versus flexible price supports, the soil bank, and the Brannan plan. In an effort to make available pertinent information on the subject it has been suggested that data be furnished in printed form. The information supplied would not be endorsed by any member of the Senate Committee on Agriculture and Forestry nor by the Legislative Reference Service employees who assemble the material.

The data to be included would be in the nature of a summary of different arguments which have been advanced, and is not intended to be exhaustive or complete as to details. I have a resolution which I have discussed with the distinguished majority leader and the distinguished acting minority leader; the resolution proposes that the Library of Congress, together with the staff of the Senate Committee on Agriculture and Forestry, prepare available data for this purpose.

Many Senators receive requests to send such information to their constituents, and all of us ask the Library of Congress to prepare the information. That is a very expensive process, and I believe that adoption of the resolution will result in relieving us of a great deal of work in that connection.

As I have stated, the purpose of the resolution is to have a summary made of the arguments on both sides of these questions, without in any manner expressing the views of any particular person or group. The proposed document will be used as a source of information for the debate contests which are to be conducted this year in the high schools throughout the country.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JOHNSON of Texas. Does the Senator from Louisiana contemplate requesting unanimous consent for the immediate consideration of the resolution?

Mr. ELLENDER. I do.

Mr. JOHNSON of Texas. Has the Senator from Louisiana cleared the matter with the minority leadership?

Mr. ELLENDER. I have.

Mr. JOHNSON of Texas. Then, Mr. President, I have no objection. I think the proposal is a very constructive one.

Mr. ELLENDER. Mr. President, on behalf of myself, and the Senator from South Dakota [Mr. MUNDT], I submit the resolution, and request its immediate consideration.

The VICE PRESIDENT. The resolution will be read, for the information of the Senate.

The legislative clerk read the resolution (S. Res. 283), as follows:

Whereas the high-school debate topic for the coming year is related to the price-support program, and many requests will be sent to the Congress for material on such topic: Therefore be it

Resolved, That the Library of Congress and the staff of the Senate Committee on Agriculture and Forestry shall prepare a

compilation of material on such topic, to be printed as a Senate document at a cost of not more than $1,200 above the initial cost to the Senate of printing such a document.

The VICE PRESIDENT. Is there objection to the request for the immediate consideration of the resolution?

There being no objection, the resolution (S. Res. 283) was considered and agreed to.

NOTICE OF MOTION TO RECONSIDER

Mr. KNOWLAND subsequently said: Mr. President, I wish to give notice of a motion to reconsider the vote by which the resolution (S. Res. 283) providing for a compilation of material on the price-support program was agreed to earlier today.

The VICE PRESIDENT. The motion will be entered.

DISAPPROVAL OF SALE OF GOVERNMENT-OWNED ALCOHOL BUTADIENE PLANT AT LOUISVILLE, KY.

Mr. FULBRIGHT. Mr. President, I submit, for appropriate reference, a resolution disapproving the proposed sale of the Government-owned alcohol butadiene plant at Louisville, Ky.

I ask unanimous consent to have printed in the RECORD a letter addressed by me to the Honorable Joseph Campbell, Comptroller General of the United States, dated June 6, 1956, and his reply dated June 12, 1956.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the letters will be printed in the RECORD.

The resolution (S. Res. 284) was referred to the Committee on Banking and Currency, as follows:

Resolved, That the Senate does not favor sale of the Government-owned alcohol butadiene plant at Louisville, Ky., known as Plancor No. 1207, as recommended in the report of the Rubber Producing Facilities Disposal Commission.

The letters, presented by Mr. FULBRIGHT, are as follows:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
June 6, 1956.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States,
General Accounting Office,
Washington, D. C.

DEAR MR. COMPTROLLER GENERAL: The Rubber Producing Facilities Disposal Commission, under date of May 26, 1956, transmitted a report recommending sale of the alcohol butadiene plant at Louisville, Ky., to Union Carbide & Carbon Corp. A copy of the Disposal Commission's pamphlet containing this report is enclosed for your information.

The Disposal Commission's transmittal letter states that:

"The Commission is prepared to effect prompt transfer of the plant to the purchaser unless the Congress should disapprove the sale."

Accompanying the report is a letter from the Acting Attorney General, Mr. William P. Rogers, dated May 23, 1956, which states, among other things:

"I do not view the proposed sale of the Louisville plant to Union Carbide & Carbon Corp. as being in violation of the antitrust laws. However, it is my view that the proposed sale would not best foster the development of a free competitive synthetic rubber industry, the standard set forth in section 3 (c) of the Rubber Producing Facilities Disposal Act of 1953, as amended. Accordingly the proposed sale is not approved. My reasons for this conclusion are found in my attached statement of findings as required by section 9 (a) (4) of the act."

The statement of findings is also set forth in the Disposal Commission's pamphlet. It concludes with the following:

"Accordingly, the proposed sale is not approved."

Section 9 of the Rubber Producing Facilities Disposal Act of 1953, as amended, reads in part as follows:

"SEC. 9. (a) Not later than 30 days after the termination of the negotiating period * * * the Commission shall prepare and submit to the Congress a report setting forth—

* * * * *

"(4) the statement from the Attorney General setting forth findings approving the proposed disposals in accordance with the standards set forth in section 3 (c) of this act."

Section 27 (c) of the Rubber Producing Facilities Disposal Act of 1953, as amended by Public Law 433, 84th Congress, reads as follows:

"(c) Within 10 days after the termination of the actual negotiation period referred to in subsection (b), or, if Congress is not then in session, within 10 days after Congress next convenes, the Commission shall prepare and submit to the Congress a report containing, with respect to the disposal under this section of the Louisville plant, the information described in paragraphs 1, 2, 3, 4, and 8 of section 9 (a). Unless the contract is disapproved by either House of the Congress by a resolution prior to the expiration of 30 days of continuous session (as defined in section 9 (c)) of the Congress following the date upon which the report is submitted to it, upon the expiration of such 30-day period the contract shall become fully effective and the Commission shall proceed to carry it out, and transfer of possession of the facility sold shall be made as soon as practicable but in any event within 30 days after the expiration or termination of the existing lease on the Louisville plant. The failure to complete transfer of possession within 30 days after expiration or termination of the existing lease shall not give rise to or be the basis of rescission of the contract of sale."

Section 5 of Public Law 433, 84th Congress, provides that:

"Except as otherwise provided in this act, the disposal or lease of the Louisville plant shall be fully subject to all the provisions of the Rubber Producing Facilities Disposal Act of 1953."

In connection with this requirement of section 9 (a) (4) of the act, it is pertinent to note the following quotation from the statement of the managers on the part of the House in the conference report presenting the final bill (H. Rept. No. 1055, 83d Cong., 1st sess.):

"The next important change from the original House bill is found in section 9 (a) (4) of the conference report. The Senate amendment to this section provided as follows:

"'(4) the statement from the Attorney General setting forth findings approving the proposed disposals in accordance with the standards set forth in section 3 (c) of this act;'

"It should be recalled that the Attorney General, in section 3 (c) of the conference report, requires the Attorney General to consult with and advise the Commission in order [sic]—

'to secure guidance as to the type of disposal program which would best foster the development of a free competitive synthetic rubber industry.'

"The original House language provided as follows:

"'(4) to the extent requested by the Attorney General the report shall transmit his advice concerning the sales which are proposed;'.

"The House conferees agreed to the Senate amendment and thus the Attorney General shall be required to make actual findings, approving the proposed sales."

It may be noted that this provision of section 9 (a) (4) was written into the bill on the floor of the Senate as part of the so-called Maybawk amendment (99 CONGRESSIONAL RECORD, pt. 7, pp. 9361, 9373), and the omission of the provision from the first conference report (Rept. No. 999, 83d Cong., pp. 6, 12–13) was one of the reasons for the rejection by the Senate of this first conference report (99 CONGRESSIONAL RECORD, pt. 8, pp. 10288–10292).

It is also pertinent to note the following statements from the Attorney General's letter of January 4, 1956, set forth in the Disposal Commission's report on the disposal of the synthetic rubber plant at Institute, W. Va., a copy of which is also enclosed for your information (pp. 17–18):

"The act requires the Attorney General to advise the Commission as to whether the proposed disposal, if carried out, will violate the antitrust laws, and to make findings approving the proposed disposal in accordance with the standards set forth in section 3 (c) of the act. The Commission has advised me that in its opinion no report recommending disposal of the institute plant could be submitted to Congress for review in the event of my disapproval.

* * * * *

"Were this a private transaction rather than a sale by the Government subject to the review of the Congress, I would probably request a Federal court to enjoin consummation pending a determination of legality by the court under section 7 of the Clayton Act.

"In order, however, to permit the Congress to have the final determination, as the law anticipates, I set forth the considerations hereinabove mentioned, and am willing to, and do, express the opinion that the proposed disposal of the institute plant to Goodrich-Gulf would not violate section 7 of the Clayton Act."

In order to assist the committee in determining what course of action to follow in this matter, I should appreciate your answers to the following questions:

1. Is it your opinion that the report of the Disposal Commission, accompanied by the Acting Attorney General's letter and statement of May 23, 1956, disapproving the proposed sale, satisfies the requirements of section 27 (c) of the Rubber Producing Facilities Disposal Act of 1953, as amended, particularly insofar as the requirements relating to section 9 (a) (4) thereof is concerned?

2. Is it your opinion that, under the Rubber Producing Facilities Disposal Act of 1953, as amended, if no disapproval resolution is adopted by either House of Congress within 30 days of continuous session after submission of the report of the Disposal Commission, accompanied by the letter and statement of the Attorney General disapproving the proposed sale, the Disposal Commission is authorized and required to carry out the contract to sell the alcohol butadiene plant at Louisville, Ky., to the prospective purchaser as proposed in the report?

3. If no disapproval resolution is adopted by either House under the Rubber Producing Facilities Disposal Act of 1953, as amended, and the Disposal Commission undertakes to carry out the sale to the prospective purchaser, is it your opinion that the title of the prospective purchaser to the alcohol butadiene plant will be free from cloud or question?

In view of the time schedule involved, I should appreciate your advice on these questions at the earliest possible moment.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, June 12, 1956.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, United States Senate.

DEAR MR. CHAIRMAN: Your letter of June 6, 1956, requests our views concerning the report of the Rubber Producing Facilities Disposal Commission recommending sale of the alcohol butadiene plant at Louisville, Ky., to Union Carbide & Carbon Corp.

The question is whether the disposal report complies with the requirements of Public Law 433, 84th Congress, 70 Statute 51, and the Rubber Producing Facilities Disposal Act of 1953 Sixty-seventh United States Statutes at Large, page 408, because of the fact that the Attorney General has specifically disapproved the proposed sale.

Section 3 (d) of the 1953 act provides as follows:

"(d) Before submission of its proposed disposal report to the Congress, as provided for in section 9 of this act, the Commission shall submit it to the Attorney General, who shall within a reasonable time, in no event to exceed 90 days, after receiving such report, advise the Commission whether, in his opinion, the proposed disposition will violate the antitrust laws."

Section 9 (a) of the act provides in pertinent part as follows:

"(a) Not later than 30 days after the termination of the negotiating period provided in section 7 of this act, and in no event later than January 31, 1955, the Commission shall prepare and submit to the Congress a report setting forth—

* * * * *

"(4) the statement from the Attorney General setting forth findings approving the proposed disposals in accordance with the standards set forth in section 3 (c) of this act;".

Section 3 (c), which is referred to in section 9 (a) (4), is as follows:

"(c) From the time of its appointment and throughout the course of the performance of its duties, the Commission shall consult and advise with the Attorney General in order (1) to secure guidance as to the type of disposal program which would best foster the development of a free competitive synthetic rubber industry, and (2) to supply the Attorney General with such information as he may deem requisite to enable him to provide the advice contemplated by this section and sections 9 (a) (4) and 9 (f) of this act."

Public Law 433, approved March 21, 1956, extended the period for disposal of the Louisville plant, and contains the following provision:

"Within 10 days after the termination of the actual negotiation period referred to in subsection (b), or, if Congress is not then in session, within 10 days after Congress next convenes, the Commission shall prepare and submit to the Congress a report containing, with respect to the disposal under this section of the Louisville plant, the information described in paragraphs 1, 2, 3, 4, and 8 of section 9 (a)."

Public Law 433 also requires the Attorney General to advise the Commission whether, in his opinion, the proposed disposition of the Louisville plant, if carried out, will violate the antitrust laws.

By letter dated May 23, 1956, the Attorney General advised the Commission that the proposed sale of the Louisville plant to Union Carbide and Carbon Corp. would not be in violation of the antitrust laws. However, the Attorney General also stated in his letter to the Commission that:

"It is my view that the proposed sale would not best foster the development of a free competitive synthetic rubber industry, the standard set forth in section 3 (c) of the Rubber Producing Facilities Disposal Act of 1953, as amended. Accordingly, the proposed sale is not approved. My reasons for this conclusion are found in my attached statement of findings as required by section 9 (a) (4) of the act."

The Commission recognized that it was questionable whether under section 9 (a) (4) of the basic act the Commission could file a report with the Congress in the absence of affirmative findings from the Attorney General approving the proposed disposal in accordance with the standards set forth in section 3 (c) of the act, and asked the Attorney General whether, under the circumstances, the law permitted the Commission's report to be filed with the Congress for its consideration. In reply the Attorney General stated it to be his belief that it was "entirely appropriate to submit your report to the Congress for review."

Sections 3 (c), 3 (d), and 9 (a) (4) of the 1953 act were the subject of considerable dispute prior to enactment of the legislation. As originally drafted, section 9 (a) (4) would have required "to the extent requested by the Attorney General the report shall transmit his advice concerning the sales which are proposed." And, as approved by the first committee of conference, the bill did not contain the requirements of section 3 (d). The first conference report was rejected by the Senate. The second conference committee reached agreement on the bill in the form in which it was enacted, and the statement of the managers on the part of the House contains the following comment on these provisions:

"Thus under this section [3 (d)] the Attorney General will be required to render an opinion to the Commission as to whether the proposed disposition will violate the antitrust laws. * * *

* * * * *

"The next important change from the original House bill is found in section 9 (a) (4) of the conference report. The Senate amendment to this section provided as follows:

"'(4) the statement from the Attorney General setting forth findings approving the proposed disposals in accordance with the standards set forth in section 3 (c) of this act;'

"It should be recalled that the Attorney General, in section 3 (c) of the conference report, requires the Attorney General to consult with and advise the Commission in order—

"'To secure guidance as to the type of disposal program which would best foster the development of a free competitive synthetic-rubber industry.'

"The original House language provided as follows:

"' (4) to the extent requested by the Attorney General the report shall transmit his advice concerning the sales which are proposed;'.

"The House conferees agreed to the Senate amendment and thus the Attorney General shall be required to make actual findings, approving the proposed sales." (H. Rept. No. 1055, July 30, 1953, pp. 12–13.)

It may also be noted that section 4 of Public Law 433, which permits lease of the Louisville plant if it is not sold, contains the following requirements:

"(b) * * * the Commission, before submission to the Congress of a lease or lease extension relative to the Louisville plant, shall submit it to the Attorney General, who shall, within 7 days after receiving the lease or lease extension, advise the Commission whether the proposed lease or lease extension would tend to create or maintain a situation inconsistent with the antitrust laws.

"(c) * * * The Commission shall submit at the same time the statement of the Attorney General approving the proposed lease or lease extension in accordance with the standard set forth in subsection (b) of this section."

The foregoing provisions of Public Law 433 appear to us to require the Commission's report on a proposed lease of the Louisville plant to include a statement of approval by the Attorney General on the grounds that the lease will not tend to create or maintain a situation inconsistent with the antitrust laws. Obviously, the leasing of the plant for a maximum term of 15 years would afford less opportunity for monopolistic practices than would its outright sale. Hence, if an affirmative statement of approval by the Attorney General is required in the case of a proposed lease, it appears only reasonable to construe the law as requiring similar affirmative approval of a proposed permanent disposition of the plant by sale.

For these reasons it is our view that the law requires an affirmative approval by the Attorney General of the proposed sale of the Louisville plant; and that the report of the Commission, the sale having been disapproved by the Attorney General, does not satisfy section 27 (c) of the Rubber Producing Facilities Act of 1953, as amended. In answer to your specific inquiry, therefore, we believe that any title which Union Carbide & Carbon Corp. may receive to the Louisville plant, assuming, of course, that no resolution of disapproval is adopted by either body of Congress, would not be free from question.

We do not believe the Commission is authorized or required to carry out the proposed sale on the basis of the present report which does not satisfy the requirement of the law, even should no disapproval resolution be adopted by a House of the Congress. It must be recognized, however, that our opinion is not binding upon the courts. Furthermore, in the event of litigation involving the validity of any title received by Union Carbide & Carbon Corp., the opinion of the Attorney General to the contrary—if indeed that is the purport of the letter of May 23—might well be accorded considerable weight by the court. No doubt, too, some significance in the matter of congressional intent as to the necessity for the Attorney General's approval would be drawn if neither House of the Congress expressed the disapproving power reserved to it in connection with the contract or otherwise challenged the basis of the Commission's proposed disposal of the property.

Consequently we feel compelled to advise the committee that our opinion should not be deemed to make it unnecessary to initiate a resolution disapproving the Commission's report, if this otherwise would be the committee's action in the matter.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 14, 1956, he presented to the President of the United States the following enrolled bills:

S. 872. An act for the relief of Sam Bergesen;

S. 910. An act for the relief of Lino Perez Martinez;

S. 1067. An act for the relief of Tibor Horvath; and

S. 1221. An act for the relief of the estate of Joseph Kelsch.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc.,

were ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY:

Address delivered by the Vice President at Lafayette College, Easton, Pa., on the problem of meeting the Soviet Union's tactics.

By Mr. LEHMAN:

Address delivered by him at the annual dinner of the Liberal Party, in New York City, on June 13, 1956.

LEGISLATIVE PROGRAM—ORDER FOR CALL OF THE CALENDAR ON MONDAY NEXT—AUTHORIZATION FOR FILING OF BILLS AND REPORTS AND FOR SIGNING OF BILLS

Mr. JOHNSON of Texas. Mr. President, I have a brief announcement I should like to make for the information of the Senate. It is the present intention of the leadership, following completion of business today, to move to adjourn the Senate until Monday noon. On Monday there will be available for Senate consideration the legislation appropriation bill, which it is hoped will be reported to the Senate today.

Also on Monday there will be a call of the calendar for the consideration of unobjected-to bills, beginning at the point where the last calendar call left off. I now ask unanimous consent that immediately following the completion of morning business on Monday, the unobjected-to measures on the calendar be called, commencing at the point where the last calendar call ended.

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

Mr. JOHNSON of Texas. Mr. President, I also ask unanimous consent that the Committee on Appropriations be permitted to file bills and reports until midnight this evening, and that the Vice President or the President pro tempore be authorized, during the adjournment of the Senate, to sign all bills found to be truly enrolled.

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

Mr. JOHNSON of Texas. Mr. President, since some of the measures scheduled for consideration today may, for one or another reason, not be disposed of, it is quite likely that such bills, as well as other bills not passed on the call of the calendar, but which are cleared by the majority and minority leadership, will be called for action next Monday.

Calendar No. 2169, S. 3982, the mining bill, which is the Senate's unfinished business, will probably be acted upon Monday, following action on the calendar and the legislative appropriation bill.

It may be possible to begin discussion in the early part of next week on the defense appropriation bill, as well as the foreign aid authorization bill. We are very anxious to have the foreign aid authorization bill acted on by the Senate, for the reason that the Senate will have disposed of, I think, next week, all appropriation bills in record time; but action cannot be completed in either House on the foreign aid appropriation bill unless and until the authorization bill is passed.

I give this notice so that all Members of the Senate may be properly notified and may arrange their schedules accordingly.

A number of important bills are in conference, particularly the road bill; but I hope, by the Senate's not being in session tomorrow, the conferees may complete the conference report on the road bill and that the Foreign Relations Committee will have opportunity to complete action on the foreign aid authorization bill.

EFFECTS OF RADIOACTIVITY ON HEREDITY, ENVIRONMENT, AND FOOD SUPPLY

Mr. PAYNE. Mr. President, the National Academy of Sciences yesterday released an extensive survey concerning the effects of radioactivity on heredity, environment, and food supply. The report reveals some alarming facts, reveals a great deal of information on the subject of radiation, and makes some positive suggestions as to what might be done to insure national safety and protection from the harmful effects of radiation.

The importance of the work which has been done by the National Academy of Sciences cannot be overestimated. We are indeed beginning an atomic age. If this age is to be one which will contribute to the welfare of mankind, it is essential that we have the fullest and clearest understanding possible of the collateral effects which the processes of atomic development and the use of radioactive materials will have on men and women and on future generations. As one who has been interested in the effects of radiation on all living things, I should like to commend the excellent study which has been made by the Genetics Committee of the National Academy of Sciences, under the leadership of the distinguished Dr. Warren Weaver, of the Rockefeller Foundation.

It is my hope that the magnitude of this study will not go unobserved, and that the recommendations made in the report will receive the attention which they merit. Implementation of these recommendations may in some cases require further study; implementation of some may require administrative or legislative action; and others may be implemented simply through the increased understanding of the effects of radiation which we now have as a result of the study made by the National Academy of Sciences.

Whatever implementation may be required, it is of the utmost importance that we proceed with due haste to insure that our continuing atomic development be carried on in such a manner as to guarantee maximum safety and benefit to mankind.

Mr. President, I ask unanimous consent that the text of the Genetics Committee's report on the Biological Effects of Atomic Radiation and the text of the Digest of Findings and Recommendations on Effects of Radiation, which appeared today in the New York Times, be printed at this point in the CONGRESSIONAL RECORD. I also ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Radiation and Man's Future," which appeared today in the New York Times; and an editorial entitled "Radiation," which was published in the Washington Post and Times Herald.

There being no objection, the report, article, and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 13, 1956]

TEXT OF GENETICS COMMITTEE REPORT CONCERNING EFFECTS OF RADIOACTIVITY ON HEREDITY

(Foreword)

The National Academy of Sciences, with the approval of the top Government authorities, is carrying out an overall study of the biological effects of atomic radiations. One part of that general study is being made by a genetics committee, and the present report is a preliminary one from that committee.

This genetics committee has 16 members, whose names and positions are listed at the beginning of this report. Thirteen of these have been directly and extensively concerned with research in genetics. This number includes specialists on the genetics of lower forms of life, on the genetics of such mammals as mice, on the more mathematical aspects of population genetics, and on human genetics. One member is specially experienced in the general biological effects of radiation, one in radiological physics, and one in pathology.

The problems of the Atomic Age affect every man, woman, and child—in fact, every living thing—in our country, and of course in the whole world as well. Although many of these problems are technical in character, it is nevertheless of importance to our democracy that these matters be as widely understood as possible. Therefore every effort has been made that this report be generally understandable.

This necessitates a certain amount of explanation of technical matters; but this report will use just as few unfamiliar terms as possible, and will define those that are used. It should be understood that many of the statements made in this report would require various qualifications and a lot more detail to attain full technical precision.

The subject is an inherently complicated one, and the reader must be prepared for a certain amount of detailed explanation, some of which is not easy to grasp. It is felt that the subject is important enough so that many citizens will wish to make the effort which is necessary to a careful reading of this report.

The simplifications and abbreviations which have been adopted in this report in order to achieve a generally understandable presentation will undoubtedly be recognized by, and it is hoped will not disturb, the more technical reader. The later sections of the present report will be supplemented by more detail and factual justification if this is later desired by any of the agencies (as for example, the National Committee on Radiation Protection, the Atomic Energy Commission, governmental and industrial groups concerned with radiation hazards, etc.), which have responsibility for the procedures and standards to which our recommendations apply.

This particular report is preliminary for two reasons. First, we wish later to make a fuller report with more technical detail. Second, the situation is changing at such a rate that there should be a continuing series of reports, each bringing the subject up to date.

The National Academy study is not directed toward the problems posed by wartime use of atomic weapons, nor toward the political aspects of atomic power. The study is only indirectly concerned with the social and economic aspects. In fact, the National Academy study, as its title indicates, is concerned with the possible biological hazards

due to atomic and other radiations. And the present report, made by the genetics committee, is concerned with the genetic aspects of the possible biological hazards. As this report is read, it should become progressively clearer what these genetic aspects are.

I. WHAT ARE WE WORRIED ABOUT?

The coming of the atomic age has brought both hopes and fears. The hopes center largely around two aspects: the future availability of vast resources of energy; and the benefits to be gained in biology, medicine, agriculture, and other fields through application of the experimental techniques of atomic physics (isotopes, beams of high-energy particles, etc.).

Gains in both of these areas can be of great benefit to mankind. Advances in medicine and agriculture are obviously desirable. The wide availability of power can also be of great benefit, if we use this power wisely. For not only should there be enough power to meet the more obvious and mechanical demands, there should be enough to affect society in much more far-reaching and advantageous ways, so as to reduce world tensions by raising the economic standards of areas with more limited resources.

On the other hand, the atomic age also brings fears. The major fear is that of an unspeakably devastating atomic war. Along with this is another fear, minor as compared with total destruction but nevertheless with grave implications. When atomic bombs are tested, radioactive material is formed and released into the atmosphere, to be carried by the winds and eventually to settle down at distances which may be very great. Since it does finally settle down it has aptly been named "fallout."

There has been much concern, and a good deal of rather loose public debate, about this fallout and its possible dangers.

Are we harming ourselves; and are there genetic effects which will harm our children, and their descendants, through this radioactive dust that has been settling down on all of us? Are things going to be still worse when presently we have a lot of atomic-power plants, more laboratories experimenting with atomic fission and fusion, and perhaps more and bigger weapons testing? Are there similar risks, due to other sources of radiation, but brought to our attention by these atomic risks?

II. WHAT COMPLICATIONS ARE MET IN REACHING A DECISION?

Now it is a plain fact, which will be explained in some detail later in this report, that radiations,* penetrating the bodies of human beings, are genetically undesirable. Even very small amounts of radiation unquestionably have the power to injure the hereditary materials. Ought we take steps at once to reduce, or at least to limit, the amount of radiation which people receive?

There are two major difficulties that make it very hard to decide what is sensible to do. First, although the science of genetics is as precise and as advanced as any part of biology, it has in general, and particularly in human genetics, not yet advanced far enough so that it is possible to give at this time precise and definite answers to the questions: Just how undesirable, how dangerous are the various levels of radiation; just what unfortunate results would occur?

Second, even if the relevant questions concerning radiation genetics could be answered definitively that would be only part of the story. The overall judgment (how much radiation should we have?) involves a weighing of values and a balance of opposing aim in regard to some of which the techniques of physical and biological science offer little help.

What is involved is not an elimination of all risks, for that is impossible—it is a balance of opposed risks and of different sorts of benefits. And the disturbing and confusing thing is that mankind has to seek to balance the scale, when the risk on neither side is completely visible. The scientists cannot say with exact precision just what biological risks are involved in various levels and sort of radiation exposure (these considerations being on one pan of the risk scale); nor can anyone precisely evaluate the overall considerations of national economic strength, of defense, and of international relations (all on the other pan of the scale).

III. MUST WE THEN MOVE ENTIRELY IN THE DARK?

Does this mean that geneticists have, at the moment, nothing useful to say on this grave subject? Fortunately, this is not the case. We do know something, though not nearly enough to give definite answers to a great many important questions. There is a considerable margin of uncertainty about much of this, and as a result, there are naturally some differences of opinion among geneticists themselves as to exact numerical values, although no disagreement as to fundamental conclusions.

Many people, moreover, suppose science to be definite—open or shut. Things are supposed to be so or not so. And therefore some persons may, quite mistakenly, conclude that geneticists are unscientific because they do not completely agree on all details.

In relatively simple fields, where both theory and experiment have progressed far, a comforting kind of precision does often obtain. But it is characteristic of the present state of human radiation genetics that one must carefully and painstakingly note a lot of qualifications, of special and sometimes very technical conditions, of cautious reservations. The public should recognize that the attitudes and statements of geneticists about this problem of radiation damage have resulted from deep concern and from attempts to exercise due caution in a situation that is in essence complicated and is of such great social importance.

It is not surprising that our knowledge of genetics—and especially human radiation genetics—is so fragmentary. What goes on inside cells, and the effects of radiations on these processes are extremely complicated and subtle problems. To attack them successfully requires a tremendous lot of time; for the inherent variability of certain of these effects is such that to establish something with certainty one must do not one experiment but many thousands of individual tests and observations. To attack these problems also requires a high degree of special skill—and perhaps most of all, imaginative ideas which can be tested.

Single-celled organisms, as well as fruitflies and corn plants, have been specially rewarding objects of genetic study. In evolutionary terms, however, insects and plants are clearly a long way from man, and we are really just beginning to get genetic information about the effects of radiation on some of the lower mammals, such as mice. Even so, several matters of profound importance have already become clear: Bacteria or fruitfly, mouse or man, the chemical nature of the hereditary material is universally the same; the main pattern of hereditary transmission of traits is the same for all forms of life reproducing sexually; and the nature of the effects of high-energy radiations upon the genetic material is likewise universally the same in principle. Hence, when it comes to human genetics, where the impossibilities of ordinary scientific experimentation are clear and only a tantalizing start has been made, we can at least feel certain of the general nature of the effects, and need only to discover ways in which to measure them precisely.

IV. HOW COULD WE REDUCE RADIATION RISK?

The major ways to reduce our present and future exposure to radiations would be: (a) to reduce medical and other use of X-rays as much as is feasible; (b) to set and observe reasonable regulations for the safe construction and operation of nuclear powerplants and for the methods used to dispose of their radioactive wastes as well as the methods used in mining and processing the fissionable material; (c) to reduce the testing of atomic weapons and hence to reduce radioactive fallout; (d) to place limits on the human exposures involved in certain aspects of experimentation in atomic and nuclear physics.

To carry out steps just mentioned would, in greater or lesser degree for the various items, reduce radiation risks. Progress with regard to step (a) can doubtless be achieved, although to go too far in reducing the medical use of X-rays would, of course, lead to the risk of poorer diagnosis and less effective treatment of disease. But to carry out steps (b), (c), and (d) would subject us to a different set of risks. We might thereby impede progress in the nuclear field. We might seriously weaken our country's position in the world. We might deny future generations some of the possible benefits of nuclear power and of other atomic discoveries.

V. RADIOACTIVE MATERIAL AND RADIATIONS

Now that the problem has been posed, and now that we are warned somewhat about the difficulties, we must begin to consider some of the more technical issues involved. What is radioactive material, what are radiations, and what biological effects do they have?

By radioactive material is meant those naturally occurring substances such as radium, or those man-produced atoms resulting from atomic experiments, which are inherently unstable. Instead of remaining unchanged, like ordinary atoms of familiar substances such as oxygen, gold, etc., the atoms of these radioactive substances act like alarm clocks set by mischievous gremlins for unknown times. Unpredictably (at least, in individual instances), but predictably for the average behavior of a large number, these atomic alarm clocks "go off"; that is to say, they disintegrate.

When radioactive material disintegrates, it emits, along with other less-penetrating and, hence, less-significant rays, certain high-energy rays known as gamma rays. Some of these rays are entirely similar to a beam of light, except for the important distinction that they readily penetrate human tissue which is nearly opaque to ordinary light. Also, the energy of these rays is much higher than that of light, and this enables them to produce chemical and biological changes in the tissue they traverse. Rays of this sort, which transport energy from one point in space to some other point, are in general referred to as radiations. We also class as radiations beams of minute particles traveling at high speeds, such as electrons or neutrons, which, when they hit matter, produce effects like those of radiation mentioned.

As indicated above, gamma rays are emitted by naturally occurring radioactive substances, such as radium. They are also emitted by the radioactive materials which are produced in the nuclear fission which occurs in atomic weapons testing, in nuclear power installations, and in various sorts of experimental installations. These same rays, in dilute amounts, impinge on and penetrate all of us all the time. For radioactive material is, as an inevitable and hence normal procedure, built into the soil, rocks, plants, etc., and for that matter is also built into our own bodies. Similarly, such material exists on the luminous dials of our watches and

*Throughout this report the word "radiation" is not used in its broadest sense, but refers to certain kinds of high-energy radiations which are described in section V.

clocks. The familiar X-rays of the hospitals and tuberculosis clinics, and in the offices of dermatologists and dentists, have properties of penetration and energy which are similar to gamma rays.

Throughout this report, the word radiation refers primarily to gamma rays and/or X-rays, sometimes to other sorts of radiations as will be more particularly mentioned later.

Everyone knows what a pound of beef steak is, or a yard of cloth. We do not have that sort of familiarity with amounts, or units, or dosages of radiation. X or gamma radiation is measured in units called roentgens (abbreviated r; for example, "a dose of 3r"). Dental X-rays involve a dose (to the reproduction organs or gonads, that being the important matter from the point of view of genetics) of about 0.005 r; and a general fluoroscopic examination may involve a dose of 2r or even more.

VI. SOME BASIC FACTS ABOUT GENETICS

Before we ask what effect radiations have on genetic processes, we must review a little basic information about genetics itself.

Every cell of a person's body contains a great collection, passed down from the parents, the parents' parents, and so on back, of diverse hereditary units called genes. These genes singly and in combination control our inherited characteristics.

These genes, as was just stated, exist in every cell of the body. But from the genetic point of view the ordinary body cells, which make up the body as a whole, are not comparably as important as the germ cells which exist in the reproductive organs, and which play the essential roles in the production of children.

The genes are strung together, single-file, to form tiny threads of genetic material called chromosomes, which are visible under a microscope. These chromosomes, in ordinary body cells, customarily exist as similar but not identical pairs. Human body cells normally contain 48 chromosomes, these constituting 2 similar but not identical sets of 24 chromosomes each. One of these sets of 24 chromosomes was inherited from the mother, for the egg cells carries a set of 24 chromosomes; and the other set of 24 chromosomes was inherted from the father, for the sperm cell also carries a set of 24.

All the genes that a person starts out with when the original egg cell is fertilized are in general kept unchanged as the cells divide and the person's body is elaborated and maintained. The process by which the dividing cells duplicate the genes may not always produce perfect copies, but it does so in general. But genes do nevertheless essentially change. They are changed by certain agents, notably by heat, by some chemicals, and by radiation. It is with the last of these three agents of gene change that we are concerned in this report.

When a gene becomes permanently altered, we say it mutates. The gene in its altered form is then duplicated in each subsequent cell division. If the mutant gene is in an ordinary body cell, then it is merely passed along to other body cells; but the mutant gene, under these circumstances, is not passed on to progeny, and the effect of the mutant gene is limited to the person in whom the mutation occurred.

However, it cannot safely be assumed that the effect is a negligible one on the person in whom the mutation occurred, nor can it properly be said that this effect is nongenetic, even though passage to offspring is not involved. For various kinds of cellular abnormalities are known to be perpetuated within an individual through body-cell divisions; so these effects are genetic in the broad sense.

What is involved here is not only mutant genes, but also larger scale disruption of the genetic material, such as breakage of chromosomes.

The quantitative relations are not yet clear, but it is established that certain malignancies such as leukemia and certain other cellular abnormalities can be induced by ionizing radiations. There is also some evidence that effects of this sort measurably reduce the life expectancy of the individual receiving the radiation. These risks have genetic aspects and therefore should receive mention in this report. Indeed these direct risks to the individuals exposed may well constitute another adequate genetic reason for limiting radiation exposures to the lowest practicable levels.

To return to a consideration of the risks which are passed on to progeny, the mutant gene may exist in a sperm or an egg cell as a result of a mutation having occurred either in that cell or at some earlier cell stage. In this case, a child resulting from this sperm or egg will inherit the mutant gene.

If we were to take the two chromosomes of a similar pair, stretch them out straight, and put them alongside each other, then each gene of one would be opposite a corresponding gene in the other. Thus the genes exist in pairs, so do the chromosomes. The two members of each pair of genes are not always identically the same. That is, in fact, why we call the chromosome pairs similar rather than identical. The two genes of a corresponding pair play similar roles, in that they both affect or help to determine the same characteristic of the whole organism. But one of the two may have a somewhat different, or a much more powerful effect than the other.

Thus of a certain pair of genes, both might be concerned with hair color. If both genes of this hair-color pair are the sort which favor red hair, then the person has red hair. If both genes are the sort which favor nonred hair (black, brown, or blond) then the person has nonred hair. But suppose that, of this pair of hair-color genes, one favors red hair and the other nonred hair. What happens then?

The answer (husbands and wives will understand this) is that one of the two usually dominates the situation and gets its way, although (and again this seems reasonable) the meeker one of the two usually manages to avoid being completely ignored.

Thus with one nonred gene (this being the powerful and dominant one of the two), and one red gene (this being the meeker one), the hair is ordinarily not red, but the red gene may nevertheless produce some effect, a little red showing in the hair so as to make it faintly rusty or tawny in color.*

The powerful type of gene, which gets all or most of its own way in contrast to its companion gene, is very naturally called a dominant gene. The less effective type is called a recessive gene. In this same terminology, nonred hair color is called a dominant characteristic, whereas red hair color is called a recessive characteristic. A recessive characteristic actually fully appears only if both of the relevant genes are of the recessive type. Of great importance for our present study is the fact that mutant genes—genes which have, for example, been changed by radiations—are usually of the recessive type.

It is now easy to see that any organism may have, latent in its genetic constitution, ineffectual or recessive genes that have not had much of a chance to become apparent in its developed external characteristics, since the recessive genes are masked by their dominant companion genes. Yet often, as we have seen, this dominance is incomplete, and the recessive gene is able to manifest itself partially.

When the 2 genes of a pair are alike—both recessive or both dominant—then they are called a homozygous pair; but when 1 is recessive and the other dominant, then the pair is called heterozygous. Thus, a recessive characteristic—like red hair—can be fully expressed only when the corresponding gene pair is homozygous.

VII. RADIATIONS AND GENETIC MUTATIONS

We are now in a position to indicate why it is that radiations, such as X-rays or gamma rays, can be so serious from the genetic point of view. For although the genes, as described above, normally remain unchanged as they multiply and are passed on from generation to generation, they do very rarely change, or mutate; and radiation, as we have already mentioned, can give rise to such changes or mutations in the genes. The change is presumably an alteration in the complicated chemical nature of the gene, and the energy furnished by the radiation is what produces the chemical change. Mutation ordinarily affects each gene independently; and once changed, an altered gene then persists from generation to generation in its new or mutant form.

Moreover, the mutant genes in the vast majority of cases, and in all the species so far studied, lead to some kind of harmful effect. In extreme cases the harmful effect is death itself, or loss of the ability to produce offspring, or some other serious abnormality. What in a way is of even greater ultimate importance, since they affect so many more persons, are those cases that involve much smaller handicaps, which might tend to shorten life, reduce number of children, or be otherwise detrimental.

The changed character, due to the mutated gene, seldom appears fully expressed in the first generation of offspring of the person who received the radiation and thus had one of his genes mutated. For these mutant genes are usually recessive. If a child gets from one parent a mutant gene, but from the other parent a normal gene belonging to that pair, then the normal gene is very likely to be at least partially dominant, so that the normal characteristic will appear.

But this is not all of the story. For, like the red-hair gene, the harmful recessive mutant genes are not usually completely masked. Even when paired with a normal and dominant gene—that is to say, even when in the heterozygous state—they still have some detrimental effect. This heterozygous damage is ordinarily much smaller than the full expression of the mutant when in the homozygous state, and yet there may be a significant shortening of the length of life or reduction of the fertility of the heterozygous carriers of the mutant. And the risk of heterozygous damage applies to many more individuals, indeed to every single descendant who receives the gene.

The relations of genes to ordinary traits (not to the most simply determined biochemical traits) are, of course, much more complex than the previous paragraph would seem to imply. Such gene-determined traits may vary from person to person, due perhaps to environmental differences, and often may not even appear at all. A single gene usually affects several such characters, and characters are practically always affected by many genes. Also the effect of a gene may depend on what other genes are present, often in a complex way. For example, a mutation tending to increase weight might be harmful to certain persons, but beneficial to others.

Some harmful effects

Indeed, it is likely that a large fraction of the genes that determine normal variability are of this rather ambiguous type that are sometimes deleterious, sometimes not. Mutations within this sort would not necessarily be harmful. Such mutations presumably occur, but geneticists do not know what fraction of all mutations are of this type, for they are not ordinarily detectable. However, the mutations that form the basis of

*The accurate and complete genetic story about red hair is more complicated than has been stated here. There are less familiar characteristics—thalassemia and sickle cell anemia for example—which more strictly conform to the simple pattern here described.

this report are those that are relatively detectable, and these, as mentioned earlier, are almost always harmful.

Individuals bearing harmful mutations are handicapped relative to the rest of the population in the following ways: They tend to have fewer children, or to die earlier. And, hence, such genes are eventually eliminated—soon if they do great harm, more slowly if only slightly harmful. A mildly deleterious gene may eventually do just as much total damage as a grossly and abruptly harmful one, since the milder mutant persists longer and has a chance to harm more people.

In assessing the harm done to a population by deleterious genes, it is clear that society would ordinarily consider the death of an early embryo to be of much less consequence than that of a child or young adult. Similarly a mutation that decreases the life expectancy by a few months is clearly less to be feared than one that in addition causes its bearer severe pain, unhappiness, or illness throughout his life. Perhaps most obviously tangible are the instances, even though they be relatively uncommon in which a child is born with some tragic handicap of genetic origin.

A discussion of genetic damage necessarily involves, on the one hand, certain tangible and imminent dangers, certain tragedies which might occur to our own children or grandchildren; and on the other hand certain more remote trouble that may be experienced by very large numbers of persons in the far distant future.

No two persons are likely to weigh exactly alike these two sorts of danger. How does one compare the present fact of a seriously handicapped child with the possibility that large numbers of persons may experience much more minor handicaps, a hundred or more generations from now?

There are thoughtful and sensitive persons who think that our present society should try to meet its more immediate problems, and not worry too much about the long-range future. This viewpoint is in some instances supported by the belief that new ways, perhaps unimaginable at the moment, are likely eventually to be found for meeting problems.

There are other thoughtful and conscientious persons who think that we are specifically responsible for guarding, as well as we can now determine, the long future.

Recognizing the inevitability and propriety of both viewpoints, and recognizing that they lead different persons to express their concerns through different examples and with differing emphases, the fact of major importance for this present study is that, traveling by different routes, different geneticists arrive at the same conclusion: Complexities notwithstanding, the genetic damage done, however felt and however measured, is roughly proportional to the total mutation rate.

VIII. MUTANT GENES AND EVOLUTION

Many will be puzzled about the statement that practically all known mutant genes are harmful. For mutations are a necessary part of the process of evolution. How can a good effect—evolution to higher forms of life—result from mutations practically all of which are harmful?

First of all, it is not mutations which, of themselves, produce evolution, but rather the action of national selection on whatever combinations of genes occur. Much of evolutionary progress probably depends on changes within the range of normal variability, and thus depends on genes of very small effect, and of the type mentioned in the previous section which are favorable or unfavorable, depending on what other genes are present. Thus evolution consists of a complex shifting of frequencies of such genes, accompanied by the continuous process of elimination of detrimental mutations and the occasional incorporation into the population of a favorable mutation.

Nature had to be rather ruthless about this process. Many thousands of unfortunate mutations, with their resulting handicaps, were tolerated, just so long as an advantageous mutation could be utilized, once in a long while, for inching the race up slightly higher to a better adjustment to the existing conditions. The rare creature with an advantageous combination of genes was better fitted to survive and displace his less favored companions, and thus evolution was served, even though there were thousands of tragedies for every success.

The reader may be troubled by a second difficulty. If mutation results in at least some favorable types, and if these are building blocks of evolution, why is an increase in mutation rate regarded as undesirable? Why wouldn't an increase in mutation rate produce a larger total number of the favorable types and so speed up evolution? If the favorable types are normally quite rare, wouldn't it almost seem that increasing the mutation rate would be desirable? The answer to this question lies in the consideration that the bad effect of mutation must be balanced against the good. Some mutation is necessary for evolution, but if the mutation rate is too high, the unfavorable mutations will be so numerous that the species and its future evolution will be handicapped. Under present-day conditions of living and medical care, it seems unlikely that the unfavorable results of mutation are being eliminated nearly as rapidly as was formerly the case. In other words, one of the consequences of the amazing mastery of his environment which man has achieved has been an actual decrease in the severity of natural selection.

Geneticists in fact believe that although favorable mutations are rare compared with unfavorable ones, the human population probably already has, and will continue to have as a result of its present mutation rate and without additional mutations from increased radiation, a large enough total supply of favorable, partially favorable, and potentially favorable mutations. In other words, with our present mutation rate we shall continue to have a degree of genetic variability adequate for further evolution.

IX. WHAT, THEN, CAN GENETICISTS SAY TO HELP RESOLVE OUR PROBLEM?

With the background furnished by the preceding discussion, we can now state rather concisely certain main points on which geneticists are in substantial agreement. Some of these points will partially repeat statements already made, but they are included here in order that this section be reasonably complete of itself.

1. Radiations cause mutations.

Mutations affect those hereditary traits which a person passes on to his children and to subsequent generations.

2. Practically all radiation-induced mutations which have effects large enough to be detected are harmful.

A small but not negligible part of this harm would appear in the first generation of the offspring of the person who received the radiation. Most of the harm, however, would remain unnoticed, for a shorter or longer time, in the genetic constitution of the successive generations of offspring. But the harm would persist, and some of it would be expressed in each generation. On the average, a detrimental mutation, no matter how small its harmful effect, will in the long run tip the scales against some descendant who carries this mutation, causing his premature death or his failure to produce the normal number of offspring.

Although many mutations do disturb normal embryonic growth, it is not correct that all, or even that most mutations, commonly result in monstrosities or freaks. In fact, the commonest mutations are those with the smallest direct effect on any one generation—the slight detrimentals.

3. Any radiation dose, however small, can induce some mutations. There is no minimum amount of radiation dose, that is, which must be exceeded before any harmful mutations occur.

4. For every living thing—bacterium, fruitfly, corn plant, mouse, or man—there exist mutations which arise from natural causes (cosmic rays, naturally occurring radiations from radium and similar substances, and also from heat and certain chemicals). These naturally occurring and hence unavoidable, mutations, are usually called "spontaneous mutations."

Like radiation-induced mutations, nearly all spontaneous mutations with detectable effects are harmful. Hence these mutations tend to eliminate themselves from the population through the handicaps of the tragedies which occur because the person bearing these mutants are not ideally fitted to survive.

We all carry a supply of these spontaneous mutant genes. The size of this supply represents a balance between tendency of mutant genes to eliminate themselves, and the tendency of new mutants to be constantly produced through natural causes.

5. Additional radiation (that is, radiation over and above the irreducible minimum due to natural causes) produces additional mutations (over and above the spontaneous mutations).

The probable number of additional induced mutations occurring in an individual over a period of time is by and large proportional to the total dose of extra radiation received, over that period, by the reproductive organs where the germ cells are formed and stored. To the best of our present knowledge, if we increase the radiation by X percent, the gene mutations caused by radiation will also be increased by X percent.

The total dose of radiation is what counts, this statement being based on the fact that the genetic damage done by radiation is cumulative.

A larger amount of radiation produces a larger number of mutations. But within the limits of the radiation doses being considered in this report there is every reason to expect that these additional mutants would be of the same general sort as those produced by the natural background radiation. That is to say, mildly larger doses of radiation would produce more, but not worse, mutants.

6. From the above five statements a very important conclusion results. It has sometimes been thought that there may be a rate (say, so much per week) at which a person can receive radiation with reasonable safety as regards certain types of direct damage to his own person. But the concept of a safe rate of radiation simply does not make sense if one is concerned with genetic damage to future generations. What counts, from the point of view of genetic damage, is not the rate; it is the total assimilated dose to the reproductive cells of the individual from the beginning of his life up to the time the child is conceived.

What is genetically important to a child is the total radiation dose that child's parents have received from their conception to the conception of the child. Since this report necessarily deals with averages, the significant total dose period should be, at least approximately, the number of years that normally elapses from the conception of a person to the average time at which offspring are conceived.

In the United States, based on 1950 data, the average age of fathers at the births of all children is 30.5 years, whereas the average age of both parents is 28.0 years. It therefore seems sensible for us to use the round figure of 30 years, especially since this figure is the one usually chosen to measure a

generation. Using this 30-year figure for characterizing the "total reproductive life radiation dose" would have the result that about half of the total offspring would receive the possible effects of a smaller, and about half the possible effects of a larger, radiation dose.

7. The problems of defining and estimating genetic damage are very difficult ones.

There are at least three different aspects which must be considered. The first aspect places emphasis on the risk to the direct offspring and later descendants of those persons who, from occupational hazard or otherwise, receive a radiation dose substantially greater than the average received by the population as a whole.

The second aspect refers to the effect of the average dose on the population as a whole.

The third aspect refers in still broader terms to the possibility that increased and prolonged radiation might so raise the death rate and so lower the birth rate that the population, considered as a whole, would decline and eventually perish. We are at present extremely uncertain as to the level of this fatal threshold for a human population. This is one reason why we must be cautious about increasing the total amount of radiation to which the entire population is exposed.

Assessing genetics damage

These three approaches to the problem of genetic damage involve estimating the damage in successive generations and also the total damage in all generations, due to an increase in the amount of mutation. The relative emphasis one places on these three aspects depends in part on whether one thinks primarily in terms of distress to individual persons, or whether one thinks in terms of the population as a whole. Necessarily involved is the contrast between manifest harm to a few, and less evident but no less unreal harm to many. Also involved is the contrast between a more short-term and a more long-range point of view.

One way of thinking about this problem of genetic damage is to assume that all kinds of mutations on the average procedure equivalent damage, whether as a drastic effect on one individual who leaves no descendants because of this damage, or a wider effect on many. Under this view, the total damage is measured by the number of mutations induced by a given increase in radiation, this number to be multiplied in one's mind by the average damage from a typical mutation.

Measuring total damage in terms of the number of mutations does indeed necessarily involve this concept of the average damage from a typical mutation, and some geneticists find this concept difficult and illusive. They would point out that mutations may be grouped in classes that differ, on a subjective scale, many thousandfold in the amount of damage per mutation. As examples they would cite a mutation which results in very early death of an embryo (which might cause very little social or personal distress), and a mutation which results in severe malformation to a surviving child (which would cause very great personal distress and which clearly involves a social burden).

Rather than utilizing this concept of the average total damage per mutation, some geneticists prefer to start with a consideration of the tangible damage which occurs now, as a result of the current rate of mutation and get an index of damage by multiplying this by the ratio of the expected new mutation rate to the current one. This procedure, however, admittedly deals with only part of the total damage, so an alternative difficulty faces those who prefer this procedure, namely the difficulty of estimating what part of the total damage they have dealt with.

As an illustration of the first aspect, suppose that 10,000 individuals were exposed to a large dose of radiation, of the order of 200 r. Then perhaps 100 of the children of these exposed individuals would be substantially handicapped, this being in addition to the number of handicapped from other causes. In this case the connection with the radiation exposure could be established by a statistical study.

As an illustration of the second aspect, suppose the whole population of the United States received a small dose of extra radiation, say one r. Then there is good reason to think that, among 100 million children born to these exposed parents, there would be several thousand who would be definitely handicapped because of the mutant genes due to the radiation. But these several thousand handicapped children might be, so to speak, lost in the crowd. Society might be more impressed by the 100 more obvious cases of the preceding paragraph than by the more hidden several thousand cases of this paragraph.

We should not disregard a danger simply because we cannot measure it accurately, nor underestimate it simply because it has aspects which appeal in differing degrees to different persons. Two conclusions seem to be clear and of importance. We should proceed with due caution as regards all agents which cause mutations; and we should vigorously pursue the researches which will in time give us a more precise way of judging all aspects of the risk.

X. SOME REMARKS ABOUT APPROXIMATE ESTIMATES

Up to this point of the discussion the conclusions of the geneticist are pretty clear; the mutant genes induced by radiation are generally harmful, and the harm cannot be escaped.

But as yet this report has not furnished much of a basis for converting these conclusions into practical advice. Remembering that we must eventually balance risk against risk, it is obviously desirable to try to learn, as definitely as circumstances permit, the answer to the question: how great would be the genetic harm done by various doses of radiation?

Section XII of this report will respond to this question. But before giving the various replies, there should be some preliminary explanation concerning the nature of the answers given.

Science, and particularly the branch which deals with the physical world about us, has succeeded in giving highly precise answers to many questions. When one talks about the velocity of light he does not need to say that it is something like 300,000 kilometers per second: he is justified in saying that it is 299,793 kilometers per second, and that the final integer is almost certainly not off by more than two units.

But when you ask an experienced surgeon what your chances are of surviving a serious operation, and if he answers "something like 9 chances out of 10," then you accept that as a reasonable and helpful estimate. You do not distrust him because he gives you a rough estimate. Indeed, you would have good cause to distrust him if he tried to give a highly precise answer.

In other words, there are many situations in which science can give only rough estimates. These estimates can nevertheless be very useful. No one should disdain such an estimate because it is rough, nor should anyone consider such estimates unscientific.

In section XII there will be stated the results of certain approximate calculations. The theory behind these calculations is on the whole well understood; but it is seldom the case that one knows with much accuracy the numerical values that enter into the calculations. One may, for example, say, "I don't know, in any direct measured sense, how many mutants would result if all the genes in a human fertilized cell received 1 roentgen of radiation. But using a pretty definitely known value for the mutation rate in certain genes of the mouse, and also knowing fairly well—in this case from experiments with fruitflies—how to pass from the measured rate for a few genes to the rate which probably applies to a germ cell as a whole; and then making the unfortunate but necessary assumption that these mouse and fruitfly figures apply reasonably well to man—using this procedure I come out with estimates for the number of mutants which would be produced in man by a given dose of radiation. Because of the uncertainties, I think it prudent to state not a single final result, but, rather, a range of results with estimated lower and upper limits. I wish that we had direct experimental evidence which would firm up this estimate. But I don't have to be too apologetic, for a large amount of biological reasoning has been successfully based on this sort of procedure. Man differs widely from lower forms of life in all the obvious, and in many other, respects. But the fundamental processes inside cells tend to be curiously alike, from the simplest creature of a single cell, up to man."

It may turn out that the uncertainties in the quantities which enter the calculation are so great that the resulting uncertainty in the final answer is itself so very broad that the calculation simply does not furnish a useful estimate. But it may also turn out that, despite some considerable uncertainty in the constituent factors, the answer can be stated with a range of uncertainty which is small enough so that the estimate is useful.

It seems necessary to emphasize this matter of approximate estimation, so that no one will improperly conclude that a statement is unreliable because it involves a range of values. On the contrary, such a statement, when made in a situation like the present one, should be viewed as all the more dependable precisely because it does not pretend to an unwarranted accuracy.

XI. HOW MUCH RADIATION ARE WE NOW RECEIVING?

If we are to talk about how harmful certain radiation doses maybe we should gain some idea of the amount of radiation we are already receiving from various sources.

The committee will release a report specially devoted to this particular subject, which summarizes in detail all the kinds, sources, and amounts of radiation. In the present report, only that minimum amount of information will be given which is necessary for our current discussion.

Neglecting several minor contributions (all of which will be treated in the longer report), man is at present receiving radiations from the following:

1. Background radiation

This is the radiation which results from natural causes (cosmic rays, naturally occurring radium, etc.) not under our control. Each person receives on the average a total accumulated dose of about 4.3 roentgens over a 30-year period. At high altitudes this dose is greater, because of the increase of cosmic rays. Thus this background is as high as 5.5 roentgens in some places in the United States.

2. Medical X-rays

The committee report estimates each person in the United States receives, on the average, a total accumulated dose to the gonads which is about 3 roentgens of X-radiation during a 30-year period. Of course, some persons get none at all; others may get a good deal more.

3. Fallout from weapons testing

The Atomic Energy Commission[1] is doing a technically competent and a socially conscientious job of measuring fallout; but it does not follow from this that one can answer, with high precision, all questions about the biological risks involved. What they usually measure (which, technically speaking, is a beta-ray activity in air) has to be translated over into what is genetically important (namely, the gamma ray dose to the gonads). The estimation of the latter of these quantities from the former is a pretty complicated business.

Beside those just mentioned, there are certain further uncertainties in the fallout values. The measurements are necessarily taken far apart, and there is known to be considerable local variation due to meteorological conditions and topography. The radioactive dust, when it settles out of the air, is subject to weathering, as when it is washed off of buildings by the rain and carried to locations where it may affect fewer persons. Also individuals inside houses, or other shelters, will be considerably less exposed than those in the open air.

Thus one cannot expect the figures on fallout to be very precise ones. We have been informed that the AEC scientists are confident that the actual true dose figures are less than five times their stated estimates, and are also greater than one-fifth of these stated estimates.

It should be noted that the figures on fallout as stated by the Atomic Energy Commission make only a conservative correction for weathering and shelter; and thus their figures, at least in regard to this point, tend to overstate the danger rather than the opposite.

With these understandings, it may be stated that United States residents have, on the average, been receiving from fallout over the past 5 years a dose which, if weapons testing were continued at the same rate, is estimated to produce a total 30-year dose of about one-quarter of a roentgen; and since the accuracy involved is probably not better than a factor of 5, one could better say that the 30-year dose from weapons testing if maintained at the past level would probably be larger than 0.05 roentgens and smaller than 1.25 roentgens.

The rate of fallout over the past 5 years has not been uniform. If weapons testing were, in the future, continued at the largest rate which has so far occurred (in 1953 and 1955) then the 30-year fallout dose would be about twice that stated above. The dose from fallout is roughly proportional to the number of equal-sized weapons exploded in air, so that a doubling of the test rate might be expected to double the fallout.

The figures just stated are based on all information now available from both the Atomic Energy Commission and the Armed Forces, and have been estimated as part of a study carried out for this committee by Dr. John S. Laughlin, chief of the division of physics and biophysics, Sloan-Kettering Institute, and Dr. Ira Pullman, loaned to this study by the Nuclear Development Corporation of America. In their estimation correction has been made for weathering and shelter effects in accordance with the latest experimental data.

4. Atomic powerplants

As yet the general population has not received radiation from atomic powerplants or from the disposal of radioactive wastes. These are future sources of radiation that might become dangerous.

[1] Under the Department of Defense other measurements, relating to fallout, are also being made.

5. Occupational hazards

The preceding four points apply to everyone. Unless proper precautions are taken, persons who are close to equipment emitting X-rays, who are engaged in experimental work in atomic energy, who operate atomic plants, who test weapons, who mine or otherwise handle radioactive material, etc., are subject to the risk of greater radiation exposure during their work.

XII. HOW HARMFUL ARE RADIATION-INDUCED MUTATIONS?

As has already been indicated, there are various ways of estimating genetic harm, various attitudes which can be taken as to what is most serious and significant. But this situation should not be allowed to confuse or conceal the massive fact that, by whatever chain of argument or reasoning, all geneticists come out with the same basic conclusions.

(A) Thus the first and unanimous reply to the question posed by the title to this section is simply this: Any radiation is genetically undesirable, since any radiation induces harmful mutations. Further, all presently available scientific information leads to the conclusion that the genetic harm is proportional to the total dose (that is, the total accumulated dose to the reproductive cells from the conception of the parents to the conception of the child). This tells us that a radiation does of 2X must be presumed to be twice as harmful as a radiation dose of X; but it still doesn't tell us the amount of harm we would be doubling.

(B) Second we remember that mankind has for ages been experiencing, as the so-called spontaneous mutations, a certain rate of (generally harmful) mutations due to natural and uncontrolled causes (cosmic rays, heat, chemicals, etc.). It is not entirely unnatural to think of this burden of mutations as a sort of normal burden on society.[2] Therefore it seems to be illuminating to ask: How much additional man-made radiation will it take before this natural amount of genetic mutation (to which we are at least in some senses adjusted) will be doubled?

The calculations which lead to an estimate of this doubling dose necessarily involve the rates of both spontaneous and radiation-induced mutations in man. Neither of these rates has been directly measured; and the best one can do is to use the excellent information on such lower forms as fruitflies, the emerging information for mice, the few sparse data we have for man—and then use the kind of biological judgment which has, after all, been so generally successful in interrelating the properties of forms of life which superficially appear so unlike but which turn out to be so remarkably similar in their basic aspects.

In view of the inevitable uncertainties, it is rather surprising that the final estimates, as made by numerous specialists of this committee and in other countries, do not differ more than they do. The lowest figure which has been responsibly brought forward for the doubling dose is 5 roentgens and the largest estimates range up to 150 roentgens or even higher. Recent work with mice (which are, after all, mammals) gives some basis for thinking that the doubling dose is not as high as 150 roentgens. The experience in Japan gives some basis for thinking that the doubling dose is larger than 5 roentgens. Indeed, it is clear that the doubling dose must be at least as large as the background radiation (which is between 4 and 5 roentgens over 30 years in the United States). This, in fact, would be the value of the doubling dose if spontaneous mutations were due to background radiation alone, heat and chemical agents making no contribution.

[2] There is some basis for hoping that we may eventually be able to control at least a part of both spontaneous and radiation-induced mutations.

Thus, various arguments reduce the 5- to 150-roentgen range, and several experienced geneticists have recently made estimates in the narrower range of 30 to 80 roentgens.

In summary, then, of this particular point, each individual, on the average, inevitably experiences during his reproductive lifetime a certain number of harmful spontaneous mutations from natural causes. He would experience an additional equal number of harmful mutations if he received a certain dose of radiation during that same period. This is known as the doubling dose. The actual value of the doubling dose is almost surely more than 5 roentgens and less than 150 roentgens. It may very well be from 30 to 80 roentgens.

The first portion of this section XII said that twice as much radiation gives twice as much harm. This second portion goes a bit further. It says that something like 30 to 80 roentgens (or, at a further extreme, 5 to 150 roentgens) of extra radiation dose would do mankind twice the harm it is now experiencing from spontaneous mutations.

(C) The two preceding portions of this section are clearly not really satisfying. They do not indicate in quantitative terms how increases in radiation increase the harm. But anyone still wants to know in more specific terms, if possible, how serious is this harm that we may be doubling. If city traffic increases until the risk of crossing the street is doubled, then we will presumably still cross the street; for the risk per crossing is, after all, a very small one. If highway traffic increases until the risk in taking a thousand-mile drive is doubled, then many persons might well hesitate, for the risk is now unpleasantly high.

Different approaches cited

And this is the point at which it becomes most clearly evident that different geneticists find meaningful rather different approaches to the problem of genetic damage.

As has been stated previously, from one point of view the best index of genetic damage is the totality of tangible genetic defects of living individuals—say such things as mental defects, epilepsy, congenital malformations, neuromuscular defects, hematological and endocrine defects, defects in vision or hearing, cutaneous and skeletal defects, or defects in the gastrointestinal or genito-urinary tracts. Roughly 4 to 5 percent of all live births in the United States have defects of this sort; and all of these, perhaps about half—or 2 percent of the total live births—have simple genetic origin and appear prior to sexual maturity.

If mankind were subjected to a "doubling dose" of radiation, then the present level of 2 percent of such genetic defects would rise, and would eventually be doubled. More explicitly, consider the next 100 million births in the United States. This is about the number of children that will, in the future, be born to the presently alive population of the United States. Of these 100 million children, something like 2 million will experience genetic defects of the sort listed, these resulting from the deleterious "spontaneous" mutant genes which have been induced by natural causes excluding man-made radiation. If we were to be subjected, generation after generation, to an additional doubling dose of man-made radiation, then this present tragic figure of 2 million would gradually increase by 2 million more cases, up to an eventual new total of 4 million. It would, to be sure, take a very long time to reach this equilibrium double value. Perhaps 10 percent of the increase, or 200,000 new instances of tangible inherited defect, would occur in the first generation.

Since at various places this report considers a radiation dose of 10 roentgens, it may be useful to state the tangible inherited defects from a dose of that size. A dose of 10 roentgens would, on the above basis, give rise to some 50,000 new instances of tangible inherited defects in the first generation, and about 500,000 per generation ultimately, assuming of course an indefinite continuation of the 10 roentgens increased rate and also assuming a stationary population.

These figures by no means measure all of the genetic damage that would result from a doubling dose; but they do make tangible and impressive the fact that a doubling dose of radiation would cause real personal and social distress.

(D) There is another way of looking at this problem of genetic damage, and that consists of trying to make some useful sort of really long-term, fully complete estimate. This consists of estimating the total number of mutant genes which would be induced in the whole present population of the United States and passed on to the next appearing 100 million children, were this whole population to receive a certain total radiation dose to the gonads. In this instance we will use a dose of 10 roentgens, since a dose of that magnitude appears later in this report in the recommendations. Having estimated this total number of transmitted mutants induced by a dose of 10 roentgens, one then can only say, when he wishes to translate this over into harm or damage, that each one of these mutants must eventually be extinguished out of the population through tragedy. This statement does, of course, not hold in the detailed sense that one thinks of tracing each individual mutant gene until the line which bears and transmits it is overcome by the accumulating handicaps it imposes. The statement holds only in a statistical sense. Some lines of mutant genes will die out merely through normal chance procedures of inheritance. Others will multiply through these same chance procedures. But these normal chance effects cancel out; and the statistical extinction of the mutant genes is accomplished only through tragedy.

Three factors cited

Concerning these estimates of total number of mutants, three things should be said. First, they are clearly not really satisfactory to any geneticist. Too much has to be assumed, too little is dependably known.

Second. This kind of estimate is not a meaningful one to certain geneticists. Their principal reservation is doubtless a feeling that, hard as it is to estimate numbers of mutants, it is much harder still, at the present state of knowledge, to translate this over into a recognizable statement of harm to individual persons. Also they recognize that there is a risk involved in extrapolating from mouse and Drosophila data to the human case.

Various remarks can, however, fairly be made in favor of this estimating attempt. Two largely independent methods lead to about the same results, and this increases one's confidence. Although the extreme ranges of the estimates differ widely, the mean estimate for any one geneticist is not very different from the mean for any other. Even the guessing which is involved hardly deserves that name, for it is based on long years of experience.

So that the final thing that should be said is that in spite of all the difficulties and complications and ranges in numerical estimates, the result is nevertheless very sobering.

Six of the geneticists of this committee considered the following problem: Suppose the whole population of the United States received 1 dose of 10 roentgens of radiation to the gonads. What is the estimate of the total number of mutants which would be induced by this radiation dose and passed on to the next total generation of about 100 million children?

Each geneticist calculated what he considered to be the most probable estimate and then bracketed this by his minimum and maximum estimates. Each thus said, in effect, "I feel reasonably confident that the true value is greater than my minimum estimate and less than my maximum. My best judgment, as stated in a single figure, is what I have labeled the most probable estimate."

The most probable estimates as thus calculated by the six geneticists do not differ widely. They bunch rather closely around the figure 5 million. Four of the six estimates are very close to that figure, and the other two differ only by a factor of 2.

These six geneticists concluded, moreover, that the uncertainty in their estimation of the most probable value was about a factor of 10. That is to say, their minimum estimates were about one-tenth and their maximum estimates about 10 times the most probable estimate.

This calculation assumes a stable value for the total population. This calculation is admittedly somewhat complicated and disappointingly vague. It is, to some geneticists, not a very meaningful way of looking at the problem. To others it adds up to something at least reasonably clear, and in any event very serious.

XIII. FALLOUT

There has been concern about the possible genetic harm due to the fallout of radioactive material which results from the testing of atomic weapons. Certain aspects of this problem will be discussed in the reports of the other committees of this study (fallout on grazing and cropland; fallout in the sea and possible concentration in marine organisms; the distribution of fallout material by the winds and in the upper atmosphere; possible pathological damage due to long-lived isotopes built into our bones; etc.). The present comments relate only to the question of genetic damage.

From the point of view of this committee there are two summary remarks that should be made.

First, since any additional radiation is genetically undesirable the fallout dose is genetically undesirable.

Second, the fallout dose to date (and its continuing value if it is assumed that the weapons testing program will not be substantially increased) is a small one as compared with the background radiation, or as compared with the average exposure in the United States to medical X-rays.

XIV. RECOMMENDATIONS

In the light of the considerations which have been reviewed by this committee, and which have been, at least in major outline, summarized in this report, this committee has several recommendations.

These recommendations should all be interpreted in the light of the basic fact that any additional radiation is genetically undesirable. Therefore our society should hold additional radiation exposure as low as it possibly can. If certain figures (such as 10 roentgens) occur in a recommendation, it should most emphatically not be assumed that any exposure less than that figure is, so to speak, "all right"; nor should it be for a moment assumed that disaster will suddenly descend if one of these figures is exceeded.

In any case in which a figure is stated, it is with the idea. Stay just as far under this as you can; do not consider that this is an amount of radiation which is genetically harmless, for there is no such figure other than zero.

Opposing the fact that any further radiation is genetically bad is the practical fact that further radiation, from certain sources at least, is probably inevitable. The factors which argue for an increase in radiation are not genetic, and should obviously be appraised by a group much more representative than this committee. Thus our recommendations will have to be evaluated by others, who must decide what decisions society should or must make. As geneticists we say: keep the dose as low as you can.

Thus we recommend:

(A) That, in view of the fact that total accumulated dose is the genetically important figure, steps be taken to institute a national system of radiation exposure record-keeping, under which there would be maintained for every individual a complete history of his total record of exposure to X-rays, and to all other gamma radiation. This will impose minor burdens on all individuals of our society, but it will, as a compensation, be a real protection to them. We are conscious of the fact that this recommendation will not be simple to put into effect.

(B) That the medical authorities of this country initiate a vigorous movement to reduce the radiation exposure from X-rays to the lowest limit consistent with medical necessity; and in particular that they take steps to assure that proper safeguards always be taken to minimize the radiation dose to the reproductive cells.

(C) That for the present it be accepted as a uniform national standard that X-ray installations (medical and nonmedical), power installations, disposal of radio-active wastes, experimental installations, testing of weapons, and all other humanly controlable sources of radiations be so restricted that members of our general population shall not receive from such sources an average of more than 10 roentgens, in addition to background, of ionizing radiation as a total accumulated dose to the reproductive cells from conception to age 30.

(D) The previous recommendation should be reconsidered periodically with the view to keeping the reproductive cell dose at the lowest practicable level. If it is feasible to reduce medical exposures, industrial exposures, or both, then the total should be reduced accordingly.

(E) That individual persons not receive more than a total accumulated dose to the reproductive cells of 50 roentgens up to age 30 years (by which age, on the average, over half of the children will have been born), and not more than 50 roentgens additional up to age 40 (by which time about nine-tenths of their children will have been born).

(F) That every effort be made to assign to tasks involving higher radiation exposures individuals who, for age or other reasons, are unlikely thereafter to have additional offspring. Again it is recognized that such a procedure will introduce complications and difficulties, but this committee is convinced that society should begin to modify its procedures to meet inevitable new conditions.

XV. CONCLUDING COMMENTS

The basic fact is—and no competent persons doubt this—that radiations produce mutations and that mutations are in general harmful. It is difficult, at the present state of knowledge of genetics, to estimate just how much of what kind of harm will appear in each future generation after mutant genes are induced by radiations. Different genetics prefer differing ways of describing this situation: But they all come out with the unanimous conclusion that the potential danger is great.

This report recommends that the general public of the United States be protected, by whatever controls may prove necessary, from receiving a total reproductive lifetime dose (conception to age 30) of more than 10 roentgens of man-made radiation to the reproductive cells. Of this reasonable (not harmless, mind you, but reasonable) quota of 10 roentgens over and beyond the inevitable background or radiation from natural causes, we are now using on the average some 3 or 4 roentgens for medical X-rays. This is

roughly the same as the unavoidable dose received from background radiation.

It is really very surprising and disturbing to realize that this figure is so large, and clearly it is prudent to examine this situation carefully. It is folly to incur any X-ray exposure to the gonads which can be avoided without impairing medical service or progress.

The 10 roentgen recommendation applies in an average sense to the population as a whole. We also include a recommendation concerning the upper limit of exposure that any one individual should receive. These limits would of course apply to persons whose occupations involve radiation exposure, but they are intended as broad and uniform regulations which apply to any and every individual.

The fallout from weapons testing has, so far, led to considerably less irradiation of the population than have the medical uses—and has therefore been less detrimental. So long as the present level is not increased this will continue to be true; but there remains a proper concern to see to it that the fallout does not increase to more serious levels.

One important lesson which results from this study is the following: The present state of advance in atomic and nuclear physics on the one hand, and in genetics on the other hand, are seriously out of balance. We badly need to know much more about genetics—about all kinds and all levels of genetics, from the most fundamental research on various lowly forms of life to human radiation genetics. This requires serious contributions of time, of brains, and of money. Although brains and time are more important than money, the latter is also essential; and our society should take prompt steps to see to it that the support of research in genetics is substantially expanded and that it is stabilized.

We ought to keep all of our expenditures of radiation as low as possible. Of the upper limit of 10 roentgens suggested in recomendation C, we are at present spending about one-third for medical X-rays. We are at present spending less—probably under one roentgen—for weapons testing. We may find it desirable or even almost obligatory that we spend a certain amount on atomic powerplants. But we must watch and guard all our expenditures. From the point of view of genetics, they are all bad.

TEXT OF THE DIGEST OF FINDINGS AND RECOMMENDATIONS ON EFFECTS OF RADIATION

It is generally agreed that, in the peacetime development of atomic energy, man has been lucky. He has been dealing with an enormous new force whose potential effects he has only dimly understood. Thus far, except for some tragic accidents affecting small numbers of people, the biological damage from peacetime activities (including the testing of atomic weapons) has been essentially negligible. Furthermore, it appears that radiation problems, if they are met intelligently and vigilantly, need not stand in the way of the large-scale development of atomic energy. The continuing need for intelligence and vigilance cannot be too strongly emphasized, however.

The problems of radiation fall naturally into two main classes: (1) the effects on human beings; (2) the various ways in which radiation can reach human beings through the environment.

EFFECTS ON HUMANS

The inheritance mechanism is by far the most sensitive to radiation of any biological system.

Any radiation which reaches the reproductive cells causes mutations (changes in the material governing heredity) that are passed on to succeeding generations.

Human gene mutations which produce observable effects are believed to be universally harmful.

Everyone is subjected to the natural background radiation which causes an unavoidable quantity of so-called spontaneous mutations. Anything that adds radiation to this naturally occurring background rate causes further mutations, and is genetically harmful.

There is no minimum amount of radiation which must be exceeded before mutations occur. Any amount, however small, that reaches the reproductive cells can cause a correspondingly small number of mutations. The more radiation, the more mutations.

The harm is cumulative. The genetic damage done by radiation builds up as the radiation is received, and depends on the total accumulated gonad dose received by people from their own conceptions to the conception of their last child.

So far as individuals are concerned, not all mutant genes or combinations of mutant genes are equally harmful. A few may cause very serious handicaps, many others may produce much smaller harm, or even no apparent damage.

But from the point of view of the total and eventual damage to the entire population, every mutation causes roughly the same amount of harm. This is because mutant genes can only disappear when the inheritance line in which they are carried dies out. In cases of severe and obvious damage this may happen in the first generation; in other cases it may require hundreds of generations.

Thus, for the general population, and in the long run, a little radiation to a lot of people is as harmful as a lot of radiation to a few, since the total number of mutant genes can be the same in the two cases.

A UNIT OF RADIATION

It is difficult to arrive at a figure showing how much genetic harm radiation can do. One measure is the amount of radiation, above the natural background, which would produce as many mutations again as occur spontaneously. It is estimated that this amount is 30 to 80 roentgens.

(The roentgen is a unit of radiation. To give an idea of its value, the average dental X-ray delivers 5 roentgens to the patient's jaw, but only five-thousandths of a roentgen of stray radiation to more remote parts of the body such as the gonads.)

It is also estimated that a dose of 10 roentgens to every person in the United States would cause something on the order of 5 million mutant genes which would then be a part of the population's inheritance pool. This figure is subject to considerable uncertainty.

At present the United States population is exposed to radiation from (a) the natural background, (b) medical and dental X-rays, (c) fallout from atomic weapons testing. The 30-year dose to the gonads received by the average person from each of these sources is estimated as follows:

(a) Background—about 4.3 roentgens.

(b) X-rays and fluoroscopy—about 3 roentgens.

(c) Weapons tests—if continued at the rate of the past 5 years would give a probable 30-year dose of about 0.1 roentgen. This figure may be off by a factor of 5; i. e., the possible range is from 0.02 to 0.5 roentgen. If tests were conducted at the rate of the two most active years (1953 and 1955) the 30-year dose would be about twice as great as that just stated.

If the exposure of the general population to radiation is limited to levels which the genetics committee believes reasonable (see recommendations at the end of this part), there should be practically no pathological effects in the persons receiving the radiation.

Larger exposures (say 100 roentgens and up) of the whole body or a large part of it are generally harmful. (Much higher doses may, however, be safely and usefully delivered to limited portions of the body under the controlled conditions of medical treatment.) Very little is now known about how to treat the pathological effects of radiation or how to protect the body against them in the first place. Much research is needed in these fields.

One of the effects is a shortening of life. This seems to involve some generalized action. Irradiated individuals may age faster than normally even if they do not develop specific radiation-induced diseases like leukemia. It has not been shown that exposures small enough to be genetically tolerable have this effect. Furthermore, the permissible exposure levels that have been established for persons working with radiation appear to be within the limits of safety. However, it is not yet known what minimum dose, if any, would be necessary to produce a statistically noticeable reduction of life span when very large numbers of people are concerned.

ENVIRONMENT AND FOOD SUPPLY

Radiation in the general environment has not yet become a serious problem. In a few decades, however, radioactive waste products from atomic powerplants will represent an enormous potential source of contamination. How much of this radioactivity will actually reach the population depends on how successfully it can be kept out of the great network—ocean and air currents, food and water supplies—which connect man to his surroundings.

At present test explosions of atomic weapons are the only significant source of radiation in the general environment, above the natural background.

Meteorologists have found no evidence that atomic explosions have changed the weather or climate. Nor do they believe that continued weapons tests, at the same rate and in the same areas as in the past, would have such an effect.

Radiation from explosions passes into the atmosphere and much of it eventually returns to the ground as "fallout."

Fallout divides into three classes: (1) close-in—material that comes down within a few hundred miles of the explosion and within 10 to 20 hours, (2) intermediate—material that descends in a few weeks after the explosion, (3) delayed—material that remains in the air for months or years.

Close-in fallout from test explosions affects only restricted, uninhabited regions.

Intermediate fallout would descend very slowly if it were pulled down only by gravity. It is mostly washed out of the air by rain and snow. It spreads over large parts of the earth, but its effect over a small area may be accentuated if there is heavy precipitation while the radioactive cloud is overhead.

Delayed fallout is stored for long periods in the stratosphere. Meteorologists know very little about the interchange of air between the stratosphere and lower layers, so they cannot predict exactly how long the material will stay up, or where it is likely to descend.

At this point the oceans are not receiving any significant quantities of radioactive material. But eventually they will undoubtedly be used as a repository for some of the radioactive waste products of atomic power plants.

Before this can safely begin on a large scale, much research is needed to determine the mixing rates between various parts of the seas. Materials deposited in some of the deep parts of the ocean may remain there 100 years or more, so that most of their radioactivity would be gone before they reach surface water. On the other hand, material dumped into coastal and other surface waters would directly affect marine life and, within a few years, would contaminate all parts of the world because of the relatively rapid circulation of surface layers.

FOOD SUPPLY CONTAMINATED

Radioactive tracers can be used to chart ocean and air currents and to study the interrelationships of marine animals. Many important experiments in these fields will be possible only within the next 10 or 20 years. Increasing radioactive contamination of the sea and atmosphere will make it impossible after that to detect the tracers against the heightened background.

Radiation from fallout inevitably contaminates man's food supply. Radioactive elements in the soil are taken up and concentrated by plants. The plants may be eaten by humans, or by animals which in turn serve as human food.

At present the contamination is negligible. But the maximum tolerable level is not known. There is not nearly enough information about the long-term biological effects on man or animals from eating radiation-contaminated food. Research in this area is urgently needed.

Probably the most important potential food contaminant is strontium 90–a radioactive element that concentrates in bone tissue. Already, detectable although biologically insignificant traces of it have turned up in milk supplies thousands of miles from the site of atomic explosions.

Food from the oceans is also subject to radioactive contamination. Marine plants and animals extract and concentrate various radioactive elements that get into sea water. The concentration is cumulative, increasing as it proceeds up the chain from microscopic plankton to edible fish.

Properly used, radiation can enhance man's food supply rather than damage it. Radiation techniques have already opened important new fields in agricultural research and will undoubtedly become increasingly valuable. No drastic change in agricultural production appears imminent, however.

Tracer studies will help us understand basic metabolic processes in plants and animals. They will also be applied to practical problems such as the use of fertilizers.

Mutation rates in plants are being artificially speeded up with radiation in the hope of producing new and superior strains. Thus far, only a few new economic varieties have been found, but the method is promising. The use of radiation to sterilize packaged food may have dramatic impact on food technology by reducing the need for refrigeration and extending the shelf-life of many products.

Holding radiation to a tolerable worldwide level will require adequate methods for disposing of, or, rather, for containing radioactive wastes from power reactors.

Some of these wastes will remain dangerously radioactive for centuries.

Research has indicated some apparently feasible systems for controlled disposal, but none is yet at the point of economic operating reality.

The major problem in routine disposal is what to do with the wastes resulting from the processing of reactor fuel. The wastes from normal operations of reactors themselves can be more easily handled.

A second major problem is to anticipate the accidents that will inevitably occur and to set up safety standards which will insure that they do not become catastrophes.

Considered in this light, it appears feasible to use nuclear reactors in central station powerplants and in naval vessels.

RECOMMENDATIONS

In the light of these findings the study committees have made a number of recommendations. Those of the genetics committee apply most directly to all of us. They are:

I

Records should be kept for every individual, showing his total accumulated lifetime exposure to radiation.

II

The medical use of X-rays should be reduced as much as is consistent with medical necessity.

III

The average exposure of the population's reproductive cells to radiation above the natural background should be limited to 10 roentgens from conception to age 30.

IV

The 10-roentgen limit should be reconsidered periodically with a view to keeping the reproductive cell exposure at the lowest practicable level.

V

Individual persons should not receive a total accumulated dose to the reproductive cells of more than 50 roentgens up to age 30 years, and not more than 50 roentgens additional up to age 40. (About half of all United States children are born to parents under 30, nine-tenths to parents under 40.)

Other recommendations of general interest are:

VI

Techniques for monitoring worldwide fallout should be further improved.

VII

Measurements of the storage of radiation in the stratosphere should be continued and extended.

VIII

A national agency should control and keep records of all dumping of radioactive material in the ocean.

IX

An international body should set up safe standards for the marine and air disposal of radioactive materials as soon as possible, based on current knowledge.

X

Research in marine disposal should be carried out on a cooperative international basis.

XI

Until advances in reactor technology substantially reduce potential hazards buildings that house reactors located near populated areas should be sealed against the release of radioactive materials in the event of accident.

XII

Research should be continued and accelerated, particularly in the fields of:

Fundamental genetics, mammalian genetics, human and population genetics.

Pathological effects of radiation.

Mixing between various parts of the atmosphere.

Mixing between various parts of the oceans.

The role of plants and animals, both on land and in the oceans, in concentrating radioactive materials.

The tolerable levels of radioactivity in human and animal food.

Geophysical and geochemical aspects of the ultimate disposal of radioactive wastes.

Selection of biologically suitable sites for various atomic facilities.

Safety devices for the control of accidental power surges in reactors.

[From the New York Times of June 14, 1956]

RADIATION AND MAN'S FUTURE

The immediate and larger effects of atomic explosions on communities have been dwelt upon in countless monographs and articles, but what we are apt to regard as the minor effects have received less attention. What we have needed is a survey of what our new mastery of atomic energy means for the future of mankind.

With a grant from the Rockefeller Foundation such a survey is now presented by the National Academy of Sciences. It is a sober expression of opinion by scientists of high repute, an expression which cannot fail to have its effect on statesmen who are guiding the destinies of nations and which should drive home to them the urgent need of a new approach to the problem of avoiding inevitable catastrophe not only by sudden death but by death that creeps upon man, decade after decade, as he is bombarded by rays from many sources.

We have needed this report because it boils down the opinions of scientists who are aware of their social responsibility to the race and who know how to strike a balance between the good and the evil that lie in our new control of the atom. These men are concerned not only with what happens when nuclear weapons explode but with penetrating radiations in general. They are as much concerned with our growing utilization of X-rays and gamma rays in medical and biological research and in industry and with the baffling problem of disposing of dangerous radioactive wastes from atomic powerplants as they are with fallout.

The point is that we have as much to fear from the peaceful as from the military use of atomic energy. Every X-ray machine is a menace in its infinitesimal way. So are the cosmic rays that pass through every one of us, as well as the radium emanations from the earth. Add to this "background" radiation the rays that come from all other sources, small and large, and it is plain that the world has more to consider than what will happen if hydrogen bombs are exploded in ever-increasing numbers.

The geneticists of the National Academy of Sciences hold out a gloomy prospect of man's future if international action is not invoked to teach us how radiation hazards are to be avoided. The wild talk of monstrosities and freaks that can be produced by uncontrolled radiation is dismissed. It is the weakening of the human stock, the shortening of life, the lowered resistance to disease that is to be feared. The evidence is already at hand; for the radiologist who uses X-rays in diagnosing and treating disease shortens his life by 5 years. Such statistics are impressive. But they must not mislead us into thinking that genetics is an exact science. Very little is known about human genetics. It may take generations to bring about any noticeable genetic effects on mankind, but as we build more and more atomic powerplants, throw more and more radioactive wastes from reactors into the sea, install more and more powerful radiators to jolt the human genes the element of risk increases.

[From the Washington Post and Times Herald of June 14, 1956]

RADIATION

It is impossible to read the report of the National Academy of Sciences on the effects of nuclear radiation without a feeling of profound apprehension. The report itself is a fascinating, almost chatty, discussion of so vitally serious a subject. There is some reassurance in the conclusion that fallout from nuclear tests has not yet added dangerously to the general level of radioactivity. But there is a deeply disturbing note to the report's more fundamental conclusion: All radiation is harmful to the human reproductive system, and the more cumulative exposure there is the more harmful it becomes. Quite apart from the genetic effects, excessive exposure definitely shortens life. Thus the more radiation that is released, not merely from weapons explosions, but also from power reactors and disposal of wastes, the greater is the possibility of dangerous contamination.

Probably the most dramatic portion of the report is its warning against the indiscriminate use of X-rays. The maximum permissible accumulated exposure to manmade radiation for the average person from conception through age 30 is 10 roentgens (in addition to natural background radiation). X-rays received by the average person

through age 30 now account for 3 roentgens of the permissible 10. This exposure could become more dangerous if radioactivity from other sources should increase. The report urges caution against the overuse of X-rays for medical and dental purposes, particularly with expectant mothers, and it strongly condemns the use of X-rays for such nonessential purposes as fitting shoes.

The implications of radiation from the use of atomic energy, however, are of far greater significance. The report estimates that radioactivity from nuclear tests at the 1953–1955 rate would amount to as much as 1 roentgen over a 30-year period—a by no means inconsiderable factor, allowing for the probable conservatism of the report. Certainly this is enough to become alarmed about if the tests are continued or expanded. All radiation has an influence on genetic mutations, a subject on which the scientists acknowledge that they have only the beginnings of knowledge. Genetic damage is not immediately apparent; it takes several generations to show up. Moreover, the report admits that little is known about the effects of radio-strontium from fallout, particularly in the contamination of food.

Quite apart from radioactivity from nuclear explosions, the disposal of radioactive wastes from reactors already poses a major problem. Although the report does not discuss this particular matter, Canada has experienced great difficulty with contamination by wastes from its Chalk River experiment station. The report suggests some important questions that ought to be raised about the location of reactors in this country and their sealing against accident. It is worth inquiring whether there are sufficient safeguards against danger in the plan to locate an atomic powerplant only a short distance from the main source of New York City's water supply.

There are some individually heartening portions of the report, such as the debunking it does of the speculation that freak weather can be blamed on atomic explosions. But the net effect of this study by some of the Nation's most learned scientists, who recommend additional research in levels of tolerance, genetic effects, monitoring techniques and the like, is to emphasize how much we do not know about this new element we are playing with. Some rational control is imperative if our children are not to be subjected to new and possibly fatal perils—and neither the Atomic Energy Commission nor anyone else can afford to be doctrinaire about the effects of radioactivity.

MICHAEL WILLIAM CORMIER

Mr. MANSFIELD. Mr. President, the Billings Gazette, of Billings, Mont., carried a great human-interest story, under the heading "Extra Points," which I think is deserving of the attention of the Senate of the United States. The story, written by Red Welsh, is about a fine young American, Michael William Cormier, the son of Mr. and Mrs. Clem Cormier, who are old and valued friends. Mike, who died at the age of 15 years, was a champion in every sense of the word. He will be missed by all his friends in the Midland Empire and in Montana as a whole. He will be remembered because of the great courage he displayed throughout his entire lifetime, because of his cheerfulness, and because of the fact that for him it was more difficult to live than it was for the other boys in his area. The physical and moral courage of this great all-American boy will serve as an inspiration, I know, for many others who will follow him in the Billings area.

We are saddened at Mike's passing, but because of our friendship with him, because of our knowledge of the great odds which he had to live under, because of his understanding and strength, we are better people. In the words of Red Welsh, Mike Cormier will be one of those who will be ready and who will be called for the fray "in football's distant Valhalla, where real guys play on the team," because, again in the words of Red, "there must be a job on the Great Coach's eleven for a kid named Mike Cormier."

I ask unanimous consent that this story be printed in the RECORD at this point as a part of my remarks.

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

EXTRA POINTS

(By Red Welsh)

A CHAMP REPORTS FOR THE TEAM

Americans admire courage. This trait is always present on the athletic field because it takes sand to be an athlete. There are times, however, when intestinal fortitude can be noted elsewhere.

Here's a story about a boy who never took part in an athletic contest, yet he had the physical and moral courage of the greatest all-American who ever lived.

It's a story that obviously couldn't be told until now.

Last week funeral services were held for Michael William Cormier. He was only 15 years old when he died.

Mike loved sports with a passion, but activity for him was restricted to a place on the sidelines where he watched every move with intense interest.

For the last couple of years it took more plain, raw "guts" for little Mike to sit through a game than was necessary for the participating youngsters to play in the contest itself. He never missed a game. Sports were an important item in his life.

Mike was an active boy when fatal illness struck. The diagnosis was confirmed by the best medical talent in the country.

Adults are rarely told the truth about sickness when the road of life becomes a short, one-way street.

The same courtesy is extended to a boy.

Mike never knew how sick he really was. If he suspected, he was too brave to kick about it. Everything humanly possible was done to stop the disease, but to no avail.

Although it wasn't a matter of public knowledge, quite a few did know the score. While they cheered the athletes on the field, those who knew about Mike's battle for life silently handed him the hero's headlines.

Each passing day made the going progressively harder.

As his physical strength left, his moral courage grew. Through it all, the many long months of illness, the gallant little fellow never complained.

He kept plugging along, always looking for that tomorrow when he'd begin to feel better.

As lifetimes are measured, Mike drew a short tour of duty.

Those fortunate enough to have known him, and who were familiar with his struggle are more human and better people for his having been here.

In his brief span the little fellow displayed the attributes that make for true greatness.

When the air turns crisp in the Great Beyond and gridirons are chalked for play, when the experts check the records to see who's ready for the fray, then in football's distant Valhalla, where real guys play on the team, there must be a job on the Great Coach's 11 for a kid named Mike Cormier.

LEGISLATION BY THE SUPREME COURT

Mr. McCARTHY. Mr. President, I have an important appointment, and I wish to make a statement which will require not more than 6 or 7 minutes, I believe. I ask unanimous consent that I may speak now for that length of time.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Is there objection? The Chair hears none, and the Senator from Wisconsin may proceed.

Mr. McCARTHY. Mr. President, the best news that has come out of Washington in a long time was the announcement that the Supreme Court had concluded its final session of this term.

I interrupt myself at this point to say that when these remarks were prepared, I did not know that the able Senator from South Dakota [Mr. MUNDT] had prepared a bill which would undo the damage done in the Cole against Young case by the Supreme Court. As Senators know, that case had to do with the right of a Government agency to discharge security risks. I had introduced a bill along the same lines. I would not have done so had I known that the Senator from South Dakota was introducing a like bill. I think he should be complimented for introducing that bill. I hope the committee will take action on the Mundt bill rather than on mine, although they are practically identical bills.

If the Supreme Court had another 3 or 4 months to hand down decisions which help the Communist Party, our Government and our institutions might well be at the mercy of the Communist conspiracy by the end of the summer. I have had little respect for the Supreme Court since, I would say, about the middle 1930's. I completely lost respect for it when it decided, about a month or 6 weeks ago, that the States had no rights. During the past 6 or 7 months the irresponsibility of that tribunal has sunk to unprecedented depths.

Not only has the Court completely abandoned its function of interpreting our laws, it has proceeded to legislate in national affairs as though it were a supercongress. It has done this in an area which affects the life and death of this country. It has done it especially in an area which affects the rights of the States to legislate and to prosecute under their laws.

With one sledge-hammer blow after another the Court has knocked away the defenses we have erected against communism. Measure after measure taken by the American people through their representatives in the national and State legislatures and in the executive branch of our Government to protect our society against Communist subversion has been nullified because a few irresponsible judges—I repeat, a few irresponsible judges—believe such measures to be unwise.

The Court has simply made its own determination of policy whenever it has disagreed with the views of the legislative or executive branches.

This morning I reviewed several speeches which I had made on the floor of the Senate during the past few months

on this subject. I find that I said in almost every one something to the effect that "this latest decision of the Supreme Court is the most outrageous example of judicial legislation on record." While I dislike to keep repeating this judgment, it so happens that it fits in every case. The decisions become worse and worse. I thought the Nelson decision was the worst on record. Then came the Slochower decision, followed by the decision in the case of Communist Party against United States. Now the same thing must be said about the Court's decision last Monday in the case of Cole against Young.

I digress to point out again that the Senator from South Dakota [Mr. MUNDT] introduced a bill yesterday designed to take care of this situation. Whether it will be effective, of course, none of us knows. A more flagrant usurpation of the legislative and executive prerogatives than the Cole case is hardly imaginable, althought I have learned not to underestimate the ability of the Supreme Court to come up with an even greater travesty in the future.

After the Court's decision in the Nelson case, which held that the States had no power to enforce their antisedition laws on the wholly fallacious ground that Congress intended to exclude the States from the sedition field—and I call this particularly to the attention of the presiding officer, the Senator from Florida [Mr. HOLLAND]—I introduced a bill which reaffirmed the intention of Congress to recognize the concurrent rights of the States in this field. The Court's decision in Cole against Young confronts us with a somewhat similar situation. Once again the Supreme Court has reached its decision on a manifestly absurd and unjustifiable interpretation of the intent of Congress; and once again it is necessary for the Congress to reaffirm its intent by new legislation. I introduced a bill yesterday afternoon which will accomplish this restatement of congressional intent. But I want to repeat now what I said at the time I introduced the bill on the Nelson case: I deeply resent the fact that Congress is called upon to pass this kind of legislation. Congress has enough to do without having to spend its time repealing laws—I repeat, Mr. President, repealing laws—enacted by the Supreme Court. The Supreme Court's job is to interpret law, not to make them.

I may say, in passing, that the Supreme Court, since the appointment of Mr. Warren, has sunk to the greatest low in its history.

What is the Cole case all about? The question before the Court was whether the Secretary of Health, Education, and Welfare was authorized under Public Law 733 of the 81st Congress, and the extension thereof by Executive Order 10450, to apply the summary dismissal provisions of that act to an employee of the Department of Health, Education, and Welfare. The Court ruled that the Secretary was not so authorized on the grounds that Congress did not intend that the act should apply to employees of the Department of Health, Education, and Welfare since they hold what the Court calls nonsensitive positions. The utter absurdity of that contention can be demonstrated very briefly by looking at the provisions of Public Law 733 and of the Executive order issued pursuant thereto.

Section 1 of the act makes certain summary dismissal procedures available to the heads of 11 specified agencies and departments of the executive branch of the Government. Section 1, it is true, does not include the Department of Health, Education, and Welfare.

Section 111 of the act, however, reads as follows:

> The provisions of this act shall apply to such other departments and agencies of the Government as the President may, from time to time, deem necessary in the best interests of national security. If any departments or agencies are included by the President he shall so report to the committees on the armed services of the Congress.

In Executive Order 10450, section 1, President Eisenhower directed, in addition to the departments and agencies specified in the said act of August 26, 1950, that the provisions of that act should apply to all the departments and agencies of the Government. This, of course, includes the Department of Health, Education, and Welfare. This extension of the act was duly reported to the Committees on Armed Services as required by the act.

Now, Mr. President, the question is: Was Executive Order 10450 a valid extension of the provisions of Public Law 733 to the Department of Health, Education, and Welfare, and the other Government agencies which were not enumerated in the act? It would surely seem to be, for the President carried out the explicit provisions of the act. Moreover, the majority of the Court says in the sixth paragraph of its opinion:

> We will * * * assume, for the purposes of this decision, that the act has validly been extended to apply to the Department of Health, Education, and Welfare.

Mr. President, one would think that the Court's opinion would have ended then and there, and that its ruling would have been to uphold the authority of the Secretary to dismiss the employee pursuant to the provisions of Public Law 733; for the Court concedes that Executive Order 10450 is a valid extension of the provisions of the act. As Congress plainly intended they should be extended if the President so determined. But the Court's opinion does not end there. Mr. Justice Harlan, on behalf of the majority, proceeds to devote several thousand words explaining why the act was not validly extended—or, more concretely, why Congress never intended it to be so extended. I ask any Member of this body to read those several thousand words and come up with an intelligible explanation of how the Court arrives at precisely the opposite conclusion from that which its own premises dictate. I repeat: There is not a word in this opinion to the effect that Public Law 733 violates the employee's constitutional rights, or deprives him of his civil liberties; the Court rests its case entirely on its interpretation of the intent of Congress. What the Court actually does, of course, is to disregard completely the intent of Congress and substitute for the Congress' and President's views its own notions about what is necessary and advisable.

The Congress has plainly said that some departments of the Government are so sensitive that summary dismissal procedures should be made available by expressed congressional enactment. It has plainly said that other agencies and departments may be so sensitive as to make it advisable to permit the President to make summary dismissal provisions applicable to them. It has plainly said that the decision as to whether the act should be so extended should be made by the President. The President has determined, and very wisely I think, that all positions in the Federal Government are potentially sufficiently sensitive to warrant the application of summary dismissal procedures.

Mr. President, I apologize for taking more than the time allotted to me. I have only about 2 or 3 minutes remaining. I beg the indulgence of the Presiding Officer.

The PRESIDING OFFICER. The Senator from Wisconsin may proceed.

Mr. McCARTHY. Mr. President, the individual members of the Court are, of course, entitled to their own opinions about what measures are necessary for national security. But the members of the Court are not entitled to inflict legislation on the American people in the form of a Court decision. And it is the rankest insolence for the Court to do so by saying that Congress intended something that Congress plainly did not intend. Let me quote from the excellent dissenting opinion in this case written by Mr. Justice Clark and joined in by Mr. Justice Reed and Mr. Justice Minton:

> We have read the act over and over again, but find no ground on which to infer such an interpretation. It flies directly in the face of the language of the act and the legislative history. The plain words of section 1 (of the Executive order) make the act applicable to "any civilian officer or employee in a sensitive position." The Court would require not only a finding that a particular person is subversive, but also that he occupies a sensitive job. Obviously this might leave the Government honeycombed with subversive employees.

The dissenting opinion points out further that the distinguished Senator from Virginia [Mr. BYRD] said at the time the act was passed:

> Section 3 gives the President the right to classify every agency as a sensitive agency * * * He could take the whole Government.

Many of the Senators who were in the Senate at that time will surely agree that the Senator from Virginia stated the opinion of all the Senators at the time the act was passed.

Mr. Justice Clark went on to say:

> We believe the Court's order has stricken down the most effective weapon against subversive activities available to the Government. It is not realistic to say that the Government can be protected merely by applying the act to sensitive jobs. One never knows just which job is sensitive. The janitor might prove to be in as important a spot securitywise as the top employee in the building. The Congress decided that the

most effective way to protect the Government was through the procedures laid down in the act. The President implemented its purposes by requiring that Government employment be "clearly consistent" with the national security * * *. The President believed that the national security required the extension of the coverage of the act to all employees. That was his judgment, not ours. He was given that power, not us.

What the dissenting opinion is saying, of course, is that the Supreme Court has usurped the powers of the Congress and the President. I say, Mr. President, that the dissenting judges are completely right in this respect, and I may add that the Supreme Court's practice of doing what the Constitution of the United States clearly denies it the right to do has become a regular habit. I say further that if Congress does not take some action to discipline the Court and to prevent the Court from passing laws, then the Congress might as well close up shop. We are simply wasting our time in this Chamber if the measures we pass can be arbitrarily overruled by a whim of the Supreme Court. In the near future, I plan to present a review of recent Supreme Court decisions and to point out how the very existence of our constitutional form of government has been placed in jeopardy; and at that time I shall have some suggestions to make as to measures Congress might take to remedy the evil.

The immediate business before the Senate, however, is to reconfer on the executive branch the authority to dismiss employees pursuant to the provisions of Public Law 733 irrespective of the position the employee may occupy. The bill I am sending to the desk restates the intent of Congress to permit the President to extend the provisions of the act to all departments and agencies of the Government. I confess that I had some trouble this morning in drafting language which would state the intent of Congress any more explicitly than it is already stated. However, the intent is spelled out somewhat in my bill, and I do not believe it is susceptible of misconstruction. But then I thought the same thing about section 3 of the act as it now stands, and look what happened to it. There is therefore no guaranty that the Supreme Court will not misconstrue the act, as amended by my bill, just as it has misconstrued the present act.

Mr. President, I thank the Senator for bearing with me in taking additional time during the morning hour. I did not anticipate taking such a long time.

ORDER OF BUSINESS

Mr. BUTLER. Mr. President, has the morning hour been concluded?

The PRESIDING OFFICER. No; it has not been concluded.

Mr. BUTLER. I ask unanimous consent that at this time I may speak for 10 minutes.

Mr. JOHNSON of Texas. Mr. President, the Senator from Maryland discussed the matter with me, and we have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland that he be allowed to speak for 10 minutes at this time, during the morning hour? The Chair hears no objection, and the Senator from Maryland may proceed.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Maryland yield so that I may move that the Senate proceed to the consideration of executive business for the purpose of acting on the nominations on the Executive Calendar?

Mr. BUTLER. I will yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Maryland may yield for that purpose without losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business for the purpose of acting upon the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees the nominations on the Executive Calendar will be stated.

FEDERAL POWER COMMISSION

The legislative clerk read the nomination of Arthur Kline, of Wyoming, to be a member of the Federal Power Commission for a term of 5 years, expiring June 22, 1961.

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

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nomination in the Diplomatic and Foreign Service are confirmed en bloc.

THE COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast and Geodetic Survey are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified immediately of the nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

PAN AMERICAN WORLD AIRWAYS AND THE BALTIMORE FRIENDSHIP INTERNATIONAL AIRPORT

Mr. BUTLER. Mr. President, last Friday America's pioneer overseas airline achieved another milestone in aviation annals. Pan American World Airways introduced in transatlantic service the new Douglas DC–7C, the latest version of an aircraft type which embodies the ultimate in swift, comfortable, long-range flight powered with conventional reciprocating engines.

The super DC–7 has a range of 5,000 miles, exceeding by 1,000 miles the range of any other airliner. It cruises at better than 350 miles per hour. On a precedent-making, 14-hour, nonstop demonstration flight from Miami to Paris, a distance of 4,800 miles, the DC–7C attained a maximum speed of 450 miles per hour.

The distance from Miami to Paris is equivalent to that of the Tokyo-Seattle route. The DC–7C is, therefore, capable of regular 14-hour schedules nonstop between Seattle and Tokyo with, of course, normal loads.

I may seem partial to Pan American in saluting its progressive and dynamic management for accomplishing a new first in leadership among the world's air carriers. I am partial to Pan American in that I am partial to Baltimore and to Maryland, which Pan American World Airways is ready, willing, and able to serve. Indeed, Pan American, in proceedings now before the Civil Aeronautics Board, proposes to fly the world's most heavily traveled air route, along the United States east coast from Boston to Miami, with Friendship International Airport as its main Baltimore-Washington terminal.

In these proceedings in the Northeast-Florida route case, Pan American has the vigorous, unqualified support of the Greater Baltimore Committee, Inc., the Baltimore Association of Commerce, the Maryland State Aviation Committee, and those people of the national capital-Baltimore area who are justifiably disturbed by the perilous congestion at Washington's National Airport.

Pan American proposes not only to avail itself of Friendship's unused capacity and ultramodern facilities but to provide DC–7C passenger service to Miami and the major cities of Latin America and Europe and beyond. Friendship would indeed become an international airport, a great hub and gateway of international friendship, linked by regular schedules and direct one-plane service to the seventy-odd countries in which Pan American flies.

Moreover, Pan American would offer DC–6 and DC–4 cargo clipper service for freight, express, and mail from my home

city, which is the sixth largest metropolitan area in the Nation, and the Nation's second port. Maryland, which figures by approximately 15 percent in the annual $7 billion trade between the United States and our good neighbors to the south, would enjoy the adequate air services to which Maryland is entitled.

We know that the DC-7C and other new model multiengine aircraft such as the Super-G Constellation represent the final chapter of an era, an era in which the piston engine was developed to supreme efficiency for civil air transport. It might also be said that the curtain is raising on a new era. We also recognize that Pan American, while awaiting delivery of the 30 or more additional DC-7C's on order, also acted to bring the jet era to commercial aviation in this country late last year by placing orders for the all-jet DC-8 and the Boeing 707.

Other air carriers have emulated Pan American's action. The first of these jet airplanes will be in regular service in 1958 or 1959.

The 3 million people of the Baltimore-Washington area whom Pan American would serve via Friendship Airport would be able to board these planes for journeys to Miami, Boston, and ports of call beyond our borders. Even now, with the DC-7C, the airlines can reduce the flying time on their swiftest schedules by as much as 3 hours. In view of this should anyone consider a 45-minute drive from downtown Washington to Friendship International Airport onerous? Is not the use of Friendship the most satisfactory answer to the ever-present prospect of disaster that haunts authorities in charge of Washington's overcrowded National Airport? Is not Friendship Airport, and the certification of Pan American to fly the east coast route, the most sensible solution to this problem and the growing needs of this area?

Despite the woeful neglect of Baltimore's Friendship Airport in the development of air passenger service—Baltimore is 38th in passenger boardings at local airports—there has been a steady rise in the air-cargo lift from Friendship this year.

As the Baltimore Sun observed some weeks ago:

Baltimore's air cargo potential is one of the main reasons behind Pan American's designation of Friendship for its Baltimore-Washington terminal in connection with its application for certification as a Northeast-to-Florida carrier. And Pan American's judgment is backed up by the latest figures (showing substantial increases in various categories of air express and freight movement).

The Baltimore News-Post notes that Pan American is the only applicant carrier equipped for immediate use of the Northeast-Florida route, the most heavily traveled air route in the world, "if certification is granted it during this year."

In view of this sentiment, Mr. President, I believe that Pan American's latest acquisition of new, improved equipment warrants the felicitations of all communities which, like Baltimore, have an important stake in the direct passenger, cargo, and mail transportation which a wholly experienced airline is eager to provide.

In closing, Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the editorials from the Baltimore Evening Sun and Baltimore News-Post which I mentioned earlier.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Baltimore Evening Sun of May 24, 1956]

PLUG FOR PAN AMERICAN

In an impressive blue-and-gold brochure the greater Baltimore committee has outlined Baltimore's golden opportunity to obtain more air service. The brochure is for use in the pending case before the Civil Aeronautics Board in which Pan American World Airways is seeking certification for a route from New England to Florida, using Friendship Airport as the terminal for both Baltimore and Washington. The mayor and city council have also plugged hard for Pan American's getting east coast operating rights, as has the State aviation commission.

All this local backing for one airline is unusual, but is justified by the unusual situation. Pan American is the first airline to give official recognition to the fact that on long flights, Friendship is just as convenient as Washington's National Airport as a terminal for passengers throughout the Baltimore-Washington area. Pan American is also primarily an overseas operator, which means that its use of Friendship as a terminal would tie Baltimore into the worldwide air traffic and give some meaning to the International in its full name.

Then, too, Pan American is the one airline of many seeking east coast operating rights that plans to provide air-cargo service, and many feel that Baltimore, already a sea-freight center, has a logical future in the air-freight business, given the necessary start. And another point is that Pan American is moving fast into the jet airliner age, and Friendship, with its tremendously long runways and low traffic density, is ready and waiting to meet this new age.

In fighting the case of one airline, nobody should be blind to the fact that the airline is out to gain business for itself and not to put Friendship on the air map. But when an airline's interests and Baltimore's interests so closely coincide, it makes sense to throw as much local weight as possible into what is in this instance a joint cause. Pan American, and hence Baltimore, has already received one setback when a CAB examiner turned down the airline's New England-to-Florida bid. But the case is still pending before the full CAB, and as long as it remains open, Baltimore's stake in Friendship's future demands solid support for the airline that has recognized our airport's advantages.

[From the Baltimore News-Post of March 5, 1956]

AIR GATEWAY

The business community of Baltimore and the State and the air-traveling public have an important stake in the Northeast-Florida proceedings now before the Civil Aeronautics Board.

Pan American World Airways is seeking approval for a new route from Boston to Florida, with Friendship International Airport as one of its main terminals.

This would make Friendship truly an international air hub, for Pan American would provide direct passenger, cargo, and mail service from Baltimore to Florida and the principal cities of Latin America and also to Europe and beyond.

Direct services would eliminate the necessity for changing of planes at Miami or New York, Pan American World is said to be the only applicant carrier which will have aircraft for immediate use on this most heavily traveled air route in the world if certification is granted it during this year.

Pan American intends, if permitted, to serve the air needs of more than 3 million persons of the Baltimore-Washington area through the single terminal at Friendship.

Granting of the airline's application is a vital matter to Baltimore and the State, whose interests have been damaged severely by deficiency in flights for both passangers and cargo. This has obliged shippers and passengers often to use Washington, Philadelphia, or New York as terminals for flights to distant points.

Because of this fact Baltimore's great air traffic volume is unfairly represented in statistics. Traffic that originates or terminates in Baltimore appears in the statistics of other air terminals.

Baltimore, the Nation's sixth largest city and second largest port, with more than $3 billion worth of diverse manufactured products annually, certainly deserves much more adequate air services than it has been getting.

This area figures in almost 15 percent of the Nation's $7 billion of shipments to and from Latin America and carries on a heavy trade with Florida as well as with Europe. It is truly unfortunate that so much of its aerial transport must be carried on by inconvenient, costly, indirect means.

The Northeast-Florida air route, 50 percent heavier than any other, now is served by only 2 carriers, while many lighter ones are served by from 3 to 5.

Pan American World's application is supported solidly by the Greater Baltimore Committee, the Baltimore Association of Commerce, Governor McKeldin, Mayor D'Alesandro, the Maryland Aviation Commission, the Baltimore Airport Board, and other groups.

Maryland's delegation in Congress will do a valuable service for their constituents by being persistent and emphatic in requesting the CAB to act favorably upon the application.

Mr. CAPEHART. Mr. President, I ask unanimous consent that a statement which I have prepared on the Pan American Airways be printed in the RECORD following the remarks of the able Senator from Maryland [Mr. BUTLER].

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

STATEMENT BY SENATOR CAPEHART

I wish to endorse the remarks of the able Senator from Maryland and to join with him in congratulating Pan American Airways on once again pioneering new aviation developments with the introduction of the DC-7C. It has been my pleasure on many occasions to fly the routes of Pan American particularly to Latin America. This private enterprise airline has done a tremendous job in the field of international good will and the whole air transport system existing between North America and South America is a tribute to the pioneering spirit of Pan American and its able president, Mr. Juan T. Trippe.

Not only has Pan American made easy and comfortable travel between the Americas available to the public but it is now developing a substantial network of hotels, where international travelers can stop under the most comfortable and sanitary conditions. Intercontinental Hotels Corp. is a wholly owned subsidiary of Pan American Airways and rather than cost the American taxpayers any money it is actually making money for them through interest payments on loans negotiated through the Export-Import Bank. Not one penny of any subsidy money due Pan American Airways for flying

national interest routes goes into IHC. On the contrary, any profits accrued to IHC, and they are beginning to accrue, goes to further reduce subsidy payments to Pan American.

Airline competition around the world today is keen and severe. In almost every instance Pan American's competition stems from government-owned and highly subsidized foreign carriers. The fact that Pan American, in the face of this competition, is still ably leading the field in international air operations is a grand tribute to the airline and the American free enterprise system and I join my distinguished friend from Maryland in congratulating this splendid air carrier.

PRODUCTION OF TUNGSTEN, ASBESTOS, FLUORSPAR, AND COLUMBIUM-TANTALUM

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business which will be stated.

The LEGISLATIVE CLERK. A bill (S. 3982) to provide for the maintenance of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories and possessions, and for other purposes.

Mr. BIBLE. Mr. President, I call to the attention of the majority leader the fact that the unfinished business has been laid before the Senate.

CITATION OF JOSEPH BRUNO FOR CONTEMPT OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2120, Senate Resolution 274, to cite Joseph Bruno for contempt of the United States Senate.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 274) to cite Joseph Bruno for contempt of the United States Senate.

Mr. JOHNSON of Texas. Mr. President, I wish to say in explanation that if the request is agreed to, it is the intention of the majority leader to suggest the absence of a quorum, so that Senators may be present to hear the statement of the distinguished junior Senator from Texas [Mr. DANIEL] justifying the resolution.

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I should like to have the resolution taken up as the pending business. Then I wonder if the majority leader will withhold the quorum call, so that I may speak for a couple of minutes.

Mr. JOHNSON of Texas. I shall be delighted to do so. I am always delighted to accommodate my courteous and delightful friend from Oregon.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 274) to cite Joseph Bruno for contempt of the United States Senate.

THE SO-CALLED BLATNIK ANTIPOLLUTION BILL

Mr. JOHNSON of Texas. I now yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I do not know how anyone could appreciate more than does the Senator from Oregon the wonderful cooperation he always receives from the majority leader. It is only indicative of the complete impartiality and fairness with which the majority leader treats his colleagues on the floor of the Senate in performing his duties as majority leader.

I rise, Mr. President, to pay a very brief but deserving word of commendation to Representative BLATNIK, of Minnesota, for what I consider to be a great act of statesmanship which he performed in the House of Representatives in connection with the bill known as the Blatnik antipollution bill. I speak as a member of the District of Columbia Committee of the Senate. As the record shows, for some years past I have been doing the best I could in the Senate in an effort to have Congress recognize the importance of enacting antipollution legislation.

As I have pointed out in past speeches, there flows through the Capital of the United States the filthiest river in the world. There is not in any other country a single river which is so filthy as the river which flows practically within stone's throw of the Capitol of the United States. It is a disgusting national disgrace that within the city boundaries of Washington, D. C., there flows a river so filthy that in some places there is sewage sludge of a depth of from 12 to 14 feet. Flowing through the Capital of the United States is a river which ought to be one of the great recreational streams of America, but it is so filthy that it is not safe for a single child to go wading in the river, let alone go swimming in it. The river is so filthy that when a canoe capsizes and throws the occupant into the river, a doctor is more concerned about what may happen to the body of the person by way of possible disease infection, than he is about the exposure to which the person may have been subjected, or the fact that he came near drowning.

Those are the facts, Mr. President. So the Representative from Minnesota is deserving of the commendation of every citizen of the District of Columbia for what he has succeeded in doing on the House side in getting the Blatnik bill passed, in the face of some claims of very false economy. I think the bill will stand to his everlasting credit.

I hope that we on the Senate side will be as wise as the Members on the House side were yesterday when they passed the Blatnik bill. As I said to Representative BLATNIK in a personal conversation this morning, and as I now want to say on the floor of the Senate, that, as a member of the District of Columbia Committee, I intend to do everything within my power to obtain favorable consideration of the Batnik antipollution bill in the Senate; and I call upon the members of the Senate District of Columbia Committee for the quickest possible action on the Blatnik proposal.

I hope the newspapers of the District of Columbia will wake up to this local issue and proceed to give us their help immediately, because they have a great social responsibility in the District of Columbia to be of maximum assistance in educating the public in regard to the meritorious features of the Blatnik bill.

I hope to live so long, Mr. President, as to see the Potomac River become a recreational river. I hope to live so long, Mr. President, as to see the Potomac become a river in which the youngsters of the District of Columbia, and of the Nation as they come here, can go swimming. I hope to see it become a beautiful recreational stream, as it should be. I hope also to live so long as to see the Congress of the United States use the Potomac River as a sort of pilot-plant operation, demonstrating to the Nation what can be done in the matter of cleaning streams and preventing their pollution, because here again, as in so many other phases of natural-resource problems, there is a great responsibility resting on the Congress to leave to future generations of Americans a heritage in their rivers and streams. We should see to it that we leave them in better condition than we find them. We ought to leave the Potomac River to the very next generation of American boys and girls as a clean river, a nonpolluted river; and, in my judgment, the passage of the Blatnik bill will be a good step in that direction.

Mr. NEUBERGER subsequently said: Mr. President, I wish to add my comments to those of the distinguished senior Senator from Oregon [Mr. MORSE] concerning the very able leadership of Representative JOHN A. BLATNIK, of Minnesota, in securing the passage by the House of Representatives of the stream pollution bill.

We in the Northwest are particularly interested in this subject, because much of the aquatic life in our region, such as our great migratory runs of Chinook salmon, has been damaged by sewage and offal in our rivers. For this reason I am glad to join my colleague in expressing deep appreciation for the demonstrated leadership of Representative BLATNIK, of Minnesota, and for the very capable and enlightened manner in which he persuaded his colleagues in the House of Representatives to pass a very forward-looking bill for the elimination of stream pollution. It is my sincere and earnest hope that the Senate will likewise pass the bill when it comes before us in the near future.

EXTENSION OF WATER POLLUTION CONTROL ACT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 890) to extend and strengthen the Water Pollution Control Act, which was, to strike out all after the enacting clause and insert:

That the Water Pollution Control Act (33 U. S. C. 466–466j) is hereby amended to read as follows:

"DECLARATION OF POLICY

"SECTION 1. (a) In connection with the exercise of jurisdiction over the waterways

of the Nation and in consequence of the benefits resulting to the public health and welfare by the prevention and control of water pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution, to support and aid technical research relating to the prevention and control of water pollution, and to provide Federal technical services and financial aid to State and interstate agencies and to municipalities in connection with the prevention and control of water pollution. To this end, the Surgeon General of the Public Health Service shall administer this act through the Public Health Service and under the supervision and direction of the Secretary of Health, Education, and Welfare.

"(b) Nothing in this act shall be construed as impairing or in any manner affecting any right or jurisdiction of the States with respect to the waters (including boundary waters) of such States.

"COMPREHENSIVE PROGRAMS FOR WATER POLLUTION CONTROL

"SEC. 2. The Surgeon General shall, after careful investigation, and in cooperation with other Federal agencies, and State water pollution control agencies and interstate agencies, and with the municipalities and industries involved, prepare or develop comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof and improving the sanitary condition of surface and underground waters. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this section, the Surgeon General is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may adversely affect such waters.

"INTERSTATE COOPERATION AND UNIFORM LAWS

"SEC. 3. (a) The Surgeon General shall encourage cooperative activities by the States for the prevention and control of water pollution; encourage the enactment of improved and, so far as practicable, uniform State laws relating to the prevention and control of water pollution; and encourage compacts between States for the prevention and control of water pollution.

"(b) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and control of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

"RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION

"SEC. 4. (a) The Surgeon General shall conduct in the Public Health Service and encourage, cooperate with, and render assistance to other appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, demonstrations, and studies relating to the causes, control, and prevention of water pollution. In carrying out the foregoing, the Surgeon General is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of and other information as to research, investigations, and demonstrations relating to the prevention and control of water pollution, including appropriate recommendations in connection therewith;

"(2) make grants-in-aid to public or private agencies and institutions and to individuals for research or training projects and for demonstrations, and provide for the conduct of research, training, and demonstrations by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes;

"(3) secure, from time to time and for such periods as he deems advisable, the assistance and advice of experts, scholars, and consultants as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U. S. C. 55a);

"(4) provide and maintain opportunities for study in the Public Health Service with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most promising research students: *Provided*, That the total sum authorized to be appropriated for any fiscal year for students pursuant to this subparagraph shall not exceed $100,000; and

"(5) provide training in technical matters relating to the causes, prevention, and control of water pollution to personnel of public agencies and other persons with suitable qualifications.

"(b) The Surgeon General may, upon request of any State water pollution control agency, or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view of recommending a solution of such problem.

"(c) The Surgeon General shall collect and disseminate basic data on chemical, physical, and biological water quality, and such other information, relating to water pollution and the prevention and control thereof as he deems appropriate to carry out the purposes of this act.

"GRANTS FOR WATER POLLUTION CONTROL PROGRAMS

"SEC. 5. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each succeeding fiscal year to and including the fiscal year ending June 30, 1961, $5 million for grants to States and to interstate agencies to assist them in meeting the costs of establishing and maintaining adequate measures for the prevention and control of water pollution.

"(b) The portion of the sums appropriated pursuant to subsection (a) for a fiscal year which shall be available for grants to interstate agencies and the portion thereof which shall be available for grants to States shall be specified in the act appropriating such sums.

"(c) From the sums available therefor for any fiscal year the Surgeon General shall from time to time make allotments to the several States, in accordance with regulations, on the basis of (1) the population, (2) the extent of the water pollution problem, and (3) the financial need of the respective States.

"(d) From each State's allotment under subsection (c) for any fiscal year the Surgeon General shall pay to such State an amount equal to its Federal share (as determined under subsection (h)) of the cost of carrying out its State plan approved under subsection (f), including the cost of training personnel for State and local water pollution control work and including the cost of administering the State plan.

"(e) From the sums available therefor for any fiscal year the Surgeon General shall from time to time make allotments to interstate agencies, in accordance with regulations, on such basis as the Surgeon General finds reasonable and equitable. He shall from time to time pay to each such agency, from its allotment, an amount equal to such portion of the cost of carrying out its plan approved under subsection (f) as may be determined in accordance with regulations, including the cost of training personnel for water pollution control work and including the cost of administering the interstate agency's plan. The regulations relating to the portion of the cost of carrying out the interstate agency's plan which shall be borne by the United States shall be designed to place such agencies, so far as practicable, on a basis similar to that of the States.

"(f) The Surgeon General shall approve any plan for the prevention and control of water pollution which is submitted by the State water pollution control agency, or in the case of an interstate agency, by such agency, if such plan—

"(1) provides for administration or for the supervision of administration of the plan by the State water pollution control agency or, in the case of a plan submitted by an interstate agency, by such interstate agency;

"(2) provides that such agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require to carry out his functions under this act;

"(3) sets forth the plans, policies, and methods to be followed in carrying out the State (or interstate) plan and in its administration;

"(4) provides for extension or improvement of the State or interstate program for prevention and control of water pollution; and

"(5) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the plan.

The Surgeon General shall not disapprove any such plan without first giving reasonable notice and opportunity for hearing to the State water pollution control agency or interstate agency which has submitted such plan.

"(g) (1) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to a State water pollution control agency or interstate agency finds that—

"(A) the plan submitted by such agency and approved under this section has been so changed that it no longer complies with a requirement of subsection (f) of this section: or

"(B) in the administration of the plan there is a failure to comply substantially with such a requirement, the Surgeon General shall notify such agency that no further payments will be made to the State or to the interstate agency, as the case may be, under this section (or in his discretion that further payments will not be made to the State, or to the interstate agency, for projects under or parts of the plan affected by such failure) until he is satisfied that there will no longer be any such failure. Until he is so satisfied, the Surgeon General shall make no further payments to such State, or to such interstate agency, as the case may be, under this section (or shall limit payments to projects under or parts of the plan in which there is no such failure).

"(2) If any State or any interstate agency is dissatisfied with the Surgeon General's action with respect to it under this subsection, it may appeal to the United States court of appeals for the circuit in which such State (or any of the member States, in the case of an interstate agency) is located. The summons and notice of appeal may be served at any place in the United States. The findings of fact by the Surgeon General, unless contrary to the weight of the evidence, shall be conclusive; but the court, for good cause

shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action. Such new or modified findings of fact shall likewise be conclusive unless contrary to the weight of the evidence. The court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

"(h) (1) The 'Federal share' for any State shall be 100 percent less that percentage which bears the same ratio to 50 percent as the per capita income of such State bears to the per capita income of the continental United States (excluding Alaska), except that (A) the Federal share shall in no case be more than 66⅔ percent or less than 33⅓ percent, and (B) the Federal share for Hawaii and Alaska shall be 50 percent, and for Puerto Rico and the Virgin Islands shall be 66⅔ percent.

"(2) The 'Federal shares' shall be promulgated by the Surgeon General between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation.

"(i) The population of the several States shall be determined on the basis of the latest figures furnished by the Department of Commerce.

"(j) The method of computing and paying amounts pursuant to subsection (d) or (e) shall be as follows:

"(1) The Surgeon General shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State (or to each interstate agency in the case of subsection (e)) under the provisions of such subsection for such period, such estimate to be based on such records of the State (or the interstate agency) and information furnished by it, and such other investigation, as the Surgeon General may find necessary.

"(2) The Surgeon General shall pay to the State (or to the interstate agency), from the allotment available therefor, the amount so estimated by him for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which he finds that his estimate of the amount to be paid such State (or such interstate agency) for any prior period under such subsection was greater or less than the amount which should have been paid to such State (or such agency) for such prior period under such subsection. Such payments shall be made through the disbursing facilities of the Treasury Department, in such installments as the Surgeon General may determine.

"GRANTS FOR CONSTRUCTION

"SEC. 6. (a) The Surgeon General is authorized to make grants to any State, municipality, intermunicipal, or interstate agency for the construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans, and specifications in connection therewith.

"(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Surgeon General and unless such project is included in a comprehensive program developed pursuant to this act; (2) no grant shall be made for any project in an amount exceeding 33⅓ percent of the estimated reasonable cost thereof as determined by the Surgeon General or in an amount exceeding $300,000, whichever is the smaller: *Provided*, That the grantee agrees to pay the remaining cost; (3) no grant shall be made for projects under this section until the applicant has made provision satisfactory to the Surgeon General for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof; and (4) no grants shall be made for projects under this section until the applicant has made reasonable assurance satisfactory to the Surgeon General that the rates of pay for laborers and mechanics engaged in construction of the project will not be less than the prevailing local wage rates for similar work as determined in accordance with Public Law 403, of the 74th Congress, approved August 30, 1935, as amended.

"(c) In determining the desirability of projects for treatment works and of approving Federal financial aid in connection therewith, consideration shall be given by the Surgeon General to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for such Federal financial aid for assuring proper and efficient operation and maintenance of the works after completion of the construction thereof. The Surgeon General shall make Federal funds available for such treatment works, in a manner which will tend to result in a wide distribution of such funds among the several areas of the United States for which comprehensive programs have been prepared or developed pursuant to this act to the extent practicable and not inconsistent with the criteria and limitations contained in this section.

"(d) There are hereby authorized to be appropriated for each fiscal year the sum of $50,000,000 for the purpose of making grants under this section: *Provided*, That the aggregate of sums so appropriated shall not exceed $500,000,000. Sums so appropriated shall remain available until expended: *Provided further*, That at least 50 percent of the funds so appropriated for each fiscal year shall be used for grants for the construction of treatment works servicing municipalities of 125,000 population or under.

"(e) The Surgeon General shall make payments under this act through the disbursing facilities of the Department of the Treasury. Funds so paid shall be used exclusively to meet the cost of constructing the project for which the amount was paid. As used in this subsection the term 'constructing' includes preliminary planning to determine the economic and engineering feasibility of treatment works, the engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other action necessary to the construction of treatment works; and the erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works; and the inspection and supervision of the construction of treatment works: *Provided*, That in assuring that a fair distribution of grant funds hereunder is made available to the largest possible number of States, municipalities, intermunicipal or interstate agencies that have need for treatment works and in order that the initial feasibility of a project can be determined, the Surgeon General shall specify annually a portion amounting to at least 10 percent of the sums appropriated pursuant to this section to be used for advance planning grants to the maximum extent possible, and with regard to such portion give priority to grants for advance planning in order to determine the preliminary economic and engineering feasibility of such projects.

"WATER POLLUTION CONTROL ADVISORY BOARD

"SEC. 7. (a) (1) There is hereby established in the Public Health Service a Water Pollution Control Advisory Board, composed of the Surgeon General or a sanitary engineer officer designated by him, who shall be chairman, and nine members appointed by the President none of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this act, shall be selected from among representatives of various State, interstate and local governmental agencies, of public or private interests contributing to, affected by, or concerned with water pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of water pollution prevention and control, as well as other individuals who are expert in this field.

"(2) (A) Each member appointed by the President shall hold office for a term of 3 years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of the members first taking office after June 30, 1956, shall expire as follows: 3 at the end of 1 year after such date, 3 at the end of 2 years after such date, and 3 at the end of 3 years after such date, as designated by the President at the time of appointment. Members appointed by the President shall not be eligible for reappointment within 1 year after the end of his preceding term, but terms commencing prior to the enactment of the Water Pollution Control Act Amendments of 1956 shall not be deemed 'preceding terms' for purposes of this sentence.

"(B) The members of the Board who are not officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

"(b) The Board shall advise, consult with, and make recommendations to the Surgeon General on matters of policy relating to the activities and functions of the Surgeon General under this act.

"(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Public Health Service.

"ENFORCEMENT MEASURES AGAINST POLLUTION OF INTERSTATE WATERS

"SEC. 8. (a) The pollution of interstate waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endangers the health or welfare of persons in a State other than that in which the discharge originates, shall be subject to abatement as herein provided.

"(b) Consistent with the policy declaration of this act, State and interstate action to abate pollution of interstate waters shall be encouraged and shall not, except as otherwise provided by or pursuant to court order under subsection (h), be displaced by Federal enforcement action.

"(c) (1) Whenever the Surgeon General, at the request of the water pollution control agency or the chief executive of any State

or States or on the basis of reports, surveys, or studies, has reason to believe that any pollution referred to in subsection (a) is occurring, he shall give formal notification thereof to the State water pollution control agency and interstate agency, if any, of the State or States where the discharge or discharges causing or contributing to such pollution originates and shall call promptly a conference of the State water pollution control agencies and interstate agencies, if any, of the State or States where the discharge or discharges causing or contributing to such pollution originates and of the State or States claiming to be adversely affected by such pollution.

"(2) The agencies called to attend such conference may bring such persons as they desire to the conference. Not less than 3 weeks' prior notice of the conference date shall be given to such agencies.

"(3) Following this conference, the Surgeon General shall prepare and forward to all the water pollution control agencies attending the conference a summary of conference discussions including (A) occurrence of pollution of interstate waters subject to abatement under this act; (B) adequacy of measures taken toward abatement of the pollution; and (C) nature of delays, if any, being encountered in abating the pollution.

"(d) If the Surgeon General believes, upon the conclusion of the conference or thereafter, that effective progress toward abatement of such pollution is not being made and that the health or welfare of persons in a State other than that in which the discharge originates is being endangered, he shall recommend to the appropriate State water pollution control agency that it take necessary remedial action. The Surgeon General is to allow at least 6 months for the taking of such action.

"(e) If such remedial action is not taken or action reasonably calculated to secure abatement of such pollution is not taken, the Secretary of Health, Education, and Welfare shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a Board of five or more persons appointed by the Secretary. Each State in which any discharge causing or contributing to such pollution originates and each State claiming to be adversely affected by such pollution shall be given an opportunity to select one member of the Board and at least one member shall be a representative of the Department of Commerce, and not less than a majority of the Board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least 3 weeks' prior notice of said hearing shall be given to the State water pollution control agencies and interstate agencies, if any, called to attend the aforesaid hearing and the alleged polluter or polluters. On the basis of the evidence presented at such hearing, the board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the board finds such pollution is occurring and effective progress toward abatement is not being made it shall make recommendations to the Secretary of Health, Education, and Welfare concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution. The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution, together with a notice specifying a reasonable time (not less than 6 months) to secure abatement of such pollution, and shall also send such findings and recommendations and of such notice to the State water pollution control agency, and to the interstate agency, if any, of the State or States where such discharge or discharges originate.

"(f) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary of Health, Education, and Welfare, with the written consent of the State water pollution control agency (or any officer or employee authorized to give such consent) of the State or States where the matter causing or contributing to the pollution is discharged or at the written request of the State water pollution control agency (or any officer or employee authorized to make such request) of any other State or States where the health or welfare of persons is endangered by such pollution, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

"(g) The court shall receive in evidence in any such suit a transcript of the proceedings before the Board and a copy of the Board's recommendations and shall receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

"(h) As used in this section, the term 'person' includes an individual, corporation, partnership, association, State, municipality, and political subdivision of the State.

"COOPERATION TO CONTROL POLLUTION FROM FEDERAL INSTALLATIONS

"SEC. 9. It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, insofar as practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare, and with any State or interstate agency or municipality having jurisdiction over waters into which any matter is discharged from such property, in preventing or controlling the pollution of such waters.

"ADMINISTRATION

"SEC. 10. (a) The Surgeon General is authorized to prescribe such regulations as are necessary to carry out his functions under this act. All regulations of the Surgeon General under this act shall be subject to the approval of the Secretary of Health, Education, and Welfare. The Surgeon General may delegate to any officer or employee of the Public Health Service such of his powers and duties under this act, except the making of regulations, as he may deem necessary or expedient.

"(b) The Secretary of Health, Education, and Welfare, with the consent of the head of any other agency of the United States, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this act.

"(c) There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to enable it to carry out its functions under this act.

"DEFINITIONS

"SEC. 11. When used in this act—

"(a) The term 'State water pollution control agency' means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency.

"(b) The term 'interstate agency' means an agency of two or more States established by or pursuant to an agreement or compact approved by the Congress, or any other agency of two or more States, having substantial powers or duties pertaining to the control of pollution of waters.

"(c) The term 'treatment works' means the various devices used in the treatment of sewage or industrial wastes of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alternations thereof.

"(d) The term 'State' means a State, the District of Columbia, Hawaii, Alaska, Puerto Rico, or the Virgin Islands.

"(e) The term 'interstate waters' means all rivers, lakes, and other waters that flow across, or form a part of, boundaries between two or more States.

"(f) The term 'municipality' means a city, town, county, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

"OTHER AUTHORITY NOT AFFECTED

"SEC. 12. This act shall not be construed as (1) superseding or limiting the functions, under any other law of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of the Oil Pollution Act, 1924, or sections 13 through 17 of the act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes,' approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

"SEPARABILITY

"SEC. 13. If any provision of this act, or the application of any provision of this act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this act, shall not be affected thereby.

"SHORT TITLE

"SEC. 14. This act may be cited as the 'Federal Water Pollution Control Act.'"

SEC. 2. The title of such act is amended to read "An act to provide for water pollution control activities in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes."

SEC. 3. Terms of office as members of the Water Pollution Control Advisory Board (established pursuant to section 6 (b) of the Water Pollution Control Act, as in effect prior to the enactment of this act) subsisting on the date of enactment of this act shall expire at the close of business on such date.

SEC. 4. In the case of any discharge or discharges causing or contributing to water pollution with respect to which the actions by the Surgeon General prescribed under paragraph (2) of section 2 (d) of the Water Pollution Control Act, as in effect prior to the enactment of this act, have already been completed prior to such enactment, the provisions of such section shall continue to be applicable; except that nothing in this section shall prevent action with respect to any such pollution under and in accordance with provisions of the Water Pollution Control Act, as amended, by this act.

SEC. 5. This act may be cited as the "Water Pollution Control Act Amendments of 1956."

Mr. CHAVEZ. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. KERR, Mr. GORE, Mr. MARTIN of Pennsylvania, and Mr. CASE of South Dakota conferees on the part of the Senate.

Mr. CHAVEZ. I ask unanimous consent that the bill, S. 890, just sent to conference, be printed as passed by the House.

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

CERTAIN RAILROAD REORGANIZATIONS AND INSOLVENCY PROCEEDINGS—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7247) to amend the Internal Revenue Code of 1954 with respect to the treatment of gain in certain railroad organizations. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7247) to amend the Internal Revenue Code of 1954 with respect to the treatment of gain in certain railroad organizations, 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 amendments numbered 2 and 3.

Amendment numbered 1: That the House recede from its disagreement to the Senate amendment numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 4. The table of sections for part IV of subchapter C of chapter 1 of the Internal Revenue Code of 1954 is hereby amended by adding at the end thereof the following:

"'Sec. 374. Gain or loss not recognized in certain railroad reorganizations.'

"SEC. 5. Section 108 (b) of the Internal Revenue Code of 1954 (relating to income of a railroad corporation from discharge of indebtedness) is hereby amended by striking out 'December 31, 1955' and inserting in lieu thereof 'December 31, 1957'."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill, and agree to the same with an amendment as follows:

Amend the title so as to read: "An act relating to recognition of gain or loss in certain railroad reorganizations and to amend section 108 (b) of the Internal Revenue Code of 1954."

And the Senate agree to the same.

HARRY F. BYRD,
ROBERT S. KERR,
J. ALLEN FREAR, Jr.,
E. D. MILLIKIN,
EDWARD W. MARTIN,
By HARRY F. BYRD,
Managers on the Part of the Senate.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD. Mr. President, the conference report has been unanimously agreed upon. I have consulted with the majority leader and the minority leader, and there is no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CITATION OF JOSEPH BRUNO FOR CONTEMPT OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

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

Mr. JOHNSON of Texas. Do I correctly understand that Calendar No. 2120, Senate Resolution 274, citing Joseph Bruno for contempt of the Senate, is the pending business?

The PRESIDING OFFICER. That is correct. The question is on agreeing to the resolution.

Mr. JOHNSON of Texas. I thank the Chair.

Mr. President, I yield to the junior Senator from Texas [Mr. DANIEL], so that he may explain the resolution.

The PRESIDING OFFICER. The junior Senator from Texas [Mr. DANIEL] is recognized.

Mr. DANIEL. Mr. President, Calendar No. 2120, Senate Resolution 274, which has been reported from the Judiciary Committee, cites Joseph Bruno for contempt of the Senate, in connection with the investigation by the Committee on the Judiciary of the narcotics traffic. I had the privilege of serving as chairman of the subcommittee which conducted the investigation. Appearing on the calendar, Mr. President, are similar resolutions based on citations for contempt, growing out of the investigation into the illicit narcotics traffic by the Committee on the Judiciary, against the following individuals:

Joseph Bruno, who appeared in Chicago, November 22, 1955;

William Frazier Evans, who appeared in Detroit, November 23, 1955;

Robert T. Hosoi, who failed to respond to the subcommittee's subpena in Los Angeles, November 16, 1955;

Salvatore Santoro, who appeared in New York, September 21, 1955;

Jesse Alexander, who appeared in Chicago, November 22, 1955; and

Joseph Bendinelli, who appeared in New York, September 21, 1955.

These citations for contempt are submitted to the Senate on the basis of the flagrant contempt which these individuals showed for the narcotics investigation, for the Committee on Improvements in the Federal Criminal Code charged with this investigation, and for the United States Senate which authorized and directed the investigation. Our subcommittee considers it imperative that these individuals be cited for contempt.

Let me make this clear, Mr. President: These are not the pitiful victims of drug addiction, or small-time, petty pushers of dope. Our preliminary investigation and reports from the Bureau of Narcotics indicate that these persons had much information concerning top traffickers in narcotics, if not, in fact, personal knowledge of the traffic.

Senate Resolution 274, the pending resolution, would cite for contempt Joseph Bruno, 3540 North Newcastle Avenue, Chicago, Ill., who appeared in Chicago, November 22, 1955, with his attorney, Jack Arnold Welfeld. Bruno pleaded the fifth amendment 78 times in response to questions by the chairman of the subcommittee.

I ask unanimous consent to have printed in the RECORD at this point the complete transcript of his testimony.

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

TESTIMONY OF JOSEPH BRUNO, CHICAGO, ILL., ACCOMPANIED BY JACK ARNOLD WELFELD, ATTORNEY

Senator DANIEL. Come forward, please, Mr. Bruno.

Do you solemnly swear the testimony you are about to give to this subcommittee of the Senate Judiciary Committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRUNO. I do.

Senator DANIEL. You may be seated. Is this your attorney?

Mr. WELFELD. Yes; I am counsel.

Senator DANIEL. Will you identify yourself, please?

Mr. WELFELD. My name is Jack Arnold Welfeld, W-e-l-f-e-l-d. I am an attorney at 231 South La Salle Street, Chicago, Ill.

Senator DANIEL. Will you state your name, please?

Mr. BRUNO. Joseph Bruno.

Senator DANIEL. Do you spell that B-r-u-n-o?

Mr. BRUNO. That's right.

Senator DANIEL. Are you also known by some other name?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might incriminate me or degrade me.

Senator DANIEL. Let's leave off the "degrade me," because, Mr. Counsel, I am sure that you understand that the committee does not recognize that as a reason not to answer questions.

Mr. WELFELD. May I confer with my client?

Senator DANIEL. Yes.

(Witness confers with counsel.)

Senator DANIEL. You understand that if you want to claim the fifth amendment on any of these questions, just claim it in the language that your attorney has advised you to use, except to claim it because you feel that a truthful answer might tend to incriminate you and not because it might degrade you. Do you understand what I mean?

Mr. BRUNO. Yes, sir.

Senator DANIEL. And do you understand that in claiming the fifth amendment the committee naturally recognizes a man's right to claim it on any question where he feels that a truthful answer to a question might tend to incriminate you. I am sure that you do not intend to use it on anything

but that, but I just wanted to make that warning to you.

Will you state your business?

Mr. BRUNO. I claim the privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Well, will you state any legitimate business in which you are engaged.

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Do you have any kind of business which is not a violation of the law and on which you would not want to claim your privilege? Do you have any business for which you could not be prosecuted? Isn't there some work that you are in which you would tell the committee about?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Are you engaged in selling heroin in Chicago?

Mr. BRUNO. I claim my privilege under the Constitution because it might tend to incriminate me.

Senator DANIEL. Have you been engaged in selling heroin during recent years here in Chicago?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Have you sold marihuana in Chicago?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Are you now selling marihuana or heroin in Chicago?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Where do you live in Chicago, or do you live in Chicago?

Mr. BRUNO. I claim my privilege under the Constitution. It might tend to incriminate me.

Senator DANIEL. Well, now, on these other times in which you claimed the privilege I have recognized your right to claim it. I do not think that I am going to recognize your right to claim the fifth amendment on the matter of where you reside. Therefore, I am going to order you to tell the committee where you live.

(Witness confers with counsel.)

Senator DANIEL. All right, gentlemen. Mr. Bruno, what is your answer as to where you live?

Mr. BRUNO. I refuse to answer because it might tend to incriminate me or degrade me under the Constitution.

Senator DANIEL. Mr. Counsel, you understand that the chairman has ordered the witness to answer the question. If the chairman is right in saying that he is wrong in claiming the fifth amendment to such a question, that that is not the type of question on which he would be entitled to claim the fifth amendment, if the chairman is right in ordering him to answer and he refused to do so, it is understood, I am sure, by you that he would be subject to contempt citation by the United States Senate?

Mr. WELFELD. I understand that, Senator, and I have conferred with my client and advised him of his rights; what his duties and obligations are and he wishes to make the answer that he has made.

Senator DANIEL. Mr. Bruno, you understand, having talked with your counsel and from my statement, that if the Chair is right in saying that he feels that you are required to answer this question that you would be subject to contempt citation by the Senate. Let me say this to you: You understand that on any question where a truthful answer could not possibly tend to incriminate you, it seems to me, the Chair could properly order you to, at least that is the policy that is followed in our congressional committees to answer the question.

Now, you may be right in your decision to still claim the immunity, or I may be right to claim that you have no right to claim it. It is a chance you are taking. All that I want you to understand is that if I am right and you are wrong you would be subject to contempt proceedings by the United States Senate.

Do you understand that? And please speak right out so that the reporter can hear what you are saying. He cannot get the nodding of your head. Do you understand that?

Mr. BRUNO. Can I talk to my counsel?

Mr. WELFELD. May we confer for about 30 seconds?

Senator DANIEL. Yes.

(Witness confers with counsel.)

Mr. BRUNO. I'll answer.

Senator DANIEL. All right. Where do you live?

Mr. BRUNO. 4424 North Sheridan Road.

Senator DANIEL. I didn't understand you.

Mr. BRUNO. 4424 North Sheridan Road.

Senator DANIEL. How long have you lived there?

Mr. BRUNO. Three, four weeks.

Senator DANIEL. How long?

Mr. BRUNO. Maybe 3 weeks or so.

Senator DANIEL. Is that in Chicago?

Mr. BRUNO. Yes.

Senator DANIEL. Is it in any particular district or area? Is it known by any addition or name?

Mr. BRUNO. (No answer.)

Senator DANIEL. Speak out. The reporter has to get an audible answer.

Mr. BRUNO. You mean what's the name of the building?

Senator DANIEL. The district or the area.

Mr. BRUNO. There's no particular name for the area.

Senator DANIEL. Is it, for instance, the Gold Coast area? What do they call it here in Chicago?

Mr. BRUNO. Well, I don't know.

Senator DANIEL. Did you ever hear anybody call it the Gold Coast area?

Mr. BRUNO. Not that particular section.

Senator DANIEL. What is it called?

Mr. BRUNO. 4400 North.

Senator DANIEL. It is not known by any other name, then?

Mr. BRUNO. Not that I know of.

Senator DANIEL. How old are you?

Mr. BRUNO. I refuse to answer under the Constitution that I might tend to incriminate myself.

Senator DANIEL. Well, I order you to answer that question.

(Witness confers with counsel.)

Mr. BRUNO. Forty-three years old.

Senator DANIEL. Will you give us an answer as to any type of business you have ever been in here in Chicago since 1951?

Mr. BRUNO. No, sir.

Senator DANIEL. Why?

Mr. BRUNO. I refuse to answer under the Constitution. I might tend to incriminate myself.

Senator DANIEL. I am asking you now, Will you tell us about any business that you have been in during that time?

Mr. BRUNO. No, sir.

Senator DANIEL. And I am especially referring to any absolutely legal business on which a truthful answer could not possibly tend to incriminate you. Could you name any kind of work or business that you have been in?

Mr. BRUNO. No, sir.

Senator DANIEL. Why?

Mr. BRUNO. I refused to answer, under the Constitution. I might tend to incriminate myself.

Senator DANIEL. Did you act as a source of supply—let me say this to you: I am sure that you know that you were not called before this committee if our investigations did not indicate that you knew something about the narcotic traffic. It may not be true, but you would not have been called before the committee. And the investigation shows this is what is in our committee record: That the investigators have reported that they have reason to believe that you have supplied heroin to 1, 2, 3, 4, 5, 6, 7, 8 people, major violators, here in Chicago, and that you have been their principal source of supply for heroin.

Do you wish to deny that?

Mr. BRUNO. I claim my right under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. All right, I am going to name these people. Did you supply, or have you ever supplied heroin to Rupert Kelly?

Mr. BRUNO. I refuse to answer under the Constitution that I might tend to incriminate myself.

Senator DANIEL. Do you know Rupert Kelly?

Mr. BRUNO. I refuse to answer under the Constitution. I might tend to incriminate myself.

Senator DANIEL. Archie Robinson?

Mr. BRUNO. I claim my privilege under the Constitution. It might tend to incriminate me.

Senator DANIEL. Do you know Charles Venton?

Mr. BRUNO. I refuse to answer. I claim my privilege under the Constitution. It might tend to incriminate me.

Senator DANIEL. Did you ever sell heroin or furnish heroin to Charles Venton?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you know Marvin Moses?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Did you ever serve as the supply wholesaler of heroin for Marvin Moses?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Do you know Aucklin Holmes?

Mr. BRUNO. I claim my privilege under the Constitution. It might tend to incriminate me.

Senator DANIEL. Have you ever furnished heroin to Aucklin Holmes?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you know Dorothy Johnson?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Now, about Marvin Moses—I asked you about him—who was caught with 82 ounces of heroin, did you sell that heroin to him, to Marvin Moses?

Mr. BRUNO. I claim my privilege under the Constitution. It might tend to incriminate me.

Senator DANIEL. I am going to ask you next about Delphin McGee, it is a woman, or Delphin Schenault. Do you know a woman by either of those names?

Mr. BRUNO. I claim my privilege under the Constitution.

Senator DANIEL. She has a case pending in which a seizure was made of 9 ounces of heroin, which is a pretty large amount of heroin. Did you sell that heroin or any other heroin to Delphin McGee?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. I am going to ask you next about a man who is a fugitive, who jumped a bail bond. I beg your pardon, he has not been arrested, but he is being looked for after a seizure of 40 ounces of heroin. J. C. Sadler or Saddler. Do you know him?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you know his whereabouts?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you know Mose Hightower or Harry Schenault?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Have you ever sold heroin to Mose Hightower or Harry Schenault?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you own two drugstores here in Chicago, or do you have any interest in them?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Well, now, I am asking you about the Drexel Drugs at 4300 South Drexel, Chicago, Ill. I will ask you this question: Do you know where that drugstore is?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. I am going to order you to answer that question of whether you know where the drugstore is.

Mr. BRUNO. I know where it's at.

Senator DANIEL. What?

Mr. BRUNO. I know where it's at.

Senator DANIEL. Have you ever been in there?

Mr. BRUNO. I refuse to answer.

Senator DANIEL. I am going to order you to answer the question of whether you have been inside that drugstore.

Mr. BRUNO. I probably have been in there.

Senator DANIEL. I don't want any "probably." Have you ever been in there?

(Witness confers with counsel.)

Mr. BRUNO. Yes; I've been in there.

Senator DANIEL. All right. Do you own any interest in that drugstore?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. I just want to test you out, because we have the right to do this when a man continues to claim the fifth amendment, especially when you ask him "does he have any interest," which would, apparently, on the face of it, seem to be a legitimate business. I am going to ask you if you honestly feel in your mind that a truthful answer to that question as to whether you own any interest in Drexel Drugs, at 4300 South Drexel, would tend to incriminate you.

(Witness confers with counsel.)

Mr. BRUNO. I claim my privilege under the Constitution.

Senator DANIEL. I order you to answer that question. I was putting you to the test to see whether or not your claim to the fifth amendment would be respected by this committee. Do you remember the question? Do you know what and understand what it is? It is whether you honestly feel that a truthful answer to that question might tend to incriminate you. I order you to answer the question.

Mr. BRUNO. I have no interest in there.

Senator DANIEL. You have no interest in that drugstore?

Mr. BRUNO. No; I don't.

Senator DANIEL. Well, of course, that is not the question that I asked you to answer. I asked you simply whether or not you honestly felt that a truthful answer to the question of whether you had an interest would tend to incriminate you. Would you answer that one first?

Mr. BRUNO. No; it wouldn't incriminate me.

Senator DANIEL. It would not incriminate you. Therefore you are not going to claim the fifth amendment on that any further, are you, and you are going to answer it for the committee?

Mr. BRUNO. Depending on what the question is.

Senator DANIEL. All right. Do you have an interest in the drugstore that I have asked you about?

Mr. BRUNO. No; I don't.

Senator DANIEL. Did you ever own any interest in that drugstore?

Mr. BRUNO. No; I don't.

Senator DANIEL. Haven't you hung out in that drugstore, and don't you stay there a considerable part of your time?

Mr. BRUNO. I don't stay there now.

Senator DANIEL. Haven't you bought quinine through that drugstore to mix with heroin?

Mr. BRUNO. No, sir.

Senator DANIEL. Have you ever bought any quinine?

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Have you ever had any management or control over that drugstore?

Mr. BRUNO. I claim my privilege under the Constitution. It might tend to incriminate me.

Senator DANIEL. Did you bring your financial papers and a copy of your income taxes since 1951, as requested?

(Witness confers with counsel.)

Mr. BRUNO. No, I didn't.

Senator DANIEL. Why not?

Mr. BRUNO. Because I have that privilege under the Constitution.

Senator DANIEL. What privilege?

Mr. BRUNO. I don't have to bring them.

(Witness confers with counsel.)

Mr. BRUNO. I refuse to produce any documents because it might tend to incriminate me.

Senator DANIEL. Because they might tend to incriminate you?

Mr. BRUNO. Yes.

Senator DANIEL. I am going to ask you about every one of them. You were asked to bring a copy of your 1954 income-tax return. Do you have that with you?

Mr. BRUNO. No, sir.

Senator DANIEL. Where is it?

Mr. BRUNO. I don't know, sir.

Senator DANIEL. Did you file a 1954 income-tax return?

(Witness confers with counsel.)

Mr. BRUNO. I did file.

Senator DANIEL. Did you keep a copy?

Mr. BRUNO. I did, but I don't know where it's at.

Senator DANIEL. When is the last time you saw it?

Mr. BRUNO. (No response.)

Senator DANIEL. Speak up, please. Would you sit up and speak out a little louder?

Mr. BRUNO. When I filed it.

Senator DANIEL. Where did you file your copy of the income-tax return?

Mr. BRUNO. I laid it at home. I must have misplaced it.

Senator DANIEL. Did you look for it to bring it here?

Mr. BRUNO. I looked around.

Senator DANIEL. You didn't think that by producing a copy of that as ordered in this subpena that that would tend to incriminate you; did you?

Mr. BRUNO. I still refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Well, I asked you a question about that to lay a predicate for your claiming the fifth amendment, if you want to. But you have not laid the predicate yet. I ask you whether or not you feel that by bringing a copy of your income-tax returns for 1954 as ordered by this committee that it might tend to incriminate you.

(Witness confers with counsel.)

Mr. BRUNO. I refuse to answer. I claim the privilege of the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. I order you to answer that question.

(Witness confers with counsel.)

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. I am going to test you out again on it. You have refused to answer after I have ordered you to answer. Again, you understand what the chances are that you are taking, that you might be subject to citation by the Senate for contempt. Do you understand that?

Mr. BRUNO. Yes, sir.

Senator DANIEL. All right, I am going to ask you this question: Do you honestly believe that a truthful answer to that question would tend to incriminate you?

(Witness confers with counsel.)

Mr. BRUNO. I claim my privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you understand what I am trying to do? As I understand it, and it has been done many times, a congressional committee can test out a witness when he claims the fifth amendment, to be sure that he is in good faith. I am not going to have you sit there and claim the fifth amendment on questions where you do not honestly believe they might tend to incriminate you. That is why I am putting the test to you.

Again, I am asking you whether or not you honestly believe that a truthful answer to the questions I have just asked you, the last two questions, would tend to incriminate you.

Mr. BRUNO. I claim my privilege under the Constitution.

Senator DANIEL. Do you refuse to answer that question?

Mr. BRUNO. Yes, sir.

Senator DANIEL. Do you refuse to tell me whether you honestly believe that truthful answers would tend to incriminate you?

Mr. BRUNO. I am telling you that's why I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Then you will not tell me whether you honestly believe and are in good faith in claiming the fifth amendment on these last three questions?

(Witness confers with counsel.)

Mr. BRUNO. I honestly believe that that answer might tend to incriminate me.

Senator DANIEL. And does that apply to all of the last three questions?

Mr. BRUNO. I don't recall the last one.

Senator DANIEL. They all relate to the same thing.

Mr. BRUNO. I do.

Senator DANIEL. You honestly believe that a truthful answer to the questions, the last 3 questions—4 questions, now before you answered this last 1—might tend to incriminate you?

Mr. BRUNO. They might.

Senator DANIEL. Do you know where your income-tax return for 1953 is?

Mr. BRUNO. No. It's with the one for 1954. They're all together.

Senator DANIEL. Where is the one for 1952?

Mr. BRUNO. They're all together.

Senator DANIEL. Where is the one for 1951?

Mr. BRUNO. They're all together.

Senator DANIEL. Where did you leave them?

Mr. BRUNO. I don't know. I left them in the house and they probably got misplaced.

Senator DANIEL. Have you looked for them?

Mr. BRUNO. Yes, sir.

Senator DANIEL. Did you intend to bring them here if you could have found them?

Mr. BRUNO. I'd have held them.

Senator DANIEL. Held them where?

Mr. BRUNO. I might have brought them but I wouldn't have produced them.

Senator DANIEL. You would not have produced them to the committee.

Mr. BRUNO. No.

Senator DANIEL. Why?

Mr. BRUNO. I believe that it might tend to incriminate me if I showed them.

Senator DANIEL. What about your bank accounts, financial statements, and account books? Do you have any?

(Witness confers with counsel.)

Mr. BRUNO. I have no financial statements; I have no bankbooks.

Senator DANIEL. Do you have a bank account in any bank?

Mr. BRUNO. No, sir.

Senator DANIEL. Have you ever had one in the last 4 years?

Mr. BRUNO. Myself?

Senator DANIEL. Yes.

Mr. BRUNO. No, sir.

Senator DANIEL. Well, have you ever had any money since 1951?

Mr. BRUNO. Have I ever had any money?

Senator DANIEL. Yes.

Mr. BRUNO. I've had a little bit.

Senator DANIEL. Have you ever kept any in a bank either in your name or in anyone else's name?

Mr. BRUNO. Not my name; my wife's name.

Senator DANIEL. What is your wife's name?

Mr. BRUNO. Mary.

Senator DANIEL. That is the name of your wife. Did you put that money in the name of Mary Bruno?

Mr. BRUNO. I don't recall.

Senator DANIEL. All right. You said that you kept money in your wife's name.

Mr. BRUNO. I didn't keep it. That's her money.

Senator DANIEL. Is it her money or yours?

Mr. BRUNO. Not mine.

Senator DANIEL. Is any of it yours?

Mr. BRUNO. No.

Senator DANIEL. Have you ever had any money of your own since 1951?

Mr. BRUNO. I keep that myself.

Senator DANIEL. Where do you keep it?

Mr. BRUNO. My pocket.

Senator DANIEL. Do you keep all of the money you make in your pocket?

Mr. BRUNO. I don't make that much.

Senator DANIEL. What? You don't make that much? What is the value of the home in which you live?

Mr. BRUNO. I don't know.

Senator DANIEL. You made enough money to buy a home; didn't you?

Mr. BRUNO. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. You have said that you don't make much. You have waived any right under that.

You say you don't make much money. What is your annual income since 1951?

Mr. BRUNO. I refuse to answer that. It might tend to incriminate me.

Senator DANIEL. You have already waived your right to that. You said that you didn't make much money. I order you to tell me what your annual has been since 1951.

(Witness confers with counsel.)

Senator DANIEL. Mr. Counsel, wait until your client counsels with you. You may advise him any time that he seeks advice, but only then.

Mr. BRUNO. I refuse to answer that. It might tend to incriminate me.

Senator DANIEL. I order you to answer that question. You understand, do you not, I am ordering you to answer it because the chairman feels that you have waived any right to claim the fifth amendment by saying to the committee that you did not make much money during that time.

Mr. BRUNO. Well, I didn't mean it that way. But I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Let's clear it up. How do you mean it?

Mr. BRUNO. I thought you were talking about a big amount of money.

Senator DANIEL. I am just talking about whatever you made. Why do you think I was talking about a big amount of money when I asked you what you made?

Mr. BRUNO. The way you put it.

Senator DANIEL. Well, whatever the amount was—did you keep it all in your pocket?

Mr. BRUNO. No, sir. I refuse to answer.

Senator DANIEL. I am ordering you to answer this question. You have waived any right to claim the fifth amendment on it, in my opinion. I could be wrong, but if I am right about it you may want to answer.

I want to know whether or not you made any money during the period since 1951.

Mr. BRUNO. If I have ever made any money?

Senator DANIEL. Since 1951.

Mr. BRUNO. I filed income tax; I must have made money; yes.

Senator DANIEL. All right. Did you keep all of the money that you made in your pocket?

Mr. BRUNO. No, sir.

Senator DANIEL. No; you did not. You put it in a bank in your wife's name, didn't you?

Mr. BRUNO. I refuse to answer the question.

Senator DANIEL. I am going to order you to answer it because you volunteered that information to the committee that you put it in your wife Mary's name. I want to know, again, if you put all of the money that you made in your wife's name or just a part of it.

(Witness confers with counsel.)

Mr. BRUNO. I refuse to answer because it might tend to incriminate me.

Senator DANIEL. Well, I think that you have waived your right, and that is why I have ordered you to answer it. I want you to know how the chairman feels about it. The same way on any of the other questions I ask you about the money you put in your wife's bank account.

Did you keep money in her bank account in 1954?

(Witness confers with counsel.)

Mr. BRUNO. I refuse to answer.

Senator DANIEL. I order you to answer.

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Did you keep any money in bank accounts in her name in 1953?

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Did you keep any money in your wife's name in a bank account in 1952?

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Did you keep any money in anybody else's name in a bank in Chicago or any place else in 1954?

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Do you honestly believe that a truthful answer to that question might tend to incriminate you?

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. I order you to answer that question, asked for the purpose of testing the sincerity and good faith of your claim of the fifth amendment.

(Witness confers with counsel.)

Mr. BRUNO. I honestly believe that it would.

Senator DANIEL. All right. Did you keep any money in a bank account in anyone else's name in 1953?

Mr. BRUNO. I refuse to answer because the question might tend to incriminate me.

Senator DANIEL. Have you ever been in Drexel Drug Store at 239 East 51st Street, Chicago, Ill.?

(Witness confers with counsel.)

Mr. BRUNO. Have I ever been there?

Senator DANIEL. Yes.

Mr. BRUNO. Yes.

Senator DANIEL. Do you own any interest in the Drexel Drugs?

Mr. BRUNO. No, sir.

Senator DANIEL. Have you ever owned any interest in that drugstore?

Mr. BRUNO. No, sir.

Senator DANIEL. Have you ever had any control or anything to do with the management of that drugstore?

(Witness confers with counsel.)

Mr. BRUNO. I refuse to answer. Might tend to incriminate me.

Senator DANIEL. Have you ever been back to the prescription part of that drugstore, where they keep the medicines in the bottles?

Mr. BRUNO. I refuse to answer.

Senator DANIEL. Have you ever seen hundreds of bottles of quinine in that drugstore on the shelves of that drugstore?

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Have you ever seen any quinine in the drawers of that drugstore?

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. You do know that quinine is used to mix with heroin before it is sold on the retail trade; do you not?

Mr. BRUNO. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Have you ever mixed any quinine with heroin?

Mr. BRUNO. I refuse to answer, it might tend to incriminate me.

Senator DANIEL. Do you honestly believe that a truthful answer to that question might tend to incriminate you?

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. I order you to answer the question for the purpose of again testing the sincerity and good faith in the claim of the fifth amendment.

Do you honestly believe that a truthful answer to that question, whether you have ever mixed quinine with heroin, would tend to incriminate you?

(Witness confers with counsel.)

Mr. BRUNO. I believe it would tend to incriminate me. I honestly believe it would tend to.

Senator DANIEL. Do you know Angelo Giardini, of New York, known also as Tony?

Mr. BRUNO. I claim the privilege under the Constitution and I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Did you ever purchase 2 kilograms of heroin from Angelo "Tony" Giardini, of New York City?

Mr. BRUNO. I claim the privilege under the Constitution. I refuse to answer. It might tend to incriminate me.

Senator DANIEL. Do you know Eddie Coco, also known as "Killer"?

Mr. BRUNO. I claim my privilege under the Constitution. The answer might tend to incriminate me.

Senator DANIEL. Did the three of you, Eddie Coco or "Killer," Angelo Giardini, also known as Tony and you, meet in the Copa Club in Chicago any time during the last few months? Or few years?

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Do you know that Eddie Coco has been one of the main sources of supply for heroin in New York?

Mr. BRUNO. I refuse to answer under the Constitution. That answer might tend to incriminate me.

Senator DANIEL. Did you ever see a handwritten note reading as follows:

"Mike or Carl, have ready today for Rocky 20 ounces of quinine sulfate." Dated August 13, 1954, 239 East 51st Street.

Mr. BRUNO. I refuse to answer. That question might tend to incriminate me.

Senator DANIEL. Your answer, you mean, might tend to incriminate you?

Mr. BRUNO. I refuse to answer under the Constitution.

Senator DANIEL. You do know that Mike and Carl both work at that drugstore at 239 East 51st Street; don't you?

(Witness confers with counsel.)

Mr. BRUNO. I believe there's a man Mike that might have worked there, and a Carl that did work there.

Senator DANIEL. Mike who?

Mr. BRUNO. Well, you just gave me the name Mike.

Senator DANIEL. Give me his last name.

(Witness confers with counsel.)

Mr. BRUNO. I believe his name is Conda.

Senator DANIEL. How do you spell it?

Mr. BRUNO. C-o-n-d-a, or C-o-n-d-i-k, something like that.

Senator DANIEL. C-o-n-d-a?

Mr. BRUNO. I think so. I'm not positive.

Senator DANIEL. All right. You knew Carl, too; didn't you?

Mr. BRUNO. Yes, sir.

Senator DANIEL. What was his last name?

Mr. BRUNO. Friedken?

Senator DANIEL. F-r-i-e-d-k-i-n?

Mr. BRUNO. Yes, sir.

Senator DANIEL. You gave them their jobs; didn't you?

(Witness confers with counsel.)

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Do you know another Mike who works there?

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Do you know a Mike Corshak?

Mr. BRUNO. I refuse to answer. It might, under the Constitution, tend to incriminate me.

Senator DANIEL. Did you employ the people who work at Drexel Drugs on South Drexel?

Mr. BRUNO. I refuse to answer. It might tend to——

Senator DANIEL. You said on that drugstore that you owned no interest in it, exercised no supervision and management. That is the first Drexel drugstore that I asked you about. Now I am asking you if you employ the people who work there, and you are refusing to answer on the ground that it might tend to incriminate you. I order you to answer that question.

Mr. BRUNO. I don't recall. I may be incriminating myself if I don't refuse to answer. I may give an answer, and it is a bad answer. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Well, I'm not asking you for a bad answer. I am just asking you if you employed any person who worked at Drexel Drugstore, 4300 South Drexel.

Mr. BRUNO. I refuse to answer under the Constitution. It might tend to incriminate me.

Senator DANIEL. Do you honestly believe that a truthful answer to that question might tend to incriminate you?

Mr. BRUNO. I honestly do, sir.

Senator DANIEL. Now, with what I have told you about the reason you were called here and what our investigation would indicate, that you were supplying the traffic here in Chicago with heroin, with what has been said—and I now say that I do not know whether it is true or not; I am just telling you what our preliminary investigation shows and why we asked you here—with all that in mind, would you like to make any statement——

Mr. BRUNO. No, sir.

Senator DANIEL. Concerning that matter or any denial?

Mr. BRUNO. No, sir; I refuse to make any statement.

Senator DANIEL. You do not wish to make any statement. Well, do you refuse to deny or say anything about it on the ground that it might tend to incriminate you?

Mr. BRUNO. I claim the fifth amendment under the Constitution. I refuse to answer.

Senator DANIEL. All right. You may stand aside.

(There was a brief interruption while the next witness was called.)

Mr. DANIEL. This witness should be cited for contempt on two major grounds:

First. Bruno refused to answer questions that he was ordered to answer by the chairman, after he, the witness, had waived his right not to answer by his answers to previous questions; and

Second. This witness also failed and refused to bring to the subcommittee hearing his bank statements, other papers, and copies of his income tax returns as ordered by the committee subpena.

According to reports which the subcommittee has received from the Federal Bureau of Narcotics, and which are a part of our records, Bruno is—

One of the narcotic financiers living on Chicago's west side, dealing in heroin in kilogram lots, and has been the source of supply for large quantities of this drug distributed in Chicago, Cleveland, St. Louis, and New Orleans. One of the recent seizures attributed to this trafficker total 150 ounces of heroin. Large quantities of quinine, an adulterant for heroin, have also been traced to this trafficker.

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

Mr. DANIEL. I yield.

Mr. McCARTHY. I think the Senator is making a very important speech. I wonder if it might not be well to suggest the absence of a quorum, in order to enable more Senators to listen to him?

Mr. DANIEL. I thank the Senator, but my understanding with the majority leader was that I would proceed with these six citations. The reports have been printed, and I believe most Senators have had an opportunity to acquaint themselves with them. I appreciate the suggestion of the Senator from Wisconsin.

Bruno was asked by the chairman of the committee:

Did you bring your financial papers and a copy of your income taxes since 1951, as requested?

After conferring with counsel he said:

No; I didn't.

Senator DANIEL. Why not?

Mr. BRUNO. Because I have that privilege under the Constitution.

Senator DANIEL. What privilege?

Mr. BRUNO. I don't have to bring them.

As I understand from the Federal district attorneys who sat with us, witnesses are supposed to bring the papers asked for, even though they may have constitutional grounds on which they could claim the right not to present the papers requested or to make them a part of the record. However, this witness completely refused even to bring anything asked for in the subpena issued by our committee.

Mr. President, I think the Senate should vote the contempt citation.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 274) was agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on the Judiciary of the United States Senate as to the refusal of Joseph Bruno to answer questions before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, said refusal to answer being pertinent to the subject matter under inquiry together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the northern district of Illinois, to the end that the said Joseph Bruno may be proceeded against in the manner and form provided by law.

CITATION OF WILLIAM FRAZIER EVANS FOR CONTEMPT OF THE SENATE

Mr. DANIEL. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2121, Senate Resolution 275.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 275) to cite William Frazier Evans for contempt of the United States Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. DANIEL. Mr. President, Senate Resolution 275 would cite for contempt William Frazier Evans, Chicago, Ill., who appeared before the subcommittee in Detroit, Mich., November 23, 1955, with his attorney, Samuel Posner. Evans repeatedly invoked the fifth amendment and attempted to disrupt the hearings by his unruly conduct.

With respect to some of the questions, it was apparent to the chairman that he had waived the right to invoke the fifth amendment. Certainly by reason of his conduct, he was in contempt of the committee and of the Senate.

I ask unanimous consent to have the full transcript of this witness' testimony printed in the RECORD at this point.

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

TESTIMONY OF WILLIAM F. "BUTCH" EVANS

Senator DANIEL. The committee will come to order.

William Evans? Will you hold up your right hand?

Do you solemnly swear the evidence, the testimony you are about to give to this subcommittee of the Senate Judiciary Committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EVANS. Yes.

Senator DANIEL. Now, are you counsel for this man?

Mr. POSNER. I am counsel.

Senator DANIEL. And will you identify yourself?

Mr. POSNER. My name is Samuel Posner, Senator.

Senator DANIEL. And you are a member of the Detroit bar?

Mr. POSNER. I am.

Senator DANIEL. All right; you may be seated.

Senator DANIEL. Your counsel may sit with you. I am sure counsel is familiar with the rules; he will not volunteer any advice to you. If you need to consult with him any time, you may do so.

Will you state your name?

Mr. EVANS. Sir?

Senator DANIEL. What is your name?

Mr. EVANS. William F. Evans.

Senator DANIEL. William F. Evans?

Mr. EVANS. Yes.

Senator DANIEL. Where do you live?

Mr. EVANS. Chicago, Ill.

Senator DANIEL. How long have you lived in Chicago?

Mr. EVANS. About 20 years.

Senator DANIEL. Are you selling heroin in Chicago?

Mr. EVANS. No, sir.

Senator DANIEL. Have you ever sold any heroin in Chicago?

Mr. EVANS. No, sir.

Senator DANIEL. Have you ever sold any heroin anywhere?

Mr. EVANS. Anywhere?

Senator DANIEL. Anywhere.

Maybe that's too broad. Have you ever sold any heroin here in Detroit?

Mr. EVANS. Here in Detroit?

Senator DANIEL. Yes.

Mr. EVANS. I have a record for it. I was convicted for selling it.

Senator DANIEL. Well, have you ever sold any this year in Detroit?

Mr. EVANS. No, sir.

Senator DANIEL. Have you ever sold any heroin this year in Chicago?

Mr. EVANS. No, sir.

Senator DANIEL. Have you ever sold any heroin this year in Cleveland?

Mr. EVANS. No, sir.

Senator DANIEL. I don't know if I have asked you this, have you sold any heroin here in Detroit this year?

Mr. EVANS. I beg pardon, sir?

Senator DANIEL. Have you sold any heroin here in Detroit this year?

Mr. EVANS. No, sir.

Senator DANIEL. Have you ever delivered heroin to anyone to deliver to Detroit, this year?

Mr. EVANS. I didn't hear you, sir.

Senator DANIEL. Have you ever given any heroin to anyone to deliver over to Detroit this year?

Mr. EVANS. No, sir.

Senator DANIEL. Have you ever seen any heroin this year?

Mr. EVANS. Have I ever seen any?

Senator DANIEL. Yes.

Mr. EVANS. Well, I don't know.

Senator DANIEL. Well, have you ever held any heroin in your hand?

Mr. EVANS. No.

Senator DANIEL. Have you ever given any heroin to anyone this year?

Mr. EVANS. I didn't hear you.

Senator DANIEL. Have you ever given any heroin to anyone this year?

Mr. EVANS. Let me see, now. I think I would like to invoke the fifth amendment.

Senator DANIEL. Well, do you honestly believe that a truthful answer to that question might tend to incriminate you?

Mr. EVANS. I know it won't, but the lying will.

Senator DANIEL. You know it won't incriminate you?

Mr. EVANS. That won't, no; I can truthfully answer that question, sir.

Senator DANIEL. Well, you don't think a truthful answer might in any way tend to incriminate you?

Mr. EVANS. It might.

Senator DANIEL. You said you knew it wouldn't. Now, which of these answers do you want to stand?

I am going to have to decide whether to order you to answer the question or not. I just want to know which of these answers you want to stand.

Mr. EVANS. I would like the fifth amendment to stand.

Senator DANIEL. Well, you would like the fifth amendment, but you are not going to be able to refuse to answer on the grounds of the fifth amendment, unless you honestly feel, in good faith, that a truthful answer to that question might tend in some way to incriminate you.

Mr. EVANS. Well, it might.

Senator DANIEL. You think it might?

Mr. EVANS. I don't know if it would or not.

Senator DANIEL. Well, I say, you honestly feel like it might?

Or, a minute ago, you said you knew it wouldn't incriminate you, a truthful answer, didn't you?

Mr. EVANS. Yes. Do you want me to answer the question?

Senator DANIEL. I want you to answer it——

Mr. EVANS. I ain't never given anybody no heroin at no time.

Senator DANIEL. At no time?

Mr. EVANS. No.

Senator DANIEL. Did you ever use heroin?

Mr. EVANS. Yes.

Senator DANIEL. How long did you use heroin?

Mr. EVANS. A week or two.

Senator DANIEL. When?

Mr. EVANS. 1947, 1948.

Senator DANIEL. Have you used any heroin this year?

Mr. EVANS. No.

Senator DANIEL. Have you ever had in your possession any heroin this year?

Mr. EVANS. No.

Senator DANIEL. Will you move up a little closer to the table, so we can hear you a little better, and get those microphones a little closer?

Now, William Evans, I want to tell you that you are called before this committee because this committee, through preliminary investigation, has been led to believe that you are the largest seller of heroin coming into Detroit from Chicago, that you are also sending heroin not only to Detroit, but to Cleveland and to other midwestern cities.

Do you wish to deny that?

Mr. EVANS. I beg your pardon, I didn't hear that.

Senator DANIEL. I said you had been called before this committee because preliminary investigation made this committee believe that you were the largest seller of heroin in Chicago, designated for Detroit and for Cleveland and other midwestern cities, and I want to know whether or not you wish to deny that or comment on that.

Mr. EVANS. Well, what do you want me to deny? That I am a big seller or something? Or that you heard that?

Senator DANIEL. No, no, deny whether or not you are a big seller of heroin.

Mr. EVANS. I don't understand that kind of question. I don't know what you heard or nothing.

Senator DANIEL. Well, I told you what the preliminary investigation shows. Now, I just want your comment on it, whether or not—are you dealing in heroin at all?

Mr. EVANS. No.

Senator DANIEL. Have you ever dealt in heroin?

Mr. EVANS. 1949 I went to jail for it, in 1949.

Senator DANIEL. Since 1949?

Mr. EVANS. No. I think I had better use the fifth amendment on some of these.

Senator DANIEL. You think you had better use the fifth amendment on some of these questions? Well, you have already waived the fifth amendment on that. You said you hadn't sold any heroin, at no time.

Mr. EVANS. I didn't say that. I said I went to jail for selling heroin.

Senator DANIEL. I mean, since you served a term.

Mr. EVANS. When do you mean?

Senator DANIEL. How many times did you go to jail for selling heroin?

Mr. EVANS. The time I went to jail, I didn't sell the heroin. I was in the cross and didn't know no better, so I went to jail to take the least I could get.

Senator DANIEL. How much?

Mr. EVANS. I got a year.

Senator DANIEL. What year was that?

Mr. EVANS. 1949.

Senator DANIEL. Then were you ever convicted for selling heroin or for possessing it?

Mr. EVANS. Convicted again since 1949?

Senator DANIEL. Yes.

Mr. EVANS. No.

Senator DANIEL. You were sent one year in 1949 for the narcotics law, possession and sale of heroin; right?

Mr. EVANS. I don't know what. I just pleaded guilty to something. I don't know what I was pleading guilty to.

Senator DANIEL. Well now, you told us you sold some heroin once; didn't you?

Mr. EVANS. I said I went to jail for selling heroin.

Senator DANIEL. Well, did you ever sell any heroin in 1949?

Mr. EVANS. I used to pick up for a cat, and that constituted a sale.

Senator DANIEL. You picked up for a who?

Mr. EVANS. Some cat; I don't know.

Senator DANIEL. Well, what do you mean by a cat?

Mr. EVANS. Some guy. I don't know what his name was.

Senator DANIEL. Well, what does the term "cat" mean?

Mr. EVANS. Well, that means some guy using heroin, I guess. I don't know what you mean, that's what he called himself.

Senator DANIEL. Then later, after 1949, when you got out of prison, were you ever convicted again for possession or sale of heroin?

Mr. EVANS. No.

Senator DANIEL. All right. When did you get out of prison?

Mr. EVANS. 1950.

Senator DANIEL. Since 1950, have you ever sold any heroin?

Mr. EVANS. Since 1950?

Senator DANIEL. Yes.

Mr. EVANS. That, I got to waive—I can't use the fifth amendment now? You are going to force me to answer questions like that?

Senator DANIEL. No, I am not. You can use the fifth amendment on some questions, wherever you honestly feel that a truthful answer might tend to incriminate you.

Mr. EVANS. Well, I think that anything I say will really get me in trouble one way or another.

Senator DANIEL. You think it will?

Mr. EVANS. Yes.

Senator DANIEL. If you make truthful answer?

Mr. EVANS. If I say anything at all it will get me in trouble some way.

Senator DANIEL. Why do you think so?

Mr. EVANS. I don't know; things just happen to people, that's all.

Senator DANIEL. Well, you have already told me to begin with, voluntarily——

Mr. EVANS. Voluntarily?

Senator DANIEL. Well, you didn't volunteer it, but in answer to a question you didn't claim the fifth amendment, that you hadn't sold any heroin to anyone.

Mr. EVANS. You asked me if I sold any heroin to anybody this year, and I said I hadn't.

Senator DANIEL. I also asked you before this year. I wanted to make it plain. That's why I am going back over it.

Mr. EVANS. Yes.

Senator DANIEL. That we are not talking about this 1949 offense or charge, but since

you got out, in 1950, have you sold heroin to anybody?

Mr. EVANS. You are going to force me to answer that, right?

Senator DANIEL. I am asking you the question.

Mr. EVANS. I'd like to invoke the fifth amendment.

Senator DANIEL. Well, I think you have already waived the fifth amendment on that question, so we will order you to answer.

Mr. EVANS. Then I have sold no heroin to nobody since 1950.

Senator DANIEL. And have you delivered heroin to anybody since 1950?

Mr. EVANS. What do you mean by that?

Senator DANIEL. I mean, have you ever delivered any heroin? You have seen it, haven't you? You know what it is?

Mr. EVANS. I don't know whether I have seen it or not.

Senator DANIEL. I say, you know what it is; don't you?

Mr. EVANS. What do you mean, I know what it is? I wouldn't know it if you put it up here besides some other powder, white powder or red powder or green powder, or whatever color; if that is what you mean?

Senator DANIEL. That's what I mean.

Mr. EVANS. No, I don't know it by looking at it.

Senator DANIEL. You have used some of it?

Mr. EVANS. But it is so long ago.

Senator DANIEL. You couldn't tell the difference between heroin and some milk sugar?

Mr. EVANS. By looking at it?

Senator DANIEL. No; not by looking at it, but tasting it?

Mr. EVANS. Not necessarily.

Senator DANIEL. Well, I didn't say necessarily. I just wanted to know, do you know anything about the heroin business?

Mr. EVANS. I don't know that much about it, that I can tell one from the other.

Senator DANIEL. You can't tell the difference. Well did you ever deliver any heroin, anything that was known to you to be heroin, to any person, since 1950?

Mr. EVANS. No.

Senator DANIEL. Did you ever give any person any heroin to sell for you, or to deliver for you?

Mr. EVANS. No.

Senator DANIEL. Did you ever ask anybody to pick up any heroin, or to deliver any heroin for you, since 1950?

Mr. EVANS. Pick up?

Senator DANIEL. Pick up from somebody, or deliver?

Mr. EVANS. Or deliver?

Senator DANIEL. Yes.

Mr. EVANS. I have discussed things like that with people, and I don't know what all the conversation meant, but whether picking up something or not, I ain't picked up nothing for nobody.

Senator DANIEL. Well, you have never had anybody else pick up heroin for you?

Mr. EVANS. I had somebody pick up something for me?

Senator DANIEL. Yes.

Mr. EVANS. I don't know what you are talking about.

Senator DANIEL. I asked you, did you ever have anybody go pick up some heroin anywhere for you?

Mr. EVANS. What do you mean, I have somebody to go do something?

Senator DANIEL. What?

Mr. EVANS. What do you mean, I have somebody to go do something?

Senator DANIEL. You know what I am talking about. You have been operating through girls, haven't you? Haven't they been selling heroin, delivering it for you?

Mr. EVANS. What girls?

Senator DANIEL. Well, I will ask 1 by 1 in a minute. I asked just the general question.

Mr. EVANS. No.

Senator DANIEL. What?

Mr. EVANS. No.

Senator DANIEL. You never have used any girls to pick up heroin or deliver it for you?

Mr. EVANS. I don't use girls for anything. I don't use people, no.

Senator DANIEL. Did you ever use any men for delivering or picking up heroin for you?

Mr. EVANS. I didn't hear you.

Senator DANIEL. Did you ever use any men or have any men pick up or deliver——

Mr. EVANS. What do you mean?

Senator DANIEL. Just a minute. Pick up or deliver heroin for you.

Mr. EVANS. And what if I don't answer these questions at all?

I mean I ain't got no rights in here; I see that. Just like I ain't got no rights anywhere else. But I have got a right to keep my mouth shut, ain't I?

Senator DANIEL. Why don't you ask your lawyer here about it? He is here to——

Mr. EVANS. You just told me I can't ask no fifth amendment.

Senator DANIEL. I didn't tell you any such thing.

Mr. EVANS. You said I had waived it. I didn't waive nothing.

Senator DANIEL. You waived it on the question of whether you had sold heroin because you answered it and said you hadn't sold heroin.

Now, if you want to counsel with your lawyer about your rights, he is sitting here.

Mr. POSNER. I will explain it to you.

Senator DANIEL. Let him come over to you. Yesterday I had it the other way, and I don't want to start it today.

What you want to do, if you want to ask about your rights here, you lean over to your lawyer, not him over to you. Lean over and ask him what you want to ask him.

Now, Mr. Reporter, what is the last question?

(The reporter again read the pending question.)

Mr. EVANS. Are you looking at me?

Senator DANIEL. Waiting for your answer.

Mr. EVANS. Would you read that question again?

(The reporter again read the pending question.)

Mr. EVANS. I want to use the fifth amendment, and deny it, and refuse to answer that question on the grounds that it might lead to incriminate me.

Senator DANIEL. All right. Now I want to tell you why you are called here, and tell you that you would not be here if we did not have sufficient evidence to lead us to believe you could tell us something about this interstate narcotics traffic, especially out of Chicago into Detroit; and also it has been reported to this committee that you not only have been selling into Detroit, but you have been delivering heroin out of Chicago into Cleveland, Columbus, Dayton, Cincinnati, St. Louis, and Indianapolis.

Is that true?

(Witness confers with attorney.)

Mr. EVANS. Would you tell me those cities again?

Senator DANIEL. Detroit, Cleveland, Columbus, Dayton, Cincinnati, St. Louis, and Indianapolis.

Mr. EVANS. I'd like to stand on the fifth amendment, and not answer that question, because it might tend to incriminate me.

Senator DANIEL. Well, you have said you didn't sell any to Detroit. Have you been selling any or sending any to Cleveland?

I am going to ask you one by one on them, now.

Mr. EVANS. I would like to use the fifth amendment one by one.

Senator DANIEL. You honestly feel that a truthful answer to that might tend to incriminate you?

Mr. EVANS. Yes.

Senator DANIEL. Well, have you ever sold or sent any heroin to Columbus, Ohio?

Mr. EVANS. I would like to use the fifth amendment on that one.

Senator DANIEL. Have you ever sold or sent any heroin to Dayton, Ohio?

Mr. EVANS. To Dayton, Ohio?

Senator DANIEL. Yes.

Mr. EVANS. I'd like to use the fifth amendment on that.

Senator DANIEL. Have you ever sold or sent any heroin to Cincinnati, Ohio?

Mr. EVANS. I would like to use the fifth amendment on that; it might incriminate me.

Senator DANIEL. Have you ever sent or sold any heroin to St. Louis, Mo.?

Mr. EVANS. St. Louis? I don't even know where St. Louis is.

Senator DANIEL. Go ahead.

Mr. EVANS. St. Louis, Mo.? I'd like to stand on the fifth amendment and not answer that.

Senator DANIEL. Indianapolis, same question.

Mr. EVANS. Same answer.

Senator DANIEL. Well, do you want to change your answer that you haven't sold any heroin during this year?

Mr. EVANS. I don't want to change anything.

Senator DANIEL. You still want that to stand, that you have not sold any heroin to anybody this year?

Mr. EVANS. I want to use the fifth amendment on everything.

Senator DANIEL. Well, you are not going to be able to use the fifth amendment on everything.

Mr. EVANS. That's all right.

Senator DANIEL. We are going question by question.

Mr. EVANS. Well, you can deny me the right to use the fifth amendment, that's all right.

Senator DANIEL. I am not denying you the right to use the fifth amendment. Your lawyer just said you were not.

Mr. POSNER. May I explain to him?

Senator DANIEL. You explain to him, that we go question by question.

(Witness confers with attorney.)

Mr. POSNER. I think he understands it, Senator.

Senator DANIEL. All right. You understand we are going question by question?

Mr. EVANS. What'd you say?

Senator DANIEL. We are going question by question, you see.

Mr. EVANS. No, I don't see, but——

Senator DANIEL. Well, your lawyer has explained it to you.

Mr. EVANS. Well, yes, he is an educated man. I can't understand what they are talking about.

Senator DANIEL. You have him here so he can explain it to you.

All right, do you still want your answer to stand that you have not sold any heroin during the last, since 1950, in Chicago?

Mr. EVANS. I want to employ the fifth amendment.

Senator DANIEL. Well, now, I have told you that as far as the matter of selling heroin is concerned, you have waived that.

Mr. EVANS. I didn't waive anything.

Senator DANIEL. Well, I have ruled——

Mr. EVANS. You might have taken it away from me, but I didn't waive anything.

Senator DANIEL. Well, I have ruled that you have. Didn't you tell me that you hadn't sold any heroin since 1950 anywhere?

Mr. EVANS. I want to stand on the fifth amendment and not answer that, on the grounds that it might tend to incriminate me.

Senator DANIEL. Well, I tell you that you have waived any right to claim that, because you voluntarily told this committee you haven't——

Mr. EVANS. I haven't voluntarily done anything.

Senator DANIEL. In response to my question.

Mr. EVANS. Well, no; I didn't volunteer anything, sir. I am here because I was threatened and brought here by guns and police and everything.

Senator DANIEL. Who threatened you?

Mr. EVANS. A man with a gun come and got me. What am I supposed to do? I am not volunteering anything.

Senator DANIEL. Well, let's get this straight. He simply served a subpena on you.

Mr. EVANS. Well, I don't know. He had a gun.

Senator DANIEL. Where was the gun?

Mr. EVANS. In his holster. Said he would shoot me.

Senator DANIEL. Who said he would shoot you?

Mr. EVANS. I don't know his name. You know the man, what his name.

Senator DANIEL. Whoever served that subpena, I want him called.

Mr. EVANS. That was in Chicago.

Senator DANIEL. Who?

Mr. EVANS. In Chicago.

Senator DANIEL. Did you ever get threatened before?

Mr. EVANS. No; I never seen him before. I might get shot because I hesitated to go with him, I don't know who he is.

Senator DANIEL. Well, did you give him any trouble?

Mr. EVANS. I don't give him no trouble.

Senator DANIEL. What did he do? Just hand you this paper?

Mr. EVANS. No; he took me to jail.

Senator DANIEL. When?

Mr. EVANS. Two nights ago, last night, night before, I guess.

Senator DANIEL. Where did he serve you the paper?

Mr. EVANS. In jail.

Senator DANIEL. Well, did you not want to accept the paper?

Mr. EVANS. He didn't have no paper.

Senator DANIEL. What did he take you to jail for?

Mr. EVANS. I don't know; he didn't tell me.

Senator DANIEL. What did he arrest you—

Mr. EVANS. You know, I don't know what you call it, just carried me to jail, that's all.

Senator DANIEL. Well, he didn't threaten you, did he?

Mr. EVANS. I don't know what you call it.

Senator DANIEL. I just asked you, did he threaten you?

Mr. EVANS. Well, I don't know. Words mean different things to different people. To me, it was a threat.

Senator DANIEL. You just tell us exactly what the man told you. Where were you when he served you?

Mr. EVANS. I was in a bar.

Senator DANIEL. A bar? What were you doing in a bar?

Mr. EVANS. Drinking.

Senator DANIEL. Drinking what?

Mr. EVANS. Drinking beer.

Senator DANIEL. How many had you had?

Mr. EVANS. One. I never drink but one.

Senator DANIEL. Never drink more than one bottle of beer?

Mr. EVANS. At a time.

Senator DANIEL. Have you ever in the last year drank more than one bottle of beer?

Mr. EVANS. Yes; I have drank more than one bottle of beer.

Senator DANIEL. All right. How many bottles of beer do you usually drink?

Mr. EVANS. I don't usually drink at all.

Senator DANIEL. You don't usually drink at all. How many had you had the night you were served?

Mr. EVANS. I don't know.

Senator DANIEL. Well, you just said you had had only one.

Mr. EVANS. There I had had only one; I had only been there a minute, 3 minutes, or so.

Senator DANIEL. Well, where had you had some more beer that night?

Mr. EVANS. I don't know, wherever I had been.

Senator DANIEL. How many had you had up to that time?

Mr. EVANS. I don't know. Three, four, maybe five or six, I don't know.

Senator DANIEL. Could you have had 7 or 8?

Mr. EVANS. I didn't have that many.

Senator DANIEL. You could have had as many as six?

Mr. EVANS. No.

Senator DANIEL. What did this man do when he walked up to you? You understand that if you give a false answer to this question, if you give us an untruthful answer, and it is proved that, you could be subject to perjury and sent to the penitentiary for that.

Mr. EVANS. If what's proved?

Senator DANIEL. If it is proven that you gave a false answer under oath to this committee. Do you know that?

Mr. EVANS. I don't know anything about law.

Senator DANIEL. Well, will you please ask your counsel if I have instructed you correctly?

Mr. Counsel, have I instructed him correctly?

Mr. POSNER. You have. May I?

Senator DANIEL. All right. As I understand, the counsel said "yes."

(Witness confers with attorney.)

Mr. EVANS. What do you want to know?

Senator DANIEL. Do you understand what I have just told you?

Mr. EVANS. I don't understand it, but I will just answer what you want to.

Mr. POSNER. I have explained to him that in the event his answers are not truthful, that he can go to jail. I have explained the penalties to him.

Senator DANIEL. All right. Now, with that in mind, tell us exactly what happened here where you were drinking this beer, when the officer came up. Just all that was said and all that happened, from that time up until the time you went to jail.

Mr. EVANS. A man walked up behind me. I was talking to some girl at the bar. He hit me on the elbow. I turned around, he flashed something shiny, put it back in his pocket, said, "We want you."

And I said, "Who are 'we'?"

He says, "The police."

I said, "Yes?"

He says, "Yes; I am the police. You seen my star; didn't you?"

And I says, "No; I didn't see no star. I saw something shiny, but that don't mean you are the police."

He says, "You want to get shot here, or do you want to go to jail?"

So in the meantime another guy came up, and was less hostile, and the manager there knew him, so I went to jail.

Senator DANIEL. What did the other guy say to you?

Mr. EVANS. The other guy asked me if my name was William Evans. I think he asked me what my name was, first.

Senator DANIEL. What else did he say to you?

Mr. EVANS. That's all. He asked me where my coat was, I guess.

Senator DANIEL. And they took you to jail?

Mr. EVANS. That's right.

Senator DANIEL. At about 3 o'clock in the morning?

Mr. EVANS. I don't know what time it was.

Senator DANIEL. Well, was it after midnight?

Mr. EVANS. I am not sure, but I think it was.

Senator DANIEL. Do you know what they booked you for at jail?

Mr. EVANS. Booked me?

Senator DANIEL. What did they tell you they were taking you for?

Mr. EVANS. They didn't tell me nothing. Told me to go to jail, that's all.

Senator DANIEL. Those men, did they serve the subpena on you?

Mr. EVANS. No.

Senator DANIEL. It was an entirely different man served the subpena on you at 9 o'clock the next morning; wasn't it?

Mr. EVANS. I don't know what time it was.

Senator DANIEL. Well, it says 9 o'clock, a. m., the 22d day of November 1955.

Mr. EVANS. Well, it was some time.

Senator DANIEL. The man that served this subpena on you, you never saw him the night before, did you?

Mr. EVANS. No.

Senator DANIEL. And so therefore the man subpenaed you to come here didn't threaten you.

Mr. EVANS. I didn't say the man that subpenaed me did me nothing. I said the man that carried me to jail did me something.

Senator DANIEL. Well, I am talking about the man who served the subpena.

Mr. EVANS. Well, you don't pick out certain men. I don't know what the man—he didn't say nothing, give me that paper, that's all.

Senator DANIEL. I am asking you about this man for the first time, I think. I am asking you, did he threaten you?

Mr. EVANS. How did he get in here? We wasn't talking about him.

Senator DANIEL. I brought him in. I am talking about him now.

Mr. EVANS. Well now, you are talking about him. No; he didn't say nothing to me.

Senator DANIEL. Didn't threaten you in any way. He handed you this subpena?

Mr. EVANS. The man that gave me that paper said nothing to me.

Senator DANIEL. He just handed you the subpena.

Mr. EVANS. That's right.

Senator DANIEL. All right. I just wanted to be sure that not anybody working for this committee did any of these things that you are talking about.

Do you know Napoleon Williams?

Mr. EVANS. Do I know Napoleon Williams?

Senator DANIEL. Yes.

Mr. EVANS. Do I know Napoleon Williams?

Senator DANIEL. You understood the question?

Mr. EVANS. If you will let me explain this in other than yes or no, I will answer.

Senator DANIEL. I sure will. I will let you say yes or no, then explain it.

Now, wait, Mr. Counsel, don't volunteer.

Mr. POSNER. I just wanted to tell him to answer.

Mr. EVANS. What do you mean by "know him"? Like I know you, for instance?

Senator DANIEL. Yes; or better than you know me.

Mr. EVANS. Then I know him.

Senator DANIEL. Do you know him a little better than you know me?

Mr. EVANS. Yes; I know him better than I know you. I guess.

Senator DANIEL. How long have you known him as Napoleon Williams?

Mr. EVANS. Well, as Napoleon Williams, I only knew him a little while.

Senator DANIEL. What did you call him?

Mr. EVANS. I knew him as "Nap."

Senator DANIEL. "Nap"?

Mr. EVANS. "Nap."

Senator DANIEL. I am going to send you a picture, which will be marked "Exhibit 1 of the Detroit hearing," and ask you, can you identify this person?

Mr. EVANS. Yes.

Senator DANIEL. Who is it?

Mr. EVANS. That's the fellow I know as "Nap."

Senator DANIEL. All right, that's Napoleon Williams; is that right?

Mr. Reporter, will you mark that exhibit 1?

(The photograph above referred to was marked for identification as exhibit No. 1, Detroit hearing.)

Senator DANIEL. I will ask you if, in 1954, you sold 410 grains of heroin to this man, Napoleon Williams?

Mr. EVANS. Did do what?

Senator DANIEL. Now, you tell me what I asked you.

Mr. EVANS. I didn't hear what you asked me.

Senator DANIEL. I asked you if, in 1954, you sold 410 grains of heroin to this man, Napoleon Williams?

Mr. EVANS. I'd like to invoke the fifth amendment.

Senator DANIEL. You mean you are going to refuse to answer that question?

Mr. EVANS. Yes, if I can refuse it.

Senator DANIEL. On the grounds that it might tend to incriminate you?

Mr. EVANS. Yes.

Senator DANIEL. Well, I am going to order you to answer the question, because you have already waived the fifth amendment when you said you had never sold heroin to anybody.

Mr. EVANS. What did you say you are going to do?

Senator DANIEL. I ordered you to answer the question.

Mr. EVANS. You are going to take away from me my rights, in other words?

Senator DANIEL. Now, listen, let me tell you something. Listen to me for a minute. You understand? Look at me.

Mr. EVANS. Look at you?

Senator DANIEL. That's right, because I want you to understand something. I am not here to take away any rights you have. You have got a lawyer sitting there. You can turn to him at any time I ask you a question, to get advice from him, providing you are the one seeking the advice and it is not being volunteered to you.

Now, it has become a big habit, you know, in this country for people like you——

Mr. EVANS. What do you mean, people like me?

What's he talking about, people like me?

Senator DANIEL. Keep quite a minute. People who come before an investigating committee to say, "Oh, you are going to take away my rights."

Now, listen, I have got a lot of patience, and I am going to be patient with you, because you are not going to lose a right before my committee, none of them. They are all going to be properly protected.

But you are also going to be treated like other witnesses who waive any rights to claim the fifth amendment, because of having failed to claim it or declined to claim it.

When you sit there and tell us you never sold any heroin, I have got a right then to ask you about specific cases to see if you are telling the truth, and you can't claim the fifth amendment on those specific cases, after you have said you never sold any heroin. That's the way I have ruled, and that's why I am ordering you to answer the questions, and your lawyer will explain it to you.

(Witness confers with attorney.)

Senator DANIEL. Now, hasn't your lawyer told you I am not taking any rights away from you? Do you understand that now?

Mr. EVANS. I don't understand it, but he told me.

Senator DANIEL. He told you that. He verified what I told you, didn't he?

Mr. EVANS. How'd you say that?

Senator DANIEL. You understand it? He has explained it to you just like I did, hasn't he?

Mr. EVANS. I guess so.

Senator DANIEL. All right. Now, with that understanding, I will ask you whether or not—I have ordered you to answer the question whether or not you sold this heroin to Napoleon Williams in January 1954.

Mr. EVANS. I'd like to change all my statements and stand on the fifth amendment.

Senator DANIEL. Well, I am not going to let you change your statement. You mean you want now to change your statement that you never sold anybody any herion since 1950?

Mr. EVANS. Yes.

Senator DANIEL. I am not going to permit you to do that.

Mr. EVANS. All right, then I ain't going to answer at all, then, if you ain't going to let me have my rights. I will answer it "No," then.

Senator DANIEL. Let me tell you, if anybody has taken away your rights to claim the fifth amendment, you did it when you told this committee that you never sold anybody any heroin. You did that. You didn't claim the fifth amendment.

Mr. EVANS. So I no longer can stand on the fifth amendment; right?

Senator DANIEL. You can stand on the fifth amendment on any question except questions involving the sale of heroin. There you yourself took away any right to claim that, and if you told me a truthful answer, you ought not to mind. If you haven't sold heroin to anybody, these questions are not going to bother you a bit.

Mr. EVANS. They ain't going to bother me anyway, as far as that is concerned. It ain't what I have done, it is what you have got somebody say I have done.

Senator DANIEL. All right. So therefore will you answer the question whether or not you sold in January of 1954, 410 grains of heroin to Napoleon Williams?

All right, what's your answer?

Mr. EVANS. The thing has become very complicated. Now, you guys got all this education and everything, and I don't know nothing, but the truth of the matter is, I didn't sell it, 400 or no other number of grains to Napoleon Williams.

Senator DANIEL. Have you ever sold Napoleon Williams——

Mr. EVANS. Wait just a minute, now, don't take my right to tell something away from me, too.

The police can probably prove I did, what they use for proof against a guy in court, they can prove I did. But the truth of the matter is, I didn't make a sale, and didn't nobody in my organization make a sale. When I say organization, I mean nobody in my immediate family or friends didn't make the sale.

Senator DANIEL. What do you mean by your organization?

Mr. EVANS. That's what I mean, my girl friend and my boy friend that I hang with, and the people that I run with.

Senator DANIEL. Who is your girl friend?

Mr. EVANS. I don't know where she is now.

Senator DANIEL. Who was she, in 1954?

Now, wait a minute——

Mr. EVANS. I want to ask him something.

Senator DANIEL. Go right ahead.

(Witness confers with attorney.)

Senator DANIEL. Mr. Reporter, read the last question.

(The reporter read the pending question.)

Mr. EVANS. Oh, in 1954 I had several girl friends.

Senator DANIEL. Name them.

Mr. EVANS. Well, I don't know them by name. We don't call each other by name.

Senator DANIEL. Just tell us what you called them by.

Mr. EVANS. Tell what I called them?

Senator DANIEL. That's right.

Mr. EVANS. Well, Paula, Slim, Chubby. I call them a lot of names.

Senator DANIEL. Well, you said that your organization didn't sell any heroin to Napoleon Williams, and I asked you what you mean by your organization, and you said your girl friend and boy friend.

Now, what girl friend were you talking about?

Mr. EVANS. What particular girl friend?

Senator DANIEL. Right.

Mr. EVANS. Slim.

Mr. DANIEL. Who?

Mr. EVANS. Slim.

Senator DANIEL. Well, now, you know her by some other name than that don't you?

Mr. EVANS. I don't know what all names she gives. She don't have none to me.

Senator DANIEL. You don't know what name she might have given Napoleon?

Mr. EVANS. Napoleon?

Senator DANIEL. Is she the one that delivered the heroin to Napoleon?

Mr. EVANS. What you talking about? Are we still talking about the same thing?

Senator DANIEL. Yes, we are.

Mr. EVANS. Let me ask the lawyer what we are talking about, because I don't know.

Senator DANIEL. I will tell you what we are talking about.

(Witness confers with attorney.)

Senator DANIEL. All right. Do you understand what we are talking about now?

Mr. EVANS. Yes.

Senator DANIEL. Did she deliver the heroin that Napoleon Williams went to prison for?

Mr. EVANS. That Napoleon Williams went to prison for?

Senator DANIEL. That Napoleon Williams went to prison for.

Mr. EVANS. No, your Honor.

Senator DANIEL. Did she ever deliver any heroin for you?

Mr. EVANS. For me?

Senator DANIEL. Yes.

Mr. EVANS. Who you talking about?

Senator DANIEL. I am talking about Slim.

(The witness confers with attorney.)

Mr. EVANS. No.

Senator DANIEL. Did anybody ever deliver any heroin to Napoleon Williams for you?

Mr. EVANS. I can't invoke the fifth amendment now?

Senator DANIEL. Well, you can try.

Mr. EVANS. All right, then, I invoke the fifth amendment.

Senator DANIEL. I think that you have told me that you never had anybody deliver any heroin for you anywhere, and if I am right about that, I would order you to answer the question. But I am not sure, and I am not going to order you to answer that until I check the records.

I will ask you if you ever received a long-distance telephone call in January 1954, from Detroit, Mich.?

You are called Butch Evans; aren't you?

Wait, now, while I am asking you questions. You get the question. You understand? Because I am not going to keep on repeating them.

Do you understand it up to date?

Mr. EVANS. No, sir, I don't understand it.

Senator DANIEL. All right, I will start over again.

I will ask you if, in January 1954, you received a long-distance telephone call from Detroit, Mich., while you were in Chicago, asking if you could deliver some heroin over here?

Mr. EVANS. Are you asking me if I received such a call?

Senator DANIEL. Yes, I am.

Mr. EVANS. I invoke the fifth amendment.

Senator DANIEL. Well, go on and say it like your lawyer explained to you to say it. You refuse to answer——

Mr. EVANS. Why do you say that?

Senator DANIEL. Do you refuse to answer that question because you feel that it might tend to incriminate you? Is that what you mean?

Mr. EVANS. Yes.

Senator DANIEL. What's your telephone number in Chicago?

Mr. EVANS. What's my telephone number?

Senator DANIEL. Yes.

Mr. EVANS. Aberdeen 4-8251.

Senator DANIEL. Was your phone number ever Butterfield 8-1786?

Mr. EVANS. Yes, I believe it was.

Senator DANIEL. When did you have that phone number?

Mr. EVANS. I don't know when I got it.

Senator DANIEL. Well, you had it in 1954; didn't you?

Mr. EVANS. 1954? I don't know. 1954, this is what, 1955? I am not sure, but I guess I did.

Senator DANIEL. That was last year.

Mr. EVANS. Yes. Well, then I guess I had it last year.

Senator DANIEL. All right. Didn't you tell this fellow, Napoleon Williams, when he called you, that you couldn't deliver it to him in Detroit, but you could arrange for somebody to do it? And "it," by that I mean heroin.

Mr. EVANS. Did he call me? I have forgotten——

Senator DANIEL. Well, I asked you, didn't you tell him on the telephone that you could arrange for somebody to deliver it to him?

Mr. EVANS. I'd like to invoke the fifth amendment.

Senator DANIEL. You refuse to answer because you feel it might tend to incriminate you?

Mr. EVANS. Yes.

Senator DANIEL. Now, didn't you arrange for a girl to bring him that heroin and to put it—I am going to ask you this, and to put it in a locker in the bus station here in Detroit?

(Witness confers with attorney.)

Mr. EVANS. Did you ask me if I had somebody deliver it, right?

Senator DANIEL. And put it in a locker in a bus station here in Detroit.

Mr. EVANS. In Detroit?

Senator DANIEL. Yes.

Mr. EVANS. A locker in the bus station?

Senator DANIEL. Yes.

Mr. EVANS. I'd like to invoke the fifth amendment, sir, and refuse to answer that on the grounds it might tend to incriminate me.

Senator DANIEL. And didn't Napoleon Williams pay you $600, directly to you, for this heroin?

Mr. EVANS. Oh, God.

Senator DANIEL. I am going to repeat the question.

Mr. EVANS. I know the question.

Senator DANIEL. Did Napoleon Williams pay you $600 for the heroin which was put in the locker in a bus station here in Detroit?

Mr. EVANS. I would like to invoke the fifth amendment, and refuse to answer that on the grounds it might tend to incriminate me.

Senator DANIEL. All right. Let's go from there.

(Witness confers with attorney.)

Senator DANIEL. I want to admit to you, I think I got the lock box mixed up. The locker was at the airport in Chicago.

Mr. EVANS. In Chicago?

Senator DANIEL. Did you ever have any heroin delivered to a locker at the airport in Chicago?

Mr. EVANS. You know you have an awful advantage, sir.

Mr. GASQUE. Because we might have the facts?

Mr. EVANS. It is impossible for you to have any kind of facts. You don't get facts from informers.

Senator DANIEL. Why don't you go on and answer the question?

Mr. EVANS. Because you are going to ask something eventually that I ain't going to want to answer.

Senator DANIEL. Now, wait a minute. We can go at this only one question at a time.

Did you deliver or have delivered, to a locker at the airport in Chicago, the heroin for Napoleon Williams, in 1954?

Mr. EVANS. I'd like to invoke the fifth amendment, sir.

Senator DANIEL. Well, I am going to order you to answer that question, whether or not you did that.

Mr. EVANS. All right, tell me this, then: You are going to order me this one, now, and then give me another one and ask me to answer that one?

Senator DANIEL. I am going to go one at a time.

Mr. EVANS. Well, you are smarter than I am, sir. I can't go along with you.

Senator DANIEL. I am going to order you to answer the question.

Mr. EVANS. I am going to invoke the fifth amendment, sir.

Senator DANIEL. You refuse to answer the question after being ordered to do so?

(Witness confers with attorney.)

Mr. EVANS. All right, I have no way of testing your honesty, sir. That's out of line, I know that might get me sent to jail; but, whatever it gets me, I am going to say it anyway and you can do whatever you want to do. I'd like to answer a whole lot of those questions you asked, truthfully, but I know what you are going to try to do to me.

I didn't have nothing to do with delivering no package to Napoleon Williams, but if you want to use that as a chain to waive my fifth amendment, which I am going to waive later, then I guess you are going to send me to jail for not answering that one.

Senator DANIEL. No; that's not going to be done to you at all, and your lawyer——

Mr. EVANS. He didn't tell me that.

Senator DANIEL. Well, I am sure he is a member of this bar, and he is there to tell you that, and I have every feeling that he and I probably agree on this whole matter as to what your legal rights are.

We have to go one question at a time. Now, if you want to answer some of these questions, give truthful answers to them, because you do not feel they will tend to incriminate you, you do it, and then when the others come around, you claim your privilege there.

It may be that I will feel that you have waived it previously at the very beginning of your testimony. I certainly am not going to say that you have waived it right here and now.

So if you want to answer it about whether or not you had any heroin delivered to Napoleon Williams, go on and tell us.

Mr. EVANS. I would like to answer it, but I know you are not going to stop, you are going to be asking me other questions.

Senator DANIEL. Certainly, I am going to ask you all the questions I want to ask. That's what I am here for.

Mr. EVANS. If you want to know something, I would like to know how he got it himself, if you want the truth. And I have been 3 years trying to find out how. And another package turned up the other day that I was supposed to deliver, and I am trying to find out how it turned up, too. And I can't answer the questions, because you are going to get me in trouble someway or another.

Senator DANIEL. We are trying to find out. There is a big traffic going on out of Chicago and here and these other States, and as I have told you, we have been advised, and certainly we have some preliminary investigation on it, that you are one of the kingpins in the traffic.

Mr. EVANS. That's what they tell you.

Senator DANIEL. Now then, I want to see about it. We want to see how this traffic operates.

Mr. EVANS. Well, that's——

Senator DANIEL. I want to know whether you ever made deliveries through women, and whether or not a woman turned the key to this locker over to Napoleon Williams. Did you have a woman do that?

Mr. EVANS. I can't invoke the fifth amendment. You just state it, right?

Senator DANIEL. You can try.

Mr. EVANS. Well, I invoke the fifth amendment.

Senator DANIEL. You don't want to tell us about that?

Mr. EVANS. I'd like to tell you that, but you are going to ask something else about it.

Senator DANIEL. Why would you like to tell us?

Mr. EVANS. Because I don't know nothing about it. I don't know who turned in the locker, and why it got there, and what the name was.

Senator DANIEL. Then under those circumstances you couldn't possibly refuse, unless you feel that a truthful answer to that question would tend to incriminate you.

Mr. EVANS. It would tend.

Senator DANIEL. So that on that basis I am going to ask you to answer.

Mr. EVANS. I can't answer it, sir.

Senator DANIEL. You can't answer it?

Mr. EVANS. I want to ask my lawyer something.

Senator DANIEL. Go ahead.

(Witness confers with attorney.)

Mr. EVANS. This guy makes me nervous. I wish he would move.

Senator DANIEL. All right. He is moved. Go ahead.

The WITNESS. I would like to invoke the fifth amendment, sir, on the Napoleon Williams matter.

Senator DANIEL. On the Napoleon Williams matter?

Mr. EVANS. Yes.

Senator DANIEL. Let's go on to another one. Do you know Doris White?

Mr. EVANS. Doris White?

Senator DANIEL. Yes.

Mr. EVANS. Yes, sir.

Senator DANIEL. Have you known her a pretty good while?

Mr. EVANS. Have I known her for a good while?

Senator DANIEL. Yes.

(Witness confers with attorney.)

Senator DANIEL. Mr. Counsel, he has asked you enough for advice, it looks to me like. Let's wait until he asks you for advice. I think you have been very considerate and careful under all the circumstances, but let's be sure it continues that way.

Now, is this Doris White?

(Photograph proffered to witness.)

Mr. EVANS. This is Doris White.

Senator DANIEL. Is that the girl you knew as Doris White?

Mr. EVANS. Yes.

Senator DANIEL. What else do you call her?

Mr. EVANS. What do I call her?

Senator DANIEL. What else did you call her?

Mr. EVANS. I call her "Chicken."

Senator DANIEL. What?

Mr. EVANS. I call her "Chicken."

Senator DANIEL. "Chicken"?

Mr. EVANS. Yes.

Senator DANIEL. Did you ever call her "Slim"?

Mr. EVANS. I might have.

Senator DANIEL. Is she the "Slim" you were talking about a minute ago as your girl friend?

Mr. EVANS. No.

Senator DANIEL. What?

Mr. EVANS. No, sir.

Senator DANIEL. All right, will you mark that "Exhibit No. 2."

(The photograph above referred to was marked for identification as "Exhibit No. 2, Detroit hearing.")

Senator DANIEL. Are you also known as "Butch" Evans?

Mr. EVANS. People call me a lot of names.

Senator DANIEL. I asked you, are you also known as "Butch" Evans?

Mr. EVANS. By some people.

Senator DANIEL. Did you ever deliver to Doris White 6 ounces of heroin?

(Witness confers with attorney.)

Mr. EVANS. I'd like to invoke the fifth amendment, sir, and not answer that.

Senator DANIEL. Well, I am going to order you to answer that, because you waived the right.

Mr. EVANS. I waived that right?

Senator DANIEL. To invoke the fifth amendment on that.

Mr. EVANS. When?

Senator DANIEL. Did you ever deliver any heroin to Doris White?

Mr. EVANS. When did I waive it?

Senator DANIEL. Did you ever deliver any heroin to Doris White?

Mr. EVANS. I'd like to invoke the fifth amendment, sir.

Senator DANIEL. I will order you to answer the question. Did you ever deliver any heroin to Doris White?

Mr. EVANS. What if I don't answer it?

Senator DANIEL. Well, if you don't answer it, you would be running the risk of a contempt citation from the United States Senate, providing the chairman is right in saying you have waived your right under the fifth amendment.

Mr. EVANS. How will I know you are right?

Senator DANIEL. Well, it is just a risk you will have to take, and if you will talk it over with your lawyer, I am sure that he will advise you.

Mr. EVANS. Well, he ain't got no time to explain all this to me now.

Senator DANIEL. Well, you can have all the time you need. I am here for as long as it takes to get all these answers from you.

(Witness confers with attorney.)

Mr. EVANS. I have forgot part of the question, sir.

Senator DANIEL. The question was whether or not you ever delivered any heroin to Doris White.

Mr. EVANS. To Doris White? I'd like to invoke the fifth amendment.

Senator DANIEL. I have ordered you to answer the question.

Mr. EVANS. Now, can I ask a question before I answer that?

Senator DANIEL. Well, you answer the question, and then you can ask it. You can ask your attorney a question.

Mr. EVANS. I can answer this and say "No"?

Mr. POSNER. Go ahead and answer it.

Senator DANIEL. Now, I want it to be understood that it is your counsel who audibly said, "Go ahead and answer it," if you can answer it. I heard him tell you that.

Mr. EVANS. Yes; but I already made the mistake of leveling with you in the first place, so the truth of the matter is, I didn't deliver 6 ounces to her in Detroit. That's what you asked me; right?

Senator DANIEL. I didn't put Detroit on there the last time I asked it.

Mr. EVANS. Well, I didn't deliver it then, 6 ounces.

Senator DANIEL. You didn't deliver 6 ounces to Doris White anywhere?

Mr. EVANS. No.

Senator DANIEL. Where did you deliver it? In Cleveland?

Mr. EVANS. What are you talking about? Where I delivered it? I didn't say I delivered it.

Senator DANIEL. I see. You didn't deliver any to Doris White at all?

Mr. EVANS. That's what you asked me, did I deliver 6 ounces to Doris White; right?

Senator DANIEL. Yes.

Mr. EVANS. And you are not going to let me to invoke the fifth amendment, then?

Senator DANIEL. I have already ordered you to answer it. You don't need to keep saying that over again. If you understand why I ordered it——

Mr. EVANS. I don't understand nothing, sir.

Senator DANIEL. Well, the only reason why I ordered you to answer any questions, when you invoked the fifth amendment, is if I feel that you have clearly waived the right to claim it.

Mr. EVANS. How do you mean, clearly?

Senator DANIEL. Well, I think you clearly said you never had delivered any heroin to anybody since 1950, and therefore, if you have, I am going to ask you about certain individuals. If that's what your answer was.

I feel that you have waived the fifth amendment. Now, if I am mistaken on that, and your lawyer thinks that I am mistaken, he could properly advise you, even after I order you to answer the question, to continue to claim the fifth amendment.

But as I say, if I am right and he is wrong, you would be subject to contempt citations by the Senate.

Mr. EVANS. What is this? I can't see over these things, they excite me. I am a sick man, I can't be looking in these things here.

Senator DANIEL. What's wrong with you?

Mr. EVANS. You know what's wrong with me, I am sick.

Senator DANIEL. Well, what is wrong?

Mr. EVANS. I don't know.

Senator DANIEL. You say I know what is wrong with you. I want the record to show I don't know what is wrong with you.

Mr. EVANS. Well, I am just sick. I am a nervous wreck, that's all. What is this, anyway? I thought you wanted to know something?

Senator DANIEL. You say you are a nervous wreck?

Mr. EVANS. Yes, I am a nervous wreck.

Senator DANIEL. How long have you been a nervous wreck?

Mr. EVANS. Three or four years, five years.

Senator DANIEL. Have you been under treatment of a doctor?

Mr. EVANS. When I can afford it.

Senator DANIEL. Well, how many times have you been to see a doctor in the last 3 or 4 years?

Mr. EVANS. Oh, 15 or 20.

Senator DANIEL. Sixteen or twenty times?

Mr. EVANS. Somthing like that—15 or 20.

Senator DANIEL. Well, are you sick at this time?

Mr. EVANS. Well, maybe not in the sense that you state I am sick. I am sick, though.

Senator DANIEL. You mean you are sick over the hearing, or something like that?

Mr. EVANS. No. These things excite me, I mean, emotional I get upset.

Senator DANIEL. Well, these questions are very simple. If you have given me truthful answers to begin with, that you never sold heroin to anybody, or you never delivered heroin to anybody, these questions are very simple.

I want to put it to you again, whether or not you ever delivered heroin to Doris White.

(Witness confers with attorney.)

Mr. EVANS. Would you explain to me where I waived the fifth amendment right to begin with? I don't remember having done it.

Senator DANIEL. I am going to ask your lawyer to explain wherein the chairman thinks you have waived your right to the fifth amendment. Now, you let your lawyer explain it to you.

(Witness confers with attorney.)

Senator DANIEL. Mr. Counsel, I will explain it one more time.

Mr. POSNER. I think I can get it to him.

Senator DANIEL. What you are telling him isn't in the record. Let me put it in the record, wherein I think you have waived the right to claim the fifth amendment on sales made by you or deliveries made by you of heroin.

I think you have waived this right when, without claiming the fifth amendment, you told me under oath, told this committee under oath that you had never delivered heroin to anybody, or never sold heroin to anyone since 1950.

Now then, go and see what else your counsel might wish you to hear.

(Witness confers with attorney.)

Senator DANIEL. Now, do you understand my opinion on where you have waived it?

Mr. EVANS. Yes, sir.

Senator DANIEL. All right. Now I order you to answer the question. You understand you also have the right to claim the fifth amendment, even after I order you to answer a question, if your attorney thinks that I am wrong in this ruling. You understand that?

Mr. EVANS. Yes.

Senator DANIEL. All right. Now I am ordering you to answer.

Mr. EVANS. Well, I would like to withdraw the question where I said that I didn't do nothing, and invoke the fifth amendment.

Senator DANIEL. I can't let you do that.

Mr. EVANS. You can't?

Senator DANIEL. We can't conduct hearings that way. You have told me under oath you never sold any heroin or delivered any heroin, and I am not going to let you withdraw those answers. I am going to order you to answer whether or not you ever sold to Doris White.

Mr. EVANS. No.

Senator DANIEL. You never did?

Mr. EVANS. No.

Senator DANIEL. Did you ever deliver any heroin to her?

Mr. EVANS. No.

Senator DANIEL. Did you ever use Doris White as your contact for distributing heroin in Cleveland and Detroit?

Mr. EVANS. I'd like to invoke the fifth amendment.

Senator DANIEL. All right. Do you know Lillian Bailey?

Mr. EVANS. Who?

Senator DANIEL. Lillian Bailey.

Mr. EVANS. I don't know if I do or not.

Senator DANIEL. All right. A picture will be shown to you.

She is the wife of Marcus Bailey. Do you know Marcus Bailey?

Is Lillian Bailey in the courtroom? Lillian Bailey, stand up.

Look around; do you know this woman?

Mr. EVANS. If that's Lillian Bailey, I think I know her.

Senator DANIEL. You know her. All right. The picture will be marked "Exhibit 3."

(The photograph above referred to was marked for identification as "Exhibit No. 3, Detroit hearing.")

Senator DANIEL. Do you identify this picture as being Lillian Bailey?

Mr. EVANS. I don't know by pictures. I don't see so well.

Senator DANIEL. Well, withdraw the picture, if he can't identify it.

Mr. Reporter, mark it as "Exhibit 3," though, as the picture we have been talking about.

Do you know her husband, Marcus Bailey?

Mr. EVANS. How'd you say that?

Senator DANIEL. Do you know her husband, Marcus Bailey?

Mr. EVANS. Marcus?

Senator DANIEL. Marcus Bailey.

Mr. EVANS. I didn't know her name was no Bailey.

Senator DANIEL. Well, did you know her husband? Did you ever see this woman before at her house?

Mr. EVANS. At her house?

Senator DANIEL. Yes; or anywhere.

Mr. EVANS. Yes; I have seen her.

Senator DANIEL. All right. You know the man that she calls her husband; don't you?

Mr. EVANS. No; I don't know who she calls her husband. She don't tell me what relation they are.

Senator DANIEL. Well, do you know a man by the name of Marcus Bailey, or that you call Bailey?

Mr. EVANS. I don't know nobody that I call Bailey.

Senator DANIEL. Did you ever go to her house, 72 Alfred Street, apartment 302, Detroit?

Mr. EVANS. I don't know for sure where 72 Alfred Street is, but I might have gone there.

Senator DANIEL. Well, you know Bailey, a man by that name; don't you?

Mr. EVANS. I don't know, let's see the picture.

Senator DANIEL. There were 3 ounces of heroin found under her bed at this apartment. I want to know whether or not you

and Marcus Bailey left that heroin. Or did you and any other man leave heroin under the bed at that apartment, 3 ounces of heroin?

Mr. EVANS. Did we—What did we do about Marcus Bailey?

Senator DANIEL. Did you and any other man, Marcus Bailey or anyone else, leave 3 ounces of heroin under the bed at that apartment?

Mr. EVANS. I don't see how I can answer that, sir. I don't know what other people do.

Senator DANIEL. I say, did you? Did you see anybody put any heroin under the bed in this woman's apartment?

Mr. EVANS. Now, if I get the understanding of this, if I tell you no, now, you will ask me something else, and I can't say no on it, right? I can't employ the fifth amendment if I say no now, right?

Senator DANIEL. Well, I just let you employ the fifth amendment on just a question or two back there.

Mr. EVANS. I would like to employ the fifth amendment now, and say I can't answer it.

Senator DANIEL. I wish you would state it more nearly, since you have an attorney, like it ought to be stated, though. But I guess we will understand, Mr. Counsel and witness, that when you say you refuse to answer on the grounds of the fifth amendment, you say it that way, and we understand what you mean by that is that you decline to answer because you fear that a truthful answer might in some manner tend to incriminate you; is that correct? Is that what you mean?

Mr. EVANS. Yes; that's what I mean.

Senator DANIEL. All right.

Do you know Herbert Foreman?

Mr. EVANS. I know a guy named "Slim." I guess that's his name.

Senator DANIEL. All right. We will send you a picture down there, and ask the reporter to mark it "Exhibit 4," and see if you can identify this man.

Can you identify him?

Mr. EVANS. Yes, sir.

Senator DANIEL. Do you know that man as "Slim"?

Mr. EVANS. Yes.

Senator DANIEL. That's exhibit 4.

(The photograph above referred to was marked for identification as "Exhibit No. 4, Detroit hearing.")

Senator DANIEL. You have also heard him called Herbert Foreman?

Mr. EVANS. I think so, I am not sure. I guess I have.

Senator DANIEL. Did you ask this man to handle heroin for you in Cleveland, Ohio?

Mr. EVANS. I would like to invoke the fifth amendment.

Senator DANIEL. Well, did you ever deliver to this man any heroin for sale in Cleveland, Ohio?

Mr. EVANS. I'd like to invoke the fifth amendment in that answer, and not answer the question.

Senator DANIEL. Did you ever deliver to this man, Herbert Foreman, any heroin at any time after 1950?

Mr. EVANS. I would like to employ the fifth amendment.

Senator DANIEL. I order you to answer that question.

Mr. EVANS. What do you mean, you order me to answer the question?

Senator DANIEL. Exactly what I have meant when I have ordered you to answer the questions before, and for the same reasons heretofore explained several times.

Mr. EVANS. Well, I'd like to employ the fifth amendment and don't answer it.

Senator DANIEL. You understand you have been ordered to do it, and answer it, and you still want to invoke the fifth amendment and have refused to do it after having been ordered to answer the question?

Mr. EVANS. You say you order me?

Senator DANIEL. Yes; I order you to answer the question. And I ask you, you did decline again under the fifth amendment, and I said, is that what you want to do in spite of the fact that I have ordered you to answer the question? Because I feel you have waived the right to claim the fifth amendment.

I just want to be sure that you realize you are doing it after having been ordered to answer it, that is all, just to keep the record straight.

Mr. EVANS. Yes; just to keep the record straight.

Senator DANIEL. Yes; you understand it that way?

Mr. EVANS. I don't understand what you are doing. You say you ain't doing it, but I think you are, and you say no, so I can't argue with you, you know.

Senator DANIEL. You have been doing a pretty good job of it.

Mr. EVANS. I haven't disputed nary a word you have said, so far.

Senator DANIEL. Well, I just want to know if you understand that you are claiming the fifth amendment on this question, refusing to answer it after I have ordered you to answer it, and that you might be subject to a contempt citation if I am right in thinking you have waived the right to claim the fifth amendment. I just want to be sure that you know what you are doing, that's all.

And I want to ask you, do you know what you are doing? Do you understand it, after counseling with your lawyer? I don't want it to be said, if anything comes of this in a court later, that the chairman of this committee didn't sufficiently warn you about a contempt citation, and I have warned you several times, and I am warning you over again.

I just want to know if you still want to stand on the fifth amendment under these circumstances, after having been ordered to answer the question.

Mr. EVANS. There is nobody to say you do such a thing. Who is to say it? Who is going to accuse you of anything?

I don't want to answer the question. So if I can't employ the fifth amendment, I will have to employ something else. If there is nothing else to employ, just send me to jail.

Senator DANIEL. Well, all I asked you, do you understand——

Mr. EVANS. No, I don't understand the whole procedure. I don't understand.

Senator DANIEL. Do you want to claim the fifth amendment?

Mr. EVANS. That's right.

Senator DANIEL. You have a lawyer here to explain everything, and I have never had a witness who took more time counseling with his attorney than you have. And I want to give you more time, so you understand the risk you run in refusing to answer the question after I have ordered you to do it. That's all.

Mr. EVANS. All right, let's get something straight, sir, and I know you are a big man and everything, and I ain't nothing, and you are going to send me to jail sooner or later, so I am going to tell you the truth, I ain't delivered no drugs to "Slim," and that's the last question I am going to answer about "Slim," so you go and send me to jail now.

So I ain't going to sit up here answering a lot of questions when you say I can't employ the fifth amendment.

I didn't deliver no drugs to "Slim" no way, that's the truth.

Senator DANIEL. You never gave him any drugs to sell in Cleveland?

Mr. EVANS. I ain't give him no drugs to sell nowhere, but that's all.

Senator DANIEL. Didn't you tell him you would deliver it through——

Mr. EVANS. I don't know what I told him.

Senator DANIEL. You don't know what my question is yet.

Mr. EVANS. Whatever it is, I don't know.

Senator DANIEL. Didn't you tell him that you would deliver it to him through Nancy?

Mr. EVANS. Did I do what?

Senator DANIEL. You understood every word I said.

Mr. EVANS. No, I didn't. I couldn't possibly have understood. You couldn't have said what I thought you said.

Senator DANIEL. Didn't you tell him to make contact for delivery of the drugs through Nancy?

Mr. EVANS. I have got to answer that, then, right? I have got to say "Yes" or "No" to that? I can't employ the fifth amendment? That's what you said, right?

Senator DANIEL. I haven't ruled on this question at all.

Mr. EVANS. Well, I am employing the fifth amendment, then.

Senator DANIEL. Do you know a girl named Nancy?

Mr. EVANS. I employ the fifth amendment.

Senator DANIEL. I told you to begin with, the way it was understood on our preliminary investigation, you were making your contacts and deliveries through women.

Mr. EVANS. Yes, but I didn't tell you these things.

Senator DANIEL. You understand, I am asking you about them to see if that's the way this racket works.

Mr. EVANS. I don't know about it. I can't keep answering that. I don't know these things.

Senator DANIEL. All right. Didn't he, in March of 1955, see you when you had in your company a girl named Josephine?

Mr. EVANS. How do I know what happened in March of 1955?

Senator DANIEL. Do you know a girl named Josephine?

Mr. EVANS. I see a lot of people when I am with Josephine.

Senator DANIEL. Well, did you ever have any contact with "Slim" or Herbert Foreman?

Mr. EVANS. We played golf every day, I don't know.

Senator DANIEL. Every day?

Mr. EVANS. "Coon canning," "pitty pat," a lot of things. I don't know what day I saw him and when and where.

Senator DANIEL. How long did you all play golf together every day?

Mr. EVANS. We started around May sometime.

Senator DANIEL. May of this year or last year?

Mr. EVANS. I don't know if it was the same year, I guess this year.

Senator DANIEL. I am asking you about before May; in March.

Mr. EVANS. I can't remember back.

Senator DANIEL. Didn't you tell him that your contact in Cleveland would be with a girl named Josephine?

Mr. EVANS. Did I tell him that?

Senator DANIEL. Yes. What's the answer?

Mr. EVANS. What answer?

Senator DANIEL. Did you contact him—did you tell him that he could make a heroin contact, your heroin contact, through a girl named Josephine?

Mr. EVANS. I would like to employ the fifth amendment and not answer that, on the grounds that——

Senator DANIEL. Well, did you ever deliver heroin in Detroit to a girl named Josephine?

Mr. EVANS. I'd like to employ the fifth amendment and not answer that.

Senator DANIEL. I order you to answer that question.

Mr. EVANS. Well, I am not going to answer it.

Senator DANIEL. What.?

Mr. EVANS. I am not going to answer it.

Senator DANIEL. For what reason?

Mr. EVANS. Because it might lead to incriminate me.

Senator DANIEL. All right. You understand I ordered you to do it.

Mr. EVANS. No, I don't understand what you have ordered me; all I know, you have asked me a question, and you say I can employ the fifth amendment, and now you say I can't.

Senator DANIEL. Well, you can still employ it if you want to take the risk of citation for contempt. You can still employ it; do you understand?

Mr. EVANS. No, I don't.

Senator DANIEL. Even after I order you to answer it, you can still employ it, if you want to take the risk.

Mr. EVANS. It seems like it only works part of the time.

Senator DANIEL. Well, it will work on any question where I feel like you have not waived it. But on these deliveries and sales of heroin, it isn't going to work.

Mr. EVANS. Oh?

Senator DANIEL. As long as I am chairman of this committee.

Mr. EVANS. Well, I don't know nobody can ever stop you from being.

Senator DANIEL. All right. Do you still want to refuse to answer on the grounds of the fifth amendment, after I have ordered you to answer?

Mr. EVANS. What did you ask me?

Senator DANIEL. Read the question, Mr. Reporter.

(The reporter read the question as follows: "Did you ever deliver heroin here in Detroit to a girl names Josephine?")

Senator DANIEL. And I asked you if you still wanted to refuse to answer.

Mr. EVANS. That is what I want to do. But what difference does it make what I want?

Senator DANIEL. Well, what do you do? That's all. I am not going to warn you any further on it.

Mr. EVANS. I don't want to answer any of your questions, Senator DANIEL.

Senator DANIEL. I am not asking you that. I just want to know if you understood I have ordered you.

Mr. EVANS. I don't understand them, sir.

Senator DANIEL. We will move on. I am sure you do. I don't believe that.

Mr. EVANS. Well, it is the truth, I don't.

Senator DANIEL. I am not going to warn you any more about it, or try to clarify it any further as to whether or not you understand. I will simply—where I think you have waived the fifth amendment, I am going to order you to answer, and if you refuse after that, I am going to assume that after having counseled with your lawyer as much as you have, that you realize the risk you are taking for a contempt citation.

Now, isn't this woman, Josephine, still handling heroin for you right now in Detroit?

Mr. EVANS. Isn't what?

Senator DANIEL. Is this woman, Josephine, still handling heroin for you here in Detroit?

Mr. EVANS. I refuse to answer on the grounds it might lead to incriminate me.

Senator DANIEL. Do you know a girl called Josephine Evans?

Mr. EVANS. I refuse to answer on the grounds it might lead to self-incrimination.

Senator DANIEL. Did you ever deliver any heroin to a girl named Josephine Evans?

Mr. EVANS. I refuse to answer on the grounds of possible self-incrimination.

Senator DANIEL. I order you to answer.

Mr. EVANS. What you order me to answer?

Senator DANIEL. That question.

Mr. EVANS. What question?

Senator DANIEL. If you ever delivered heroin to a girl here in Detroit named Josephine Evans.

Mr. EVANS. You know I could answer that question, but you won't let me waive the fifth amendment no more, if I do, you know.

Senator DANIEL. I don't know any such thing. Your lawyer is shaking his head, and I know he agrees with me. He doesn't agree with what you are saying. He is shaking his head where I can see him shaking it. I have ordered you to answer the question. You just say whatever you want to do.

Mr. EVANS. Well, I didn't deliver any narcotics to Josephine Evans in Detroit.

Senator DANIEL. Did you deliver any narcotics, any heroin to Josephine Evans anywhere?

Mr. EVANS. Where is anywhere? What do you mean by anywhere?

Senator DANIEL. Just any old where. Did you?

Mr. EVANS. No.

Senator DANIEL. Do you know this person here? Have you ever seen this person whose picture has been shown you?

That will be marked "Exhibit 5."

Mr. EVANS. Have I ever seen it?

Senator DANIEL. Yes.

Mr. EVANS. Sure I have seen it.

Senator DANIEL. What's her name?

Mr. EVANS. Just what you say Josephine Evans.

Senator DANIEL. Where did you know her?

Mr. EVANS. What do you mean, where I know her?

Senator DANIEL. Here in Detroit, Chicago, where?

Mr. EVANS. It is my wife, I know her everywhere.

Senator DANIEL. She is your wife?

Mr. EVANS. Yes.

(The photograph above referred to was marked for identification as "Exhibit No. 5," Detroit hearing.)

Senator DANIEL. Is she also ever known as Josephine Foreman?

Mr. EVANS. I don't know what she was known as.

Senator DANIEL. Well, is there another Josephine here?

Mr. EVANS. How do I know who is here, sir? I mean, I can't answer those sort of questions.

Senator DANIEL. You don't know another Josephine?

Mr. EVANS. I am a sick man.

Senator DANIEL. Well, that will be easy if you don't. Do you know another Josephine here in Detroit?

Mr. EVANS. I know a lot of Josephines, sir.

Senator DANIEL. Have you ever delivered heroin to any girl named Josephine here in Detroit? And by that I mean, have you ever delivered heroin either in Chicago or Detroit or anywhere, to a girl named Josephine, who lives in Detroit?

Mr. EVANS. I don't know any Josephine who lives in Detroit.

Senator DANIEL. Well, then, you never have delivered any heroin to a girl named Josephine here in Detroit, have you? What?

Mr. EVANS. I'd like to employ the fifth amendment. And don't answer the question.

Senator DANIEL. I order you to answer it.

Mr. EVANS. Oh, you order me to answer it. Well, you have got a lot of power, you can make a guy say anything you want to. But you know I didn't deliver nothing to Josephine.

Senator DANIEL. I order you to answer the question. Don't tell me what I know. Just tell me what you know.

Mr. EVANS. I don't know anything.

Senator DANIEL. I have ordered you to answer the question whether you ever delivered any heroin anywhere, to a girl named Josephine.

Mr. EVANS. I have not delivered any heroin anywhere to a girl named Josephine.

Senator DANIEL. All right. Did Herbert Foreman, "Slim," pay you $625 for some heroin that you had delivered to him?

Mr. EVANS. I refuse to answer that on the grounds it might tend to incriminate me?

Senator DANIEL. Do you know Teresa Walker?

That will be marked: "Exhibit No. 6."

I ask you if you can identify this person, Teresa Walker?

Mr. EVANS. This could be Teresa.

Senator DANIEL. What?

Mr. EVANS. It could be, I guess it is.

Senator DANIEL. It looks like Teresa, does it not?

Mr. EVANS. Really, it doesn't.

(The photograph above referred to was marked for identification as "Exhibit No. 6," Detroit hearing.)

Senator DANIEL. Well, what did you know her by? Any other name?

Mr. EVANS. I knew a Teresa, but I don't remember what her last name was.

Senator DANIEL. Where did she live?

Mr. EVANS. I don't remember.

Senator DANIEL. Did she live in Detroit when you knew her, or where?

Mr. EVANS. She lived in Detroit.

Senator DANIEL. Did you ever deliver any heroin to Teresa or have any delivered to her?

Mr. EVANS. I knew Teresa back in 1949. I don't remember what year it was.

Senator DANIEL. Did you ever, at any time, deliver any heroin to Teresa Walker, or have it delivered to her?

Mr. EVANS. I can't remember back that far.

Senator DANIEL. You don't remember?

Mr. EVANS. No.

Senator DANIEL. Do you know Lorenzo Friday?

Mr. EVANS. I guess his name is Lorenzo. I know somebody we call Friday.

Senator DANIEL. Did you ever deliver any heroin to him?

Mr. EVANS. I don't remember.

Senator DANIEL. Isn't it true that you sold or had delivered through another person, 267 grains of heroin to Lorenzo Friday?

Mr. EVANS. How much is a grain. I don't know about grains and stuff like that.

Senator DANIEL. Let's forget the grains. Did you have any heroin delivered here in Detroit to Lorenzo, Friday?

Mr. EVANS. I invoke the fifth amendment.

Sentor DANIEL. I order you to answer that question.

Mr. EVANS. Now, how you going to tell me I can invoke the fifth amendment, then every time I say it, you order me to answer the question?

Senator DANIEL. Well, that is not true; I haven't told you every time. I think the last question you invoked the fifth amendment, and I allowed you to stand on it. But I am not going to allow you to stand on the fifth amendment relating to any sales or deliveries of heroin, since you have denied making any such sales or deliveries.

Mr. EVANS. What do you mean, I have denied making any sales or deliveries?

Senator DANIEL. I have ordered you to answer that question. Just tell me whether you are going to answer it or not.

Mr. EVANS. Did I deliver any drugs to Lorenzo?

Senator DANIEL. Any heroin, through yourself personally, or through some runner of yours, to Lorenzo Friday here in Detroit?

Mr. EVANS. I don't understand what you mean by runners.

Senator DANIEL. Well, if you don't understand the question, let me make it clear to you. Did you ever deliver any heroin, either yourself in person, or through some friend or associate, or member of your organization, or anybody else, to Lorenzo Friday?

Mr. EVANS. Let me see if I can understand you, sir. If I did it through somebody else, I had to give it to somebody and they gave it to him, is that what you mean?

Senator DANIEL. No; I sure don't mean that at all. As a matter of fact, your operation is entirely different from that, from the evidence we have. You don't handle it if you can keep away from it. You operate through other people, mostly women; that's the way we have the evidence before our committee, through our preliminary investigation. I am trying to find out whether it is true.

Mr. EVANS. How would I know if it is true or not? I didn't do it, I didn't write it.

Senator DANIEL. You didn't do it, then? You never delivered any heroin, either personally or through anybody else to Lorenzo Friday?

Mr. EVANS. What do you want me to say?

Senator DANIEL. Yes or no.

Mr. EVANS. I got to say one of them?

Senator DANIEL. Yes; I am going to order you to answer that question.

Mr. EVANS. You are going to force me to say yes or no?

Senator DANIEL. I am going to order you to answer that question. You know that you still have the right to claim the fifth amendment.

Mr. EVANS. What right have I got?

Senator DANIEL. Ask your lawyer.

Mr. EVANS. He just told me I got a right to invoke the fifth amendment, you say I ain't. So what do you mean?

Senator DANIEL. Answer the question.

Mr. EVANS. I ain't delivering nobody no drugs, and I don't know whether nobody else did or not, and I don't know what you mean when you say through other people, runners and things.

Senator DANIEL. You have never delivered to anybody any heroin?

Mr. EVANS. I didn't deliver Lorenzo Friday any heroin, and I don't know what you mean by runners.

Senator DANIEL. All right. Did you have anybody else deliver any heroin to Lorenzo Friday for you?

Mr. EVANS. I want to invoke the fifth amendment.

Senator DANIEL. Even after I have ordered you to answer it?

Mr. EVANS. You have ordered me to answer it already?

Senator DANIEL. I have ordered you to answer it.

Mr. EVANS. I sure would like to know who wrote this fifth amendment and why. Maybe it is like that kidnaping down in Mississippi, it works for one, don't work for the other.

Senator DANIEL. Do you still want to claim the fifth amendment, after I have ordered you to answer it?

Mr. EVANS. I want to claim the fifth amendment.

Senator DANIEL. Do you know Dolores Wright?

Mr. EVANS. I want to claim the fifth amendment.

Senator DANIEL. On whether you know Dolores Wright?

Mr. EVANS. Yes.

Senator DANIEL. Well, I will ask you if you ever gave to Dolores Wright or ever delivered Dolores Wright any heroin?

Mr. EVANS. I want to invoke the fifth amendment and not answer that on the grounds it might tend to incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. EVANS. What do you mean by ordering me to answer the question? What do you mean by that?

Senator DANIEL. Exactly what I have meant before when I have told you before to answer it; I think you have waived the fifth amendment. But you have the right to claim it over again, if you want.

Mr. EVANS. I am going to claim it. I don't know if I have got any rights or not, but I am going to say it anyway.

Senator DANIEL. Did you ever use Dolores Wright as a distributor of heroin here in Cleveland and Detroit?

Mr. EVANS. Did I do what?

Senator DANIEL. Did you ever use Dolores Wright as a distributor of heroin for you in Cleveland or Detroit?

Mr. EVANS. Did I ever? Listen, I don't know, I might have done a lot of things 10 or 12 years ago, I don't remember back that far.

Senator DANIEL. Send this exhibit No. 7 down.

All right, do you identify that picture as Dolores Wright?

Mr. EVANS. Do I have to identify it?

Senator DANIEL. No. I just asked, can you identify it as her?

Mr. EVANS. I couldn't know by that picture whether it is Dolores Wright.

Senator DANIEL. All right, the picture will still be marked "No. 7" for identification.

(The photograph above referred to was marked for identification as "Exhibit No. 7, Detroit hearing.")

Senator DANIEL. Did you ever sell Dolores Wright or deliver to her any heroin?

Mr. EVANS. I would like to employ the fifth amendment.

Senator DANIEL. I order you to answer the question.

Mr. EVANS. I would like to employ the fifth amendment.

Senator DANIEL. All right. Now, you may stand aside, but remain under subpena to this committee.

* * * * *

(Short recess.)

Senator DANIEL. William Evans?

(Testimony of William "Butch" Evans—Resumed)

Senator DANIEL. William Evans, can you bring your income tax—copies of your income-tax returns for 1954?

Mr. EVANS. I don't have any.

Senator DANIEL. Did you file an income-tax return in 1954?

Mr. EVANS. No, sir; I didn't file any.

Senator DANIEL. Well, did you file one for 1953?

Mr. EVANS. No; I didn't file any.

Senator DANIEL. Did you file any income-tax return for 1952?

Mr. EVANS. No.

Senator DANIEL. 1951?

Mr. EVANS. No; I didn't file any.

Senator DANIEL. You didn't file an income-tax return for 1951, either? 1951?

Mr. EVANS. No.

Senator DANIEL. Well, take 1954. What was your business then?

Mr. EVANS. Can I talk to my lawyer?

Senator DANIEL. Sure, any time.

(Witness consults with attorney.)

Mr. EVANS. What was the question?

Senator DANIEL. What was your business in 1954?

Mr. EVANS. I'd like to employ the fifth amendment and not answer that.

Senator DANIEL. Well, were you doing any kind of work in 1954?

Mr. EVANS. I'd like to employ the fifth amendment, sir, and refuse to answer.

Senator DANIEL. Did you have any kind of bank account in 1954?

Mr. EVANS. I'd like to employ the fifth amendment.

Senator DANIEL. Now, we have subpenaed your bank accounts, and asked you to bring copies of all your bank accounts with you. Have you brought any?

Mr. EVANS. Have I brought any bank accounts?

Senator DANIEL. Yes.

Mr. EVANS. No.

Senator DANIEL. Why haven't you brought copies of your bank statements in accordance with the subpena of this committee?

Mr. EVANS. Why I haven't brought my bank accounts?

Senator DANIEL. Right.

Mr. EVANS. On account that I don't have any.

Senator DANIEL. Have you ever had any bank accounts, any bank statements, since 1951?

Mr. EVANS. Have I ever? 1951?

Senator DANIEL. What's the answer?

Mr. EVANS. I don't think so.

Senator DANIEL. Well, did you read this subpena, where it said for you to bring all bank statements, financial statements, showing assets and/or liabilities, and all account books relating to yourself or to any business in which you are or were engaged during the period of 1951 to date?

Mr. EVANS. I don't know if mine said that much or not; but if it did, I haven't got any books or papers or anything.

Senator DANIEL. Well, I am reading from one the same as yours, and I will introduce a copy of your subpena in the record here and now, and ask you to tell me why you didn't bring these records to this committee.

Mr. EVANS. Because I don't have any.

(The document above referred to was marked for identification as "Exhibit No. 8," Detroit hearing.)

Senator DANIEL. You don't have any records for any of those years?

Mr. EVANS. I don't have any records for any years.

Senator DANIEL. You never kept books at all?

Mr. EVANS. Kept books on what?

Senator DANIEL. On your business.

Mr. EVANS. I ain't got no business to keep books on.

Senator DANIEL. How much did that ring cost on your finger? Is it a diamond ring? How much did your diamond ring cost?

Mr. EVANS. I'd like to employ the fifth amendment, sir, and not answer, on the grounds it might tend to incriminate me.

Senator DANIEL. How much did your wristwatch cost?

Mr. EVANS. I'd like to employ the fifth amendment.

Senator DANIEL. How much did your three automobiles cost?

Mr. EVANS. How many automobiles?

Senator DANIEL. Three. Haven't you got 3 automobiles? Don't you have 3 automobiles?

Mr. EVANS. I'd like to employ the fifth amendment, sir, and not answer, on the grounds it might tend to incriminate me.

Senator DANIEL. Did you make more than $600 in 1954?

Mr. EVANS. I'd like to employ the fifth amendment, sir, and not answer on the grounds it might incriminate me.

Senator DANIEL. And the truth about it is that your traffic in heroin has been running you over $50,000 a year net profit for many years.

Mr. EVANS. $50,000 in 1 year? In my lifetime? I don't even know what you are talking about.

Senator DANIEL. Well, has your traffic in heroin ever brought you $50,000 in your lifetime?

Mr. EVANS. What did you say, sir?

Senator DANIEL. Has your traffic in heroin brought you over $50,000 during your entire lifetime?

Mr. EVANS. I'd like to employ the fifth amendment, sir, and not answer on the grounds it might incriminate me.

Senator DANIEL. Anything else? Mr. Speer?

Mr. SPEER. No.

Senator DANIEL. Did you ever sell any heroin to Shirley Aiston?

Mr. EVANS. I'd like to employ the fifth amendment, sir.

Senator DANIEL. Did you ever deliver any heroin to Shirley Aiston?

Mr. EVANS. I'd like to employ the fifth amendment, sir.

Senator DANIEL. I order you to answer that.

Mr. EVANS. I'd like to employ the fifth amendment.

Senator DANIEL. I order you to answer the question as to whether or not you ever sold any heroin to Shirley Aiston.

Mr. EVANS. Could I talk to my lawyer?

Senator DANIEL. Yes.

Mr. EVANS. Oh, I got that right.

(Witness confers with attorney.)

Senator DANIEL. I order you to answer it. What is your answer?

Mr. EVANS. Fifth amendment.

Senator DANIEL. You understand you are claiming it after I have ordered you to answer it. You still claim it?

Mr. EVANS. I don't understand nothing.

Senator DANIEL. Well, I order you to answer that question, so it will be clear to you.

Mr. EVANS. It ain't clear to me.

Senator DANIEL. I order you to answer whether or not you ever sold any heroin to Shirley Aiston?

Mr. EVANS. The fifth amendment.

Senator DANIEL. Do you know Shirley Aiston?

Mr. EVANS. I'd like to employ the fifth amendment, sir, and don't answer that.

Senator DANIEL. I order you to answer the question, whether you know Shirley Aiston.

Mr. EVANS. I don't know what I am going to say, I don't know what to say now.

Senator DANIEL. Well, you can claim the fifth amendment again if you think I am——

Mr. EVANS. That's what I claim.

Senator DANIEL. If your attorney and you think I am mistaken in ordering you to answer it. Is that what you claim?

Mr. EVANS. That's what I claim.

Senator DANIEL. Did you see Shirley Aiston, the blond-headed girl who was here this morning?

Mr. EVANS. Which blond-headed girl?

Senator DANIEL. The one that testified, the first addict that testified here this morning. Is Shirley Aiston here?

This is the Shirley Aiston I am talking to you about right now. Do you know this lady here?

Mr. EVANS. I can't employ the fifth amendment?

Senator DANIEL. I just asked you, do you know this woman right here?

Mr. EVANS. I don't know her as Shirley Aiston.

Senator DANIEL. What do you know her as?

Mr. EVANS. I guess I just know her as Shirley.

Senator DANIEL. As Shirley. Did you ever live with her?

Mr. EVANS. I don't think that's very nice for you to ask me that.

Senator DANIEL. Well, I just asked you, did you ever live with her?

Mr. EVANS. I ain't going to answer it.

Senator DANIEL. Why not?

Mr. EVANS. Because it ain't none of your business, that's why not.

Senator DANIEL. What is the reason you won't answer it?

Mr. EVANS. I just ain't going to answer anything like that.

Senator DANIEL. Did you ever live with her?

Mr. EVANS. I am invoking the fifth amendment, sir. I am not answering that.

Senator DANIEL. Did you ever deliver her any heroin?

Mr. EVANS. I am invoking the fifth amendment and not answering that, sir.

Senator DANIEL. I order you to answer that question.

Mr. EVANS. I am invoking the fifth amendment, and not answering, on the ground it might incriminate me.

Senator DANIEL. Did you ever give her any heroin?

Mr. EVANS. I am invoking the fifth amendment, sir, and I am not answering.

Senator DANIEL. Did you ever sell Shirley Aiston any heroin?

Mr. EVANS. I am invoking the fifth amendment, sir, and I am not answering.

Senator DANIEL. I order you to answer that question.

Mr. EVANS. I am invoking the fifth amendment, and I refuse to answer on the ground it might incriminate me.

Senator DANIEL. How many people do you have selling heroin for you now?

Mr. EVANS. I employ the fifth amendment, and I don't answer that on the grounds it might tend to incriminate me.

Senator DANIEL. All right, stand aside, you are excused.

Mr. POSNER. Is he excused, sir?

Senator DANIEL. Yes; he is excused.

Mr. DANIEL. Evans, in the judgment of the subcommittee, should be cited for contempt for refusing to answer questions he was ordered to answer by the chairman after he, the witness, had waived the right not to answer by his answers to previous questions.

Testimony in both open and executive sessions in Detroit showed Evans to be a kingpin in the narcotics traffic in the Midwest—in Michigan, Ohio, and Illinois—working out of headquarters in Chicago. The Federal Bureau of Narcotics reported to the subcommittee that:

William F. Evans, alias "Butch," headquarters in Chicago's West Side, obtains his heroin from Italians on the west side of Chicago. He is an interstate trafficker in large quantities of heroin which he supplies to dealers in Detroit, Cleveland, and Chicago.

I ask that the resolution be agreed to, as recommended by the Judiciary Committee, and that William Frazier Evans be cited for contempt of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution

The resolution (S. Res. 275) was agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on the Judiciary of the United States Senate as to the refusal of William Frazier Evans, alias Butch, to answer questions before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, said refusal to answer being pertinent to the subject matter under inquiry together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the eastern district of Michigan, to the end that the said William Frazier Evans, alias Butch, may be proceeded against in the manner and form provided by law.

CITATION OF ROBERT T. HOSOI FOR CONTEMPT OF THE SENATE

Mr. DANIEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2122, Senate Resolution 276.

The PRESIDING OFFICER. The resolution will be stated by title.

The CHIEF CLERK. A resolution (S. Res. 276) citing Robert T. Hosoi for contempt of the United States Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DANIEL. Mr. President, Senate Resolution 276 would cite for contempt Robert T. Hosoi, Los Angeles, Calif., who was subpenaed as a witness but failed to appear before the subcommittee investigating the narcotics traffic, in hearings in Los Angeles, Calif., November 16, 1955. He defied the subpenaing authority of the United States Senate. When he failed to appear, I made the following statement during public hearings:

As chairman of this committee, I shall recommend to the Senate that he be cited for contempt of the United States Senate for failing to appear. I might further say that the reason he was wanted before this committee is that this committee has evidence of the fact that he, a man who is now free on the streets, was engaged in the heroin traffic and that it tied in with heroin which came from Red China, and which is the type of heroin that this committee is particularly concerned about because of the evidence we have of Red China's efforts to get heroin into the free nations of the world.

Robert T. Hosoi is described by the Federal Bureau of Narcotics in its report to the subcommittee as:

Alias Robert Tanaka, a Japanese Nisei from Hawaii with a criminal history beginning in 1932. He is a smuggler of heroin from Red China, and distributes this heroin in kilogram lots on the west coast. In 1953, 2 kilograms of this heroin from Red China were seized in Los Angeles after it had been brought down from Oak Harbor, Wash., by a partner of Hosoi.

Mr. President, I ask unanimous consent that the subpena and information concerning the service thereof be printed in the RECORD at this point.

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

UNITED STATES OF AMERICA,
CONGRESS OF THE UNITED STATES.

To ROBERT T. HOSOI, *Los Angeles, Calif., Greeting:*

Pursuant to lawful authority, you are hereby commanded to appear before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary of the Senate of the United States, on October 25, 1955, at 10 a. m., at their committee room 518, United States Post Office and Courthouse, 312 North Spring Street, Los Angeles, Calif., then and there to testify what you may know relative to the subject matters under consideration by said committee. And to bring with you all bank statements, financial statements (showing assets and liabilities), and account books relating to yourself or to any business in which you are or were engaged, for the years of 1951 to date; and copies of your income tax returns for 1951 through 1954.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Lee Speer, chief investigator, or any narcotic agent of the United States Federal Bureau of Narcotics to serve and return.

Given under my hand, by order of the committee, this 1st day of August in the year of our Lord one thousand nine hundred and fifty-five.

PRICE DANIEL,
Chairman, Subcommittee on Improvements in the Federal Criminal Code.

The said subpena was duly served, as appears by the return thereof, by George R. Davis, who was duly authorized to serve such subpena. The return of the service by the said George R. Davis, bearing his endorsement, is set forth as follows:

SEPTEMBER 19, 1955.

I made service of the within subpena by handing copy to Robert T. Hosoi the withinnamed Robert T. Hosoi, at a point 30 feet south of First Street on the east side of San Pedro Street, Los Angeles, Calif., at 11:10 a. m., on the 19th day of September 1955.

Mr. DANIEL. Mr. President, I ask that the Senate act favorably on the contempt citation, as recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 276) was agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on the Judiciary of the United States Senate as to the refusal of Robert T. Hosoi to appear before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, said refusal to appear being pertinent to the subject matter under inquiry, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the southern district of California, to the end that the said Robert T. Hosoi may be proceeded against in the manner and form provided by law.

CITATION OF SALVATORE SANTORO FOR CONTEMPT OF THE SENATE

Mr. DANIEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2123, Senate Resolution 277.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 277) citing Salvatore Santoro for contempt of the United States Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DANIEL. Mr. President, Senate Resolution 277 would cite for contempt Salvatore Santoro, 400 East 107th Street, New York, N. Y., alias "Tom Mix," who appeared at the hearing in New York September 21, 1955. Santoro absolutely refused to testify beyond the point of giving his name and address to the subcommittee. He refused to answer any and all questions, no matter how lacking in the elements of self-incrimination.

I ask unanimous consent to have the full transcript of this witness' testimony printed in the RECORD at this point.

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

TESTIMONY OF SALVATORE SANTORO, LEONIA, N. J.

Senator DANIEL. Salvatore Santoro.

Do you solemnly swear that the testimony you are about to give to this subcommittee of the Senate Judiciary Committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SANTORO. I do.

Senator DANIEL. You may be seated.

Will you give your full name?

Mr. SANTORO. Salvatore Santoro, 132 Longview Avenue, Leonia, N. J.

Senator DANIEL. That is S-a-l-v-a-t-o-r-e?

Mr. SANTORO. That is correct.

Senator DANIEL. S-a-n-t-o-r-o?

Mr. SANTORO. That is correct.

Senator DANIEL. And the town?

Mr. SANTORO. Leonia, L-e-o-n-i-a.

Senator DANIEL. New York?

Mr. SANTORO. Jersey.

Senator DANIEL. New Jersey.

Are you the same Salvatore Santoro who entered a plea of guilty in a narcotics case in 1942?

Mr. SANTORO. I refuse to answer——

Senator DANIEL. In Tucson, Ariz.

Mr. SANTORO. I refuse to answer any questions on the grounds that may tend to incriminate or degrade me; that is, from here on in, Senator.

Senator DANIEL. How is that?

Mr. SANTORO. That is from here on in, I invoke the fifth amendment.

Senator DANIEL. You mean you are going to refuse to answer all questions that might be asked, regardless of what they are?

Mr. SANTORO. Yes, sir.

Senator DANIEL. You mean even if we ask you a question as to whether or not you are married?

Mr. SANTORO. Yes, sir.

Senator DANIEL. You would claim the fifth amendment to that?

Mr. SANTORO. I claim the fifth amendment from here on in.

Senator DANIEL. Without hearing the questions.

Do you have legal counsel here with you?

Mr. SANTORO. No, sir.

Senator DANIEL. Do you intend to claim the fifth amendment, regardless of what we ask you; is that correct?

Mr. SANTORO. Yes, sir.

Senator DANIEL. Whether you think it might tend to incriminate you or not?

Mr. SANTORO. Yes, sir.

Senator DANIEL. I just want to say to you that I think you would be in contempt of the committee if you do that. We certainly have the right to do it.

Mr. SANTORO. You, the doctor.

Senator DANIEL. Well, I say you certainly have the right to do it on anything that you think honestly might tend to incriminate you, but if you are going to take the attitude of doing it on all questions, regardless of whether you think they might tend to incriminate you, it is my judgment that you would be in contempt of the committee.

Mr. SANTORO. All right, give me the questions.

Senator DANIEL. And I just wanted to warn you of that for your own good.

Mr. SANTORO. All right.

Senator DANIEL. Are you also known as Tom Mix?

Mr. SANTORO. I refuse to answer the questions on the ground it might incriminate me.

Senator DANIEL. Do you know Joe Vento?

Mr. SANTORO. I refuse to answer the questions on the ground it might tend to incriminate me.

Senator DANIEL. Were you convicted along with Joe Vento in 1952?

Mr. SANTORO. I refuse to answer——

Senator DANIEL. On a narcotics charge?

Mr. SANTORO. I refuse to answer on the grounds it might tend to incriminate or degrade me.

Senator DANIEL. Have you ever pleaded guilty on a narcotics charge, violation of the narcotics law?

Mr. SANTORO. I refuse to answer on the grounds that it might tend to incriminate and degrade me.

Senator DANIEL. On the same basis that we decided a moment ago that could not tend to incriminate you, to show that you were or had been convicted or had pleaded guilty on a previous charge, I am going to instruct you to answer that question.

Mr. SANTORO. I refuse to answer on the grounds that it might tend to incriminate or degrade me.

Senator DANIEL. You understand that if we are correct in instructing you to answer, regardless of your claim of the fifth amendment, if we are correct in that, we are entitled to have the answer on that question, that you may be held to be in contempt of this committee?

Mr. SANTORO. Yes, sir.

Senator DANIEL. And in spite of that warning and having been cautioned and having been asked the question again, you still refuse?

Mr. SANTORO. I refuse to answer.

Senator DANIEL. To answer on the ground that it might tend to incriminate you?

Mr. SANTORO. Or degrade me.

Senator DANIEL. Well, now, this committee does not recognize the last part, so you can leave that off, "or degrade you."

Mr. SANTORO. All right, sir.

Senator DANIEL. But on the ground that it might tend to incriminate you, the committee will, of course, respect your right under the fifth amendment to refuse to answer some of these questions.

Do you know John Ormento?

Mr. SANTORO. I refuse to answer on the ground it might tend to incriminate me.

Senator DANIEL. What business are you now engaged in?

Mr. SANTORO. I refuse to answer on the ground that it might tend to incriminate me.

Senator DANIEL. Are you engaged in a business of selling heroin?

Mr. SANTORO. I refuse to answer on the ground that it might tend to incriminate me.

Senator DANIEL. Are you engaged in the business of selling other narcotic drugs?

Mr. SANTORO. I refuse to answer on the grounds it might tend to incriminate me.

Senator DANIEL. You feel that by telling this committee as to what business you are engaged in, you might incriminate yourself?

Mr. SANTORO. I refuse to answer on the grounds it might tend to incriminate or degrade me.

Senator DANIEL. Do you know Lucky Luciano?

Mr. SANTORO. I refuse to answer on the grounds it might tend to incriminate me.

Senator DANIEL. Have you been engaged with him in any type of activity whatever?

Mr. SANTORO. I refuse to answer on the grounds it might tend to incriminate me.

Senator DANIEL. I believe that is all. You are excused.

Mr. DANIEL. Mr. President, Santaro, in the subcommittee's judgment, should be cited for contempt for failing to answer questions he was ordered to answer by the chairman, relating to his conviction on a plea of guilty of narcotics law violations. Moreover, this witness stated unequivocally that he refused to answer any and all questions of the subcommittee, regardless of what they were and whether or not they might incriminate him. Santoro is described in the reports by the Federal Bureau of Narcotics as:

> Having a criminal history dating back to 1933 and is also an important member of the New York 107th Street mob which has access to the European sources of heroin and engages in the smuggling and wholesale distribution of heroin.

Mr. President, as chairman of the subcommittee, I pleaded with this witness not to put himself in contempt of the United States Senate. However, he would not heed the warning given to him by the chairman, and continually said he would not answer any questions, even questions which might not tend to incriminate him.

I ask that the Senate take favorable action on the contempt citation, as recommended by the Judiciary Committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 277) was agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on the Judiciary of the United States Senate as to the refusal of Salvatore Santoro to answer questions before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, said re-

fusal to answer being pertinent to the subject matter under inquiry together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the Southern District of New York, to the end that the said Salvatore Santoro may be proceeded against in the manner and form provided by law.

CITATION OF JESSE ALEXANDER FOR CONTEMPT OF THE SENATE

Mr. DANIEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2124, Senate Resolution 278.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 278) citing Jesse Alexander for contempt of the United States Senate.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DANIEL. Mr. President, Senate Resolution 278 would cite for contempt Jesse Alexander, 4323 Forrestville Avenue, Chicago, Ill., who appeared before the subcommittee in Chicago, November 22, 1955, with his attorney, Frank Oliver. Alexander pleaded the fifth amendment 82 times in response to questions by the chairman of the subcommittee. Throughout the hearings Alexander was arrogant and hostile.

I ask unanimous consent to have the full transcript of this witness' testimony printed in the RECORD at this point.

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

TESTIMONY OF JESSE ALEXANDER; ACCOMPANIED BY FRANK OLIVER, ATTORNEY

Senator DANIEL. Jesse Alexander? Jesse Alexander?

Do you solemnly swear the testimony you are about to give this subcommittee of the Senate Judiciary Committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALEXANDER. I do.

Senator DANIEL. You may be seated.

Will you state your name?

Mr. ALEXANDER. Jesse Alexander.

Senator DANIEL. Where do you live?

Mr. ALEXANDER. 4323 Forrestville Avenue.

Senator DANIEL. And will you identify yourself, sir?

Mr. OLIVER. My name is Frank Oliver. I am here as counsel for Mr. Alexander.

(Attorney Oliver sat slumped in his chair directly facing his client.)

Senator DANIEL. Are you the same Jesse Alexander who was convicted of narcotics law violations in 1941?

Mr. ALEXANDER. 1941?

Senator DANIEL. Yes.

Mr. ALEXANDER. What address?

Senator DANIEL. What?

Mr. ALEXANDER. Have you got an address there?

Senator DANIEL. Well, were you committed to a Federal correctional institution at Milan, Mich.?

Mr. ALEXANDER. Do you mean "Millan" or M-i-l-a-n, Milan?

Senator DANIEL. Well, either way. Do you know what I am asking you?

Mr. ALEXANDER. I think so.

Senator DANIEL. Well, are you the same Jesse Alexander that was given 2 years and committed to that institution?

Mr. ALEXANDER. In 1941?

Senator DANIEL. In 1941.

Mr. ALEXANDER. Yes.

Senator DANIEL. Did you serve that 2 years?

Mr. ALEXANDER. Yes.

Senator DANIEL. And what was that for?

Mr. ALEXANDER. Conspiracy.

Senator DANIEL. To sell narcotics?

Mr. ALEXANDER. Not to sell narcotics.

Senator DANIEL. What was it to do?

Mr. ALEXANDER. Conspiracy with narcotic peddlers.

Senator DANIEL. All right. Did you serve the 2 years?

Mr. ALEXANDER. Yes; I did.

Senator DANIEL. Then did you get back into the narcotics traffic?

Mr. ALEXANDER. I didn't quite understand you.

Senator DANIEL. Were you arrested again in 1950, and convicted again for the possession of narcotics?

Mr. ALEXANDER. 1951, wasn't it?

Senator DANIEL. Well, you were arrested in 1950, this record shows, and charged with the possession of narcotics.

When were you convicted the next time?

Mr. ALEXANDER. 1952.

Mr. GASQUE. Mr. Counsel, will you face the committee, please?

Mr. OLIVER. Yes; I will. [Turning half around in chair.]

Mr. GASQUE. And will you put your feet straight under the table; this way?

Thank you. [Counsel sits up straight facing chairman.]

Senator DANIEL. What was your answer?

Mr. ALEXANDER. I didn't get that last.

Senator DANIEL. I say, when was the next time after 1951 that you were convicted on a narcotic charge?

Mr. ALEXANDER. I refuse to answer that.

Senator DANIEL. Well, I am going to ask you if you are one and the same person who was convicted for possession of narcotics?

Mr. ALEXANDER. I refuse to answer.

Senator DANIEL. And given a 3 years' sentence?

Mr. ALEXANDER. I refuse to answer.

Senator DANIEL. I order you to answer that question. I am trying to identify whether or not you are one and the same person whose record I am reading from. You have already been convicted of it.

Mr. ALEXANDER. I refuse to answer on the ground I might be incriminated.

Senator DANIEL. I want to explain this to you, you have the right to claim the fifth amendment whenever you honestly feel that a truthful answer to the question would tend to incriminate you. I am asking you an identifying question now, as to whether or not you are one and the same person who has already served a sentence in the penitentiary.

Mr. ALEXANDER. I refuse to answer that on the ground I might be incriminated.

Senator DANIEL. If I am right in saying that you should answer the question, and you refuse to answer it, you would be subject to a comtempt citation by the United States Senate, do you understand that?

Mr. ALEXANDER. I think so.

Senator DANIEL. You think you understand that?

Mr. ALEXANDER. (No answer.)

Senator DANIEL. With that explanation in mind, I say, do you think you understand that?

Mr. ALEXANDER. I refuse to answer, I might be incriminating myself.

Senator DANIEL. My question is, Do you understand my explanation of what——

Mr. ALEXANDER. I refuse to answer that, I might incriminate myself.

Senator DANIEL. Let me be sure that you understand what I am asking you.

Mr. OLIVER. Senator, I wonder if I could consult with my client?

Senator DANIEL. He may consult with you, but not you with him.

Mr. OLIVER. Maybe he will ask me to consult with him.

Senator DANIEL. All right. I want to be sure that you understand what I have explained to you, and that is that if I am right in saying that you cannot claim the fifth amendment on some of these questions, and that you should go on and answer them, I will order you to answer them, and if you fail or refuse to answer, and I am right in ordering you to do so, you would be subject to contempt proceedings by the United States Senate for refusing to answer. Do you understand that?

Mr. ALEXANDER. I still refuse to answer.

Senator DANIEL. You mean you refuse to tell me whether you understand that or not?

Mr. ALEXANDER. May I have a word with my counsel?

Senator DANIEL. Yes; you may consult your counsel.

(Witness consults with counsel.)

Mr. OLIVER. Will you repeat the question?

Senator DANIEL. My question was whether you understand my explanation to you.

Mr. OLIVER. Thank you.

(Witness consults with counsel.)

Senator DANIEL. Are you ready to answer?

Mr. OLIVER. Will you ask the question again, Senator?

Senator DANIEL. Yes; the question was whether or not you understand my explanation to you that you might be subject to a contempt citation by the United States Senate, and to a trial and punishment for refusing to answer, if I am right in ordering you to answer. Do you understand that?

Mr. ALEXANDER. I think so.

Senator DANIEL. All right. Now, I will ask you the question over again, whether or not you are one and the same person who was convicted of the offense of the sale of narcotics, and who served at Milan, Mich., beginning in 1952, a 3-year sentence, and then later sent to Leavenworth, Kans., for 3 years on another narcotics charge?

Mr. ALEXANDER. May I have a word with my counsel, please?

Senator DANIEL. At any time you may lean over and consult with counsel.

Mr. OLIVER. Thank you, Senator.

(Witness confers with counsel.)

Mr. ALEXANDER. I refuse to answer that question, because it might incriminate me.

Mr. GASQUE. Counsel, do you understand what the Senator——

Senator DANIEL. Let me go ahead. I think counsel understands—what did you have in mind, tell me?

(Counsel confers with Senator DANIEL.)

(Witness confers with counsel.)

Mr. OLIVER. As I understand it, the last question was whether he was the same person; is that correct?

Senator DANIEL. One and the same person who was convicted again in 1952 for the sale of narcotics.

Mr. OLIVER. That is the question. Are you one and the same person?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. I order you to answer.

Mr. ALEXANDER. I refuse to answer [illegible] cause it might incriminate me.

Senator DANIEL. Do you understand why I ordered you to answer it, because I do not think it is a privileged question and, therefore, I am ordering you to answer it, and you understand if I am right the chances that you are taking; do you?

Mr. ALEXANDER. I refuse to answer.

Senator DANIEL. I say, do you understand that?

Mr. ALEXANDER. On account it might incriminate me.

Senator DANIEL. I say, do you understand my explanation of the chances you are taking when I order you to answer the question?

Mr. ALEXANDER. I still refuse to answer.

Senator DANIEL. You refuse to tell me whether you understand it, do you?

Mr. ALEXANDER. I refuse to answer on account it might incriminate me.

Senator DANIEL. You refuse to tell me whether you understand the explanation, is that right?

Mr. ALEXANDER. I still refuse to answer.

Senator DANIEL. How old are you?

Mr. ALEXANDER. Forty-four.

Senator DANIEL. All right.

Mr. Counsel, don't volunteer anything.

Mr. OLIVER. I am not volunteering answers, sir.

Senator DANIEL. I heard you tell him to say something.

Mr. OLIVER. I spoke his name, I was hoping he might ask for a conference with me.

Senator DANIEL. Anyway, as I say, we cannot run these proceedings any other way except for the client to seek advice when he wants to.

All right, how old are you?

Mr. ALEXANDER. Forty-four.

Senator DANIEL. What kind of business have you been engaged in in the last year?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Do you have a family?

Mr. ALEXANDER. A family?

Senator DANIEL. A family. Are you married?

Mr. ALEXANDER. Yes; I am married.

Senator DANIEL. Do you have any children?

Mr. ALEXANDER. One.

Senator DANIEL. Do you live here in Chicago with them?

Mr. ALEXANDER. I don't live with them.

Senator DANIEL. Where do you live?

Mr. ALEXANDER. May I have a word with my counsel, please?

Senator DANIEL. I told you any time you want to consult your counsel, you may do it.

(Witness confers with counsel.)

Mr. OLIVER. Now, will you give him the question again?

(Reporter reads: "Where do you live?")

Mr. ALEXANDER. I think he got that already.

Senator DANIEL. No; where do you live?

Mr. ALEXANDER. 4323 Forrestville.

Senator DANIEL. Where does your wife and child live?

Mr. ALEXANDER. Well, I refuse to answer that because I may be incriminating myself.

Senator DANIEL. Do you honestly believe that a truthful answer to that question might tend to incriminate you?

Mr. ALEXANDER. That is right.

Senator DANIEL. Speak up.

Mr. ALEXANDER. I still refuse to answer any question pertaining to the subpena which might incriminate me.

Senator DANIEL. You mean you are not going to answer any questions I ask you?

Mr. ALEXANDER. I didn't say any questions—that question.

Senator DANIEL. What do you mean by "pertaining to the subpena"?

Mr. ALEXANDER. I refuse to answer the question, because it might incriminate me.

Senator DANIEL. Do you understand my question was what do you mean by saying "pertaining to the subpena"? Do you understand that that is the question?

Mr. ALEXANDER. (No answer.)

Senator DANIEL. What did you mean when you said "pertaining to the subpena," a minute ago, refusing to answer any questions pertaining to the subpena?

Mr. ALEXANDER. That question.

Senator DANIEL. Do you mean any questions pertaining to the subpena you are going to refuse to answer?

Mr. ALEXANDER. (Nods head negatively.)

Senator DANIEL. Speak up. The reporter can't see you shaking your head; he can't hear that. He has to write something down.

Mr. ALEXANDER. May I have a word with counsel?

(Witness confers with counsel.)

Senator DANIEL. All right; give us your answer.

Mr. ALEXANDER. Would you give that question to me again?

Senator DANIEL. All right. I will ask you again whether or not you intend to refuse to answer any questions pertaining to this subpena?

Mr. ALEXANDER. Not all questions.

Senator DANIEL. All right. I will ask you if you were convicted in 1952 on a narcotics charge, if you are one and the same person as the Jesse Alexander who was so convicted?

Mr. ALEXANDER. I refuse to answer that. It might incriminate me.

Senator DANIEL. I think you have waived any right. Mr. Counsel, please, please do not do that. Please don't say anything while I am asking a question, or before he asks you for advice or counsel.

I am asking you—a moment ago you voluntarily said in response to a question that you thought the next time you were convicted was in 1952. I am just simply trying to identify the witness before us. You volunteered that. I think I am entitled to this information, and that the committee is, and I order you to answer the question.

Mr. ALEXANDER. May I have a conference with counsel?

(Witness confers with counsel.)

Mr. ALEXANDER. Would you give me the question again?

(Record read by reporter as follows: "I am asking you—a moment ago you voluntarily said in response to a question that you thought the next time you were convicted was in 1952. I am just simply trying to identify the witness before us. You volunteered that. I think I am entitled to this information, and that the committee is, and I order you to answer the question.")

Senator DANIEL. And the question was whether or not you are the one and the same Jesse Alexander who was convicted in 1952 of a narcotics violation?

Mr. ALEXANDER. 1952? Yes; I was.

Senator DANIEL. And what did that violation—was that for selling narcotics?

Mr. ALEXANDER. May I have a conference with counsel?

(Witness confers with counsel.)

Mr. OLIVER. I don't think the witness understands that if he wants to talk to me he has to tell you.

Senator DANIEL. All you have to do, if you want advice or counsel from your lawyer is to just simply turn to him and seek his advice. You don't have to ask me a thing in the world.

(Witness confers with counsel.)

Mr. ALEXANDER. What was that last question?

Senator DANIEL. Whether or not you were convicted, what were you convicted of, was it for the sale of narcotics?

Mr. ALEXANDER. No; it wasn't for the sale.

Senator DANIEL. What was it for?

Mr. ALEXANDER. I thought it was for possession.

Senator DANIEL. And did you serve time in Leavenworth, Kans., on that charge?

Mr. ALEXANDER. Wait.

(Witness confers with counsel.)

Mr. ALEXANDER. Yes; I did.

Senator DANIEL. How many years did you serve?

(Witness confers with counsel.)

Senator DANIEL. Your answer.

Mr. ALEXANDER. Three years.

Senator DANIEL. How long was it after you got out of Leavenworth before you got back into selling narcotics?

(Witness confers with counsel.)

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. Well, are you selling heroin here in Chicago now?

Mr. ALEXANDER. I refuse to answer that, it might incriminate me.

Senator DANIEL. Are you selling marihuana here in Chicago now?

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. Did you tell the officers who served you with the subpena, "why didn't you wait a week, I would have been in Mexico"?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. You honestly think that a truthful answer to that question might tend to incriminate you?

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. I am simply asking if you are in good faith in saying a truthful answer to that might tend to incriminate you.

(Witness confers with counsel.)

Mr. ALEXANDER. Will you give me that question?

(Reporter reads: "I am simply asking if you are in good faith in saying a truthful answer to that might tend to incriminate you.")

Mr. OLIVER. That was with regard to the previous question, Senator. Would you mind reading the previous question?

Senator DANIEL. That was in regard to the previous question which was whether or not you told the officer who subpenaed you "why didn't you wait a week and I would have been in Mexico."

Do you honestly believe that a truthful answer to that question might tend to incriminate you?

Mr. ALEXANDER. Would you give that, that I also said what?

Senator DANIEL. "Why didn't you wait a week and I would have been in Mexico?"

Mr. ALEXANDER. Yes; I told him that.

Senator DANIEL. Did you intend to go to Mexico?

Mr. ALEXANDER. I just said Mexico.

Senator DANIEL. What did you tell the office that for?

Mr. ALEXANDER. I refuse to answer that, it might incriminate me.

Senator DANIEL. Did you intend to go to Mexico?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Did you ever buy heroin in Mexico?

(Conference with counsel.)

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. Do you have a telephone?

(Witness confers with counsel.)

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. I am going to order you to answer the question.

Mr. ALEXANDER. I refuse to answer, because it might incriminate me.

Senator DANIEL. You understand when I order you to answer it the chances that you take, do you understand that?

Mr. ALEXANDER. I refuse to answer because it might incriminate me.

Senator DANIEL. All right. Now, do you know about the cocaine shipment that was made from South America up to New York recently, about a $2 million shipment of cocaine? Were you called from New York about that shipment of cocaine?

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. This was the largest shipment of cocaine in recent history, if not ever, in the history of our country, and we have telephone records which show that A. K. Salem in New York telephoned you with reference to the purchase of cocaine received from this South American shipment.

Do you wish to deny that?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Do you know A. K. Salem?

(Witness confers with counsel.)

Senator DANIEL. Now, let me tell you, my patience is worn as thin as I am going to let it get worn. If you want to counsel with your attorney any more, you bend over and talk to him, and ask him what you want to ask him. Do you understand?

Mr. ALEXANDER. (No answer.)

Senator DANIEL. Do you understand me?

Mr. ALEXANDER. I think so.

Mr. OLIVER. You told him if he looked at me that would be sufficient.

Senator DANIEL. I did not mean that, I said he can ask you for advice. He didn't ask you for advice. He just sits back there and looks at you, and you wheel over to him and give him the advice before he opens his mouth, and I am not going to tolerate it any further.

Do you know A. K. Salem?

Mr. ALEXANDER. I refuse to answer.

Senator DANIEL. If you want to counsel with your lawyer any more, you bend over and ask him what you want to ask him. Do you understand?

Mr. ALEXANDER. (No answer.)

Senator DANIEL. Do you understand me?

Mr. ALEXANDER. I think so.

Senator DANIEL. In my whole experience on congressional committees I have never had a witness like you before me before, so far as absolute contempt is concerned.

Do you know Richard Brown?

(Witness confers with counsel.)

Mr. OLIVER. He is bending over, Senator.

Senator DANIEL. He sure is, for the first time, and he is asking you a question first without you telling him anything, and that is the way I want it done.

Mr. OLIVER. Lots of people aren't familiar with the procedure in these investigations.

Senator DANIEL. He is familiar now.

Mr. OLIVER. I am not either.

Senator DANIEL. He is familiar now, and he is doing what I told him.

Mr. OLIVER. All right.

(Witness confers with counsel.)

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Did you ever call Tremont 7-0790 in New York?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Have you ever used telephone Atlantic 5-1330 in Chicago?

(Witness confers with counsel.)

Senator DANIEL. Go ahead and ask him anything you want to, ask your lawyer.

Mr. ALEXANDER. What was that question?

Senator DANIEL. I asked you, Did you ever use Atlantic 5-1330 in Chicago?

Mr. ALEXANDER. I refuse to answer that, it might incriminate me.

Senator DANIEL. Are you one of the biggest peddlers of heroin in town?

(Witness confers with counsel.)

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. Are you known as "Big Jesse" who supplies most of the South Side with heroin here in Chicago?

(Witness confers with counsel.)

Mr. ALEXANDER. Would you give me that question?

Senator DANIEL. Are you known as "Big Jesse" who supplies most of the heroin that goes to the South Side here in Chicago?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Are you known as "Big Jesse"?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. I order you to answer that question.

(Witness confers with counsel.)

Senator DANIEL. What is your answer?

Mr. ALEXANDER. Give me that question again.

Senator DANIEL. Are you known as "Big Jesse"?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. You know I have ordered you to answer that question; don't you?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. All right, you may stand aside.

Mr. Gasque, you will turn this record over to the Department of Justice to see if the witness has been guilty of such contempt that he could be cited and tried.

Just 1 minute. Come back to the stand just 1 more minute.

Did you bring your income-tax returns for 1951 through 1954?

(Witness confers with counsel.)

Senator DANIEL. Mr. Counsel, don't volunteer anything to the witness, please sit away from him until he asks you for help.

Mr. OLIVER. He is leaning over here.

Senator DANIEL. Let him ask you for something.

Mr. OLIVER. I am doing the best I can.

Senator DANIEL. I know you are doing the best you can. Let him ask for what advice he wants.

Mr. OLIVER. Lots of people in a tight spot don't know what advice they want, they just struggle along.

(Witness confers with counsel.)

Mr. ALEXANDER. What is that question?

Senator DANIEL. I asked you did you bring your copies of your income-tax returns as ordered in the subpena?

Mr. ALEXANDER. Anything that I bring might incriminate me.

Senator DANIEL. I asked you did you bring them to the courthouse?

Mr. ALEXANDER. I said anything what I might bring might incriminate me.

Senator DANIEL. I will order you to answer me the question, "Did you bring the copies of your income-tax returns for 1951 through 1954, to this courthouse?"

Mr. ALEXANDER. Anything that I bring might incriminate me.

Senator DANIEL. I order you to answer the question whether or not you brought them here in response to this subpena. Answer "Yes" or "No," and then you can give any explanation you want.

Mr. ALEXANDER. Anything I bring might incriminate me.

Senator DANIEL. Are you refusing to answer "Yes" or "No" whether you brought them to the courthouse?

Mr. ALEXANDER. Anything I bring might incriminate me.

Senator DANIEL. I order you to answer "Yes" or "No" whether you brought these income-tax returns to this courthouse where we are holding this committee hearing.

(Witness confers with counsel.)

Mr. ALEXANDER. Give it to me again.

Senator DANIEL. I am ordering you to answer "Yes" or "No" whether you brought the income-tax returns of 1951 through 1954 to this courthouse as directed by the subpena.

Mr. ALEXANDER. Anything that I would bring in there might incriminate me.

Senator DANIEL. I am asking you to answer "Yes" or "No" whether you brought them, and then you can add any explanation you want.

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. Are you refusing to answer "Yes" or "No"?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. All right. Did you bring your bank accounts, as directed by this subpena?

(Witness confers with counsel.)

Senator DANIEL. Answer the question: Did you bring your bank accounts?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. I order you to answer "Yes" or "No" whether you brought them.

Mr. ALEXANDER. Anything that I would bring there might incriminate me.

Senator DANIEL. Are you refusing to answer whether or not you brought the bank accounts to this courthouse?

Mr. ALEXANDER. Anything that I bring might incriminate me.

Senator DANIEL. I am asking you, are you refusing to tell me whether or not you brought them to this committee hearing in the courthouse?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. Well, did you bring them?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. Do you refuse to tell me whether or not you brought them? I am not asking you, now, to present them. I am asking you, did you bring them to the courthouse?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. Is that the only answer you are going to give to——

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. Is that the only answer you are going to give to that question?

(Witness confers with counsel.)

Mr. ALEXANDER. Will you give me it?

Senator DANIEL. Is that the only answer you are going to give to that question?

Mr. ALEXANDER. Yes.

Senator DANIEL. That is positively the only answer you will give to that question?

Mr. ALEXANDER. That is right.

Senator DANIEL. Even though I have ordered you to answer it "Yes" or "No," and then add such explanation or claim such rights as you wish, is that right?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. Is that the only answer you are going to give to my question?

Mr. ALEXANDER. Yes.

Senator DANIEL. Did you bring your financial statements as ordered by the subpena?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. Did you bring them with you? I am not asking you for the statements, or to put them in the record, or to show them to me, I am just asking did you bring them to the courthouse? As directed by this subpena?

Mr. ALEXANDER. I am telling you, anything I would bring might incriminate me.

Senator DANIEL. Is that the only answer you are going to give to the question?

Mr. ALEXANDER. Yes.

Senator DANIEL. I order you to answer the question.

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. Do you refuse to answer the question?

(Witness confers with counsel.)

Mr. ALEXANDER. Give it to me.

Senator DANIEL. Do you refuse to answer the question?

Mr. ALEXANDER. Anything I would bring in there might incriminate me.

Senator DANIEL. That is not the question. I have ordered you to answer "Yes" or "No" as to whether you brought your financial statements to this courthouse?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. Is that the only answer you are going to give to that question?

(Witness confers with counsel.)

Mr. ALEXANDER. Will you give it to me?

Senator DANIEL. I will. I am tired of repeating every question, though. It seems to me that if you want to get advice on the questions you can remember what the question is. Is that the only answer you are going to give to that question?

Mr. ALEXANDER. That is the onliest one I know to give.

Senator DANIEL. That is the onliest one you know to give?

Mr. ALEXANDER. Yes.

Senator DANIEL. I am ordering you to give the answer of "Yes" or "No"—you either did or did not bring the financial statements called for to this courthouse, and I want you to know I am not asking for them in the record on this question, I am just wanting to know whether or not you brought them down here.

(Witness confers with counsel.)

Senator DANIEL. What is your answer?

Mr. ALEXANDER. I didn't understand you, you have got to give it to me.

Senator DANIEL. I just want to know whether you brought these financial statements and I have ordered you to answer "Yes" or "No."

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. Well, does that mean you did not bring them with you?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I said, does that mean you did not bring them with you?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I said, does that mean you did not bring the financial statements with you?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. I order you to answer that question "Yes" or "No," and then give any explanation or any rights you might claim.

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I ordered you to answer. I am not talking about what you might bring, I am ordering you to answer "Yes" or "No"; does your answer mean that you did not bring the financial statements with you?

Mr. ALEXANDER. Any statements I would bring might incriminate me.

Senator DANIEL. Do you have any financial statements?

Mr. ALEXANDER. I refuse to answer that on account it might incriminate me.

Senator DANIEL. I order you to answer.

Mr. ALEXANDER. I refuse to answer, because it might incriminate me.

Senator DANIEL. Do you have any bank accounts?

Mr. ALEXANDER. I refuse to answer that, because it might incriminate me.

Senator DANIEL. Did you bring the bank accounts called for in this subpena?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I am just asking you if you brought them, I am not asking you to produce them. If I ask you to produce them you can claim your privilege under the fifth amendment, if it is proper to claim it, we will rule on it then. I am just asking you whether or not you brought to this courthouse——

Mr. ALEXANDER. Anything——

Senator DANIEL. Just a minute, let me finish the question. Did you bring to this courthouse any bank accounts, as called for in this subpena?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I order you to answer that question "Yes" or "No."

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. Is that the only answer you are going to give me to that question?

(Witness confers with counsel.)

Mr. ALEXANDER. Yes; that is the only answer.

Senator DANIEL. Did you file an income-tax return in 1954?

(Witness confers with counsel.)

Mr. ALEXANDER. I refuse to answer that, it might incriminate me.

Senator DANIEL. Did you file an income-tax return in 1953?

Mr. ALEXANDER. I refuse to answer that because it might incriminate me.

Senator DANIEL. Did you file an income-tax return in 1952?

Mr. ALEXANDER. I refuse to answer that one, because it might incriminate me.

Senator DANIEL. Now, I am going to ask you one more time about all the papers we called for in this subpena, and I am not asking that they be produced, or that you let the committee even see them, I just want to know if you brought them down here with you to show to your attorney, or to bring them here for this hearing as required by this subpena?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I am ordering you to answer the question I asked you and answer it "Yes" or "No," with any explanation that you might want to give.

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I order you to answer "Yes," that you did bring all or some of these statements, or "No," that you did not bring all or any of these statements.

(Witness confers with counsel.)

Mr. ALEXANDER. Would you give it to me again?

Senator DANIEL. I am asking you to say yes or no—I am not only asking you, but ordering you to say yes or no——

Mr. ALEXANDER. Anything I would bring——

Senator DANIEL. Wait just a minute (continuing) "Yes" or "No," that you did bring some of these statements, or that you didn't bring any of them.

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I order you to answer the question "yes" or "no."

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. Do you understand all I want to know is, did you bring them, do you have any such papers?

Mr. ALEXANDER. Anything that I would bring might incriminate me.

Senator DANIEL. The time, I think, to claim your rights under the fifth amendment not to show any of these papers is after you let it be known whether you answered this subpena properly and brought them, then you can claim the fifth amendment, if it is proper to do so, otherwise you can claim it when I ask you for some of these papers. I am just wanting to know, do you have any bank accounts, financial statements, account books, or copies of income-tax returns?

Mr. ALEXANDER. I refuse to answer because it might incriminate me.

Senator DANIEL. I order you to answer it.

Mr. ALEXANDER. I refuse to answer because it might incriminate me.

Senator DANIEL. Did you bring any of such papers to this court house for this hearing?

Mr. ALEXANDER. Anything I would bring might incriminate me.

Senator DANIEL. I order you to answer that question.

Mr. ALEXANDER. I refuse to answer because it might incriminate me.

Senator DANIEL. All right, you may stand aside.

Mr. DANIEL. Mr. President, this witness, I might say, claimed the privilege of the fifth amendment. He would not answer any question as to whether or not he had complied with the subpena to bring the records the committee had asked him to bring to the committee room, and in various other ways he was in contempt because of his failure to answer questions when he was ordered by the chairman to give answers to them on subjects on which he had waived his right against self-incrimination.

In the judgment of the subcommittee, Alexander refused to answer the question that he was ordered to answer by the chairman as to whether he responded to the subpena ordering him to bring to the hearing, bank statements, other papers, and copies of his income-tax statement.

The Federal Bureau of Narcotics has reported Alexander to be:

An important trafficker living on Chicago's West Side. He supplies heroin and cocaine to Chicago, St. Louis, and Kansas City. He has connections with smugglers in New York who are able to supply him with these drugs in pound lots.

Mr. President, I ask favorable action by the Senate on this resolution, as recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 278) was agreed to as follows:

Resolved, That the President of the Senate certify the report of the Committee on the Judiciary of the United States Senate as to the refusal of Jesse Alexander to answer questions before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, said refusal to answer being pertinent to the subject matter under inquiry together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the northern district of Illinois, to the end that the said Jesse Alexander may be proceeded against in the manner and form provided by law.

CITATION OF JOSEPH BENDINELLI FOR CONTEMPT OF THE SENATE

Mr. DANIEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2125, Senate Resolution 279.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 279) to cite Joseph Bendinelli for contempt of the United States Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DANIEL. Mr. President, Senate Resolution 279 would cite for contempt Joseph Bendinelli, 400 East 120th Street, New York, N. Y., who appeared before the subcommittee in New York, September 21, 1955. Bendinelli, in his appearance before the subcommittee, refused to testify to anything except his name and address. Of 78 questions asked by the chairman of the subcommittee, Bendinelli pleaded the fifth amendment 76 times.

Mr. President, I ask unanimous consent to have the full transcript of this witness' testimony printed in the RECORD at this point in my remarks.

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

TESTIMONY OF JOSEPH BENDINELLI, MALVERN, LONG ISLAND, N. Y.

Senator DANIEL. Joseph Bendinelli.

Do you solemnly swear that the testimony you are about to give to this subcommittee of the Senate Judiciary Committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BENDINELLI. Yes.

Senator DANIEL. Will you state your full name?

Mr. BENDINELLI. Joseph B-e-n-d-i-n-e-l-l-i.

Senator DANIEL. And your address?

Mr. BENDINELLI. 1441 10th Avenue, Malvern, Long Island.

Senator DANIEL. What is your age, sir; your age?

Mr. BENDINELLI. I plead the fifth amendment.

Senator DANIEL. Sir?

Mr. BENDINELLI. I plead the fifth amendment on everything.

Senator DANIEL. You mean you refuse to testify as to your age on the ground it might tend to incriminate you?

Mr. BENDINELLI. That is right.

Mr. GASQUE. Mr. Bendinelli, in order that this committee may be absolutely certain that it is within its legal rights in asking these questions, and that there is a legal foundation laid, I would like to make this comment: That this committee will respect your rights under the fifth amendment as to any questions that might tend to incriminate you.

Senator DANIEL. That could tend to incriminate you.

Mr. GASQUE. Or that could tend to incriminate you; but that on any question where there is no conceivable means that it might or could tend to incriminate you, then the Senator, the chairman, orders you to answer that question.

If you fail to answer it, you may be held in contempt of the Senate of the United States.

Mr. BENDINELLI. Yes.

Senator DANIEL. You understand that, sir?

Mr. BENDINELLI. Yes.

Mr. GASQUE. With that in mind——

Mr. BENDINELLI. You want to ask me a question?

Mr. GASQUE. We should appreciate it if you would weigh each question carefully in your mind to determine whether it would incriminate you or would tend to incriminate you.

Mr. BENDINELLI. All right.

Senator DANIEL. All right. What is your age?

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. Now, in view of the caution that has been given you by counsel for this committee, and because of the fact that the committee is not of the opinion that that could, under any circumstances, tend to incriminate you, I hereby order you to answer the question.

Mr. BENDINELLI. What I am going to say? I am going to refuse to answer on the ground it might incriminate me.

Senator DANIEL. You still refuse to answer, in spite of the fact that you have been ordered to do so, after the caution that has been given to you that you might be held in contempt of this committee if you claim the right under the fifth amendment on questions which, under no circumstances, could possibly tend to incriminate you, you still refuse to answer?

Mr. BENDINELLI. I refuse to answer any questions that might incriminate me.

Senator DANIEL. Well, you refuse to answer the question as to your age?

Mr. BENDINELLI. I refuse to answer the question, that it might incriminate me.

Senator DANIEL. Because it might incriminate you?

Mr. BENDINELLI. The fifth amendment on these things.

Senator DANIEL. Where were you born?

Mr. BENDINELLI. I refuse to answer that question. It would tend to incriminate me.

Senator DANIEL. The chairman orders you to answer that question.

Mr. BENDINELLI. I refuse to answer any questions that might incriminate me.

Senator DANIEL. You understand that after you once claim the fifth amendment on a question, if the chairman feels that it is not a proper thing for you to claim the fifth amendment and you refuse to answer the question on the ground it might tend to incriminate you under any circumstances, that I will, under those circumstances, order you to answer it, and then, if you still refuse to do so, you will continue to tell us, but I don't want you to misunderstand; I do want you to know that if we are correct in asking you the question——

Mr. BENDINELLI. Senator——

Senator DANIEL. And you do not have the right to refuse to answer such questions, after being ordered to do so, that you could be liable and are probably making yourself liable for contempt of this committee and of the United States Senate.

Do you understand that?

Mr. BENDINELLI. I plead the fifth amendment; I am no lawyer; I don't know nothing about that.

Senator DANIEL. I say, do you understand what I just said?

Mr. BENDINELLI. I don't understand nothing; I just understand I won't answer any questions that might incriminate me.

Senator DANIEL. Well, you understand that you won't answer any questions that might incriminate you, but you understand this committee is going to rule on some of these questions, and this committee has ruled that under no circumstances could it tend to incriminate you to tell the committee your age, or where you were born. Do you understand that?

Now, do you still want to refuse to give us those answers?

Mr. BENDINELLI. I refuse to give any answer.

Senator DANIEL. You refuse to give any answers to this committee?

Mr. BENDINELLI. Senator, I gave you my name and address.

Senator DANIEL. What?

Mr. BENDINELLI. I gave you my name and address. I refuse to answer any other things that might incriminate me. I don't know anything else about it.

Senator DANIEL. I want to ask you this: Do you refuse to answer any other questions, other than your name and address?

Mr. BENDINELLI. Yes, sir.

Senator DANIEL. And on what grounds?

Mr. BENDINELLI. Anything I might say might incriminate me; the fifth amendment.

Senator DANIEL. Well, now, I am going to continue to ask you these questions one by one.

Mr. BENDINELLI. Yes, sir.

Senator DANIEL. And cautioning you again that your refusal to answer some of these questions might cause you to be liable for contempt of this committee; and on each one where I think it would cause you to be liable for contempt if you do not answer, I will, after you have refused, order you to answer. Do you understand?

Mr. BENDINELLI. I refuse to answer anything on the ground it might incriminate me.

Senator DANIEL. Do you understand what I just said?

Mr. BENDINELLI. That is the only thing I understand; I don't understand nothing else.

Senator DANIEL. You what?

Mr. BENDINELLI. I don't understand nothing else; I am not a lawyer. I was called here——

Senator DANIEL. Have you ever attended school?

Mr. BENDINELLI. I refuse to answer that on the ground it might incrimnate me.

Senator DANIEL. Have you—you appear to be well dressed. What type of suit do you have on?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Did you ever go to college?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. What business have you been engaged in?

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. Tell us any business in which you have ever been engaged and which did not involve any violation of the law.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Now, I want to ask you that question again, and order you—I hereby order you to answer it: Tell us any business or businesses that you have ever been engaged in which did not involve any violation of the law.

Mr. BENDINELLI. I refuse to answer that on the ground I might incriminate myself.

Senator DANIEL. What type of automobile do you own?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever known Lucky Luciano?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever been engaged in any activity with Lucky Luciano?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Are you a barber?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer the question whether or not you are a barber.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Do you have any interest in a barbershop here in New York?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Are you engaged in any legal business?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer that question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me; fifth amendment.

Senator DANIEL. You understand if you give a truthful answer to the question as to whether or not you are engaged in any type of legal business it could not possibly tend to incriminate you.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I plead with you to answer some of these questions where you know honestly it could not possibly tend to incriminate you, because I say to you that I think you are incriminating yourself by asking for a contempt citation from the United States Senate.

I think you are asking to be held in contempt, tried, and punished by the courts of this country for refusing to give answers to this committee, and I think that is what you are doing.

I want to warn you again that on any of these questions where you know honestly in your mind truthful answers could not possibly tend to incriminate you, I plead with you to give us the answers to the questions.

I am going to go back over them. What is your age?

Mr. BENDINELLI. I refuse to answer any questions on the ground it might incriminate me.

Senator DANIEL. Where were you born?

Mr. BENDINELLI. I refuse to answer any questions on the ground it might incriminate me.

Senator DANIEL. You refuse to answer any question on the ground it might tend to incriminate you?

Mr. BENDINELLI. Yes, sir.

Senator DANIEL. Do you mean to say that you are going to give that answer to every question I ask you, regardless of whether you believe it will incriminate you or not?

Mr. BENDINELLI. Yes, sir; I plead by the fifth amendment.

Senator DANIEL. Your answer to that is, "Yes"; you plead by the fifth amendment?

Mr. BENDINELLI. Yes, sir.

Senator DANIEL. That regardless of what the question is I might ask you or how relevant it might be, and how far it might be away from incriminating you or tending to incriminate you, you are still not going to answer it?

Mr. BENDINELLI. You say it and I will answer it then.

Senator DANIEL. Well, I say, I just asked you; you are not going to answer it?

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. You mean you refuse to even tell me whether or not you are going to claim the fifth amendment on all questions, regardless?

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. Do you own the house in which you live?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Do you wear glasses?

Mr. BENDINELLI. I refuse to answer that.

Senator DANIEL. On what ground?

Mr. BENDINELLI. On the ground it might incriminate me.

Senator DANIEL. Mr. Bendinelli, do you honestly believe that a truthful answer to that question could under any stretch of the imagination tend to incriminate you?

Mr. BENDINELLI. I refuse to answer that on account of it might incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. You still refuse to answer even after being ordered to do so?

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. Do you know anyone in New York or New Jersey who is connected with the narcotics traffic?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever used any type of narcotic drugs personally?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Do you know Michael Coppolla?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Do you have a telephone in your home?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I will be frank with you—I hate to see any person so clearly in contempt of the United States Senate as you have been in here today. I hate to see it from the standpoint of the public, but also from the standpoint of your own good.

Are you a family man?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer that.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Are you married?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Where do you live?

Mr. BENDINELLI. I gave my address before.

Senator DANIEL. How long have you lived there?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Are you engaged in any type of business in New York City?

Mr. BENDINELLI. I refuse to answer that, sir, on the ground it might incriminate me.

Senator DANIEL. Have you ever been engaged in the barber business?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Do you have any children?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever made a trip to Italy?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Do you have any relatives in Italy?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. With all the warnings I have given you, and the appeal I made to you, do you still refuse to answer all other questions that I might ask, regardless of whether or not you think they would tend to incriminate you?

Mr. BENDINELLI. You ask them and I answer them.

Senator DANIEL. Well, I just asked them.

Read the question to him, Mr. Reporter.

(Question read.)

Mr. BENDINELLI. I refuse to answer on the ground it might incriminate me.

Senator DANIEL. I want to say this to you: that I think it is relevant to this hearing, the questions I am going to ask you now, and I want to assure you that in the opinion of this committee no answer to these questions could possibly incriminate you; that is our opinion.

But we do think it is relevant to the hearing that we are conducting, and that is, have you conferred with anyone other than your lawyer about your appearance before this committee?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer that question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you talked with Joseph Vento about your appearance before this committee?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you talked with Salvatore Santoro about your appearance before this committee?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Did you come to the committee room with Salvatore Santoro?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to aswer that.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Did you come to the committee room with Joseph Vento?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever been to Washington?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever been to any city outside of New Jersey or New York for a purpose that had nothing to do with any illegal operation?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever taken a vacation——

Mr. BENDINELLI. I refuse to answer that on the ground that it might incriminate me.

Senator DANIEL. Would you let me finish the question. Have you ever taken a vacation anywhere from New York or New Jersey?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever attended any type of meeting outside of New Jersey or New York?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer that question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever attended any type of meeting in Miami, Fla?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer that question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you attended any type of meeting in Miami, Fla., that had no connection whatever with any criminal activity or violation of the law?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. Have you ever been here in this courtroom before this afternoon?

Mr. BENDINELLI. I refuse to answer that on the ground it might incriminate me.

Senator DANIEL. I order you to answer the question.

Mr. BENDINELLI. I refuse to answer it; it might incriminate me.

Mr. GASQUE. Mr. Chairman——

Senator DANIEL. Just a moment.

As I say, I regret it from your standpoint in the way in which you have acted, the contempt of this committee, and I regret it from the standpoint of the United States Government, which sends out a Senate committee, that a citizen of this country would not cooperate any more than you would have in giving answers to questions of this committee, and I am now referring not to the questions which could possibly tend to incriminate you, but to questions which are relevant to this committee's business, which could not in any way incriminate you, and which you know honestly in your heart and in your mind could not incriminate you one bit in the world.

It is a regrettable occasion, and the first time it has happened in my work on an investigating committee.

You are excused.

Mr. DANIEL. Mr. President, this witness, Bendinelli, in the judgment of the subcommittee, should be cited for contempt for refusing to answer questions that he was ordered to answer by the chairman, the answers to which could not have possibly incriminated him. He invoked the constitutional privilege as to his age, whether he ever attended school, the type of automobile he owns, whether he is a barber, where he was born, and whether he wears glasses. I might say that he does wear glasses and that he was wearing them at the time of the hearing. Throughout the hearing, Bendinelli arrogantly rejected the plea of the subcommittee that he testify and avoid prosecution for contempt of the Senate. The chairman pleaded with him to answer the questions and not subject himself to contempt. I doubt whether any witness was ever warned more than Bendinelli not to subject himself to contempt of the United States Senate, particularly with respect to answers which could not possibly incriminate him.

The Federal Bureau of Narcotics describes Bendinelli as:

An important member of the New York 107th Street mob, whose close associates include top narcotic smugglers and interstate traffickers dealing in heroin in kilogram quantities.

I ask that the Senate act favorably on the resolution, as recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 279) was agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Committee on the Judiciary of the United States Senate as to the refusal of Joseph Bendinelli to answer questions before the Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary, and refusal to answer being pertinent to the subject matter under inquiry together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the southern district of New York, to the end that the said Joseph Bendinelli may be proceeded against in the manner and form provided by law.

DEATH PENALTY PROVISION OF NARCOTICS CONTROL BILL

Mr. DANIEL. Mr. President, I ask that there be included in the RECORD at this point a letter from Marie Fitzgerald-Manion, to which are attached the signatures of 69 members of Our Lady of Peace Catholic Church of Stratford, Conn., in which the petitioners recommend the death penalty provided in the bill to control the narcotics traffic which the Senate approved recently.

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

STRATFORD, CONN., *June 5, 1956.*

Senator PRICE DANIEL,
Committee on the Judiciary,
Washington, D. C.

DEAR SENATOR DANIEL: Enclosed are two papers with signatures of the women and our priest, Rev. John F. Cavanaugh, of Our Lady of Peace Catholic Church, all members of the Lady of Peace Church here in Lordship Stratford, Conn.

I am sorry, I should have had the ladies sign in ink instead of pencil, but I just passed it along to the ladies with a pencil for them to sign; and being a notary public here in Lordship, Conn., I witnessed each and every signature. They did not put their home addresses down, but all live here in Lordship, Conn.

They are all in favor of the death penalty to dope peddlers of narcotics. In fact, at our meeting we stayed much later than ever before discussing this urgent need of passing the bill for the death penalty.

Father Cavanaugh said we could really get all members of the church to sign, but that would be next week, and as I informed him this had to be sent to you immediately.

All praise to you, dear Senator DANIEL, for the great work you are doing to save our youth from being narcotic addicts.

Any answer from you I will read at our next church meeting, or our priest will read it from the altar, so all may know just what is being done to end this dope addiction.

Thanking you in advance,

MRS. MARIE FITZGERALD MANION.

STRATFORD, CONN., *June 4, 1956.*

The undersigned are in favor of death penalty to dope peddlers amongst our teen-agers:

Rev. John F. Cavanaugh, Mrs. Louis Legoure, Mrs. Thomas Bunting, Mrs. Thomas Cooney, Mrs. Claudette Palazzo, Mrs. Sisto Bardinelli, Mrs. Gertrude Clouctri, Rebrina Lockshire, Helen Conlish, Pearl Bercier, Marge Allen, Betty Tuck Achina, Wilda M. Carter, Mrs. Mary Mohr, Mrs. Lorraine Norton, Mrs. Yvonne Sorrentino, Mrs. Ann Jansson, Mrs. Joan Kyne, Mrs. Irene Schwartz, Mrs. Thomas F. Lynch, Mrs. Elinor Clancy, Mrs. L. J. Ackley, Mrs. Mary F. Stott, Mrs. Hazel C. Farmer, Mrs. Alexander Markis, Mrs. John Martino, Mrs. William Pancak, Mrs. James Canelli, Mrs. Carl de Lorenzo, Mrs. Alexander Budzinske, Mrs. Wilbert O. Jacob, Jr., Mrs. Robert Stone, Mrs. F. Hainsworth, Mrs. G. Luisi.

Mrs. Mae Priestley, Mrs. Mildred Finnegan, Mrs. J. A. Reynolds, Mrs. Oliver Martin, Mrs. Stephen Lewis, Mrs. Walter Dowse, Mrs. Joseph R. Ulichney, Mrs. Vincent V. Foley, Mrs. Vincent H. Massey, Mrs. Louis Prokop, Mrs. H. Florence Gill, Mrs. Mario Staffaroni, Mrs. Thomas Keating, Mrs. Elizabeth Mercier, Mrs. Wm. Siegler, Mrs. Pauline Hunyadi, Mrs. S. Salvaggio, Mrs. Ray Shepherd, Mrs. Milton Holcomb, Mrs. Edmund Hatch, Mrs. Vincent J. Garthwaite, Mrs. Chris Meehan, Mrs. Eileen Swaller, Mrs. Carl Valentine, Mrs. Frank Bray, Mrs. Charles J. Novey, Mrs. Fred Shannon, Mrs. Vincent Rackiewicz, Mrs. Mary C. Hawkes, Mrs. John Accard, Mrs. A. Mitchell, Mrs. A. Holt, Mrs. Margaret Mertin, Mrs. Marjorie Hessels, Marie F. Manion.

Mr. DANIEL. Mr. President, I ask unanimous consent that there be included in the RECORD at this point a letter from Donald J. Twiss, president of Optimist International, praising the Senate bill with reference to narcotics which was recently passed, and especially the portion of the bill which has to do with the death penalty prescribed for those who sell heroin to persons under 18 years of age.

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

ST. LOUIS, MO., *June 6, 1956.*

Senator PRICE DANIEL,
United States Senate,
Washington, D. C.

DEAR SENATOR DANIEL: With a deep sense of gratitude Optimist International extends congratulations to you and your subcommittee for your leadership in the fight to stop the illegal narcotics traffic. Your subcommittee's thorough investigation of the drug menace and their labors on behalf of Senate bill 3760 have wrought a major victory in the campaign to end nefarious drug operations. In keeping with their dedication to the well-being of youth, the 53,000 members of Optimist Clubs, known as "Friend of the Boy," greatly appreciate your efforts to establish the death penalty as the only effective deterrent for peddlers of dope to minors. Nothing less than the threat of capital punishment will influence the immoral and depraved agents who lure young people into the narcotics trap of living death.

At the 36th Annual Convention of Optimist International in June 1954, our organization adopted a resolution asking member clubs to urge legislation for more severe penalties against the illegal sale of narcotics. Since that time Optimist Clubs have campaigned vigorously by warning legislators and citizens of increasing drug addiction. Optimists recognized the crime of selling narcotics to minors as equal in magnitude to the crimes of murder and kidnaping. In June 1955, Optimist International passed a formal resolution endorsing the death penalty for the conviction of an illegal narcotics sale to minors.

Like all alert citizens Optimists welcome the enactment of Senate bill 3760. This bill includes many features, in addition to the death penalty, which will reduce narcotics crimes. The threat of a rising drug addiction rate and, consequently, rising crime rate will be diminished only by the passage of strong legislation. Optimist International salutes your courage in obtaining severe penalties for the dope peddler.

My very best regards.

Yours sincerely,

DONALD J. TWISS, M. D.,
President, Optimist International.

Mr. DANIEL. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD editorials from the Washington Star, the Buffalo Courier-Express, the Lewistown (Pa.) Sentinel, the Birmingham (Ala.) Post-Herald, and the New York Mirror, supporting the bill dealing with narcotics, especially the portion concerning the death penalty in certain extreme cases.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Star of June 8, 1956]

PENALTIES FOR PEDDLERS

Congress is showing commendable determination to strengthen the narcotics laws so as to give convicted dope peddlers penalties commensurate with the viciousness of their crimes. Legislation to stiffen sentences and otherwise aid law enforcement officers in stamping out this slimy racket is overdue.

The Senate has passed a stern bill, including a provision for the death sentence when juries so recommend in flagrant heroin cases. Chairman DANIEL, of a Senate Judiciary Subcommittee, which recently completed an investigation of narcotics racketeering told the Senate that heroin accounts for about 80 percent of the drug addiction in America today. That means that heroin is responsible for most of the misery, degradation and crime resulting from the sale and use of dope in this country.

The House has before it a bill which also stiffens penalties for peddling, but would not provide for the death penalty. It would, however, lift to 40 years the maximum sentence for drug peddling and it would rule out suspended sentences or paroles for peddlers. These provisions would materially improve the effectiveness of enforcement agencies—although it stands to reason that a 40-year sentence is not as much of a deterrent as the threat of possible execution. However, the House bill has a number of good features, including a substantial increase in the number of Federal narcotics agents, authority for them to carry guns and make arrests in certain instances without warrants and the right to introduce in court evidence obtained by wiretapping.

A combination of the two measures that would preserve the strong provisions of both should be possible. Such legislation would strike a devastating blow at an illicit traffic that is breeding crime, moral corruption and physical suffering in most of our big cities.

[From the Buffalo Courier-Express of June 4, 1956]

MAKING PUNISHMENT FIT CRIME OF HEROIN PEDDLING

Traffic in narcotics is an old crime, but the alarming spread of the drug craze, particularly among youth, has posed a special challenge to Federal law enforcement. The Senate has passed a bill to crack down on the nationwide narcotics racket by outlawing all use of heroin and providing the death sentence for those who sell it to minors. Approval of a similar measure by the House is expected shortly.

Senator PRICE DANIEL, Democrat, of Texas, who sponsored the Senate bill and headed a narcotics investigation conducted by a Judiciary Subcommittee, called the measure "the strongest blow against the cancerous narcotics traffic that has ever been passed." It

not only will compel removal of heroin from the market, but will make smuggling and selling heroin subject to severe penalties, ranging from 5 years to life imprisonment. Juries would be permitted to recommend the death sentence for sale of heroin to persons under 18. The minimum penalty for sales to juveniles would be 10 years in prison.

Because heroin has no medical use that cannot be served better by some other drug, all heroin now legally held by doctors and others would be sold to the Government. This is well in order, for there probably is no drug more sinisterly habit-forming and more harmful in its effects. Unsuspected addiction has precipitated stark—sometimes irremediable—tragedy in many homes, bringing youthful victims to a state of physical and mental agony like protracted, living death. Anyone who reduces a fellow human being to such misery for profit surely cannot expect justice to be tempered with mercy in the law's dealing with him.

[From the Lewistown (Pa.) Sentinel of May 31, 1956]

DEATH AND NARCOTICS

The Senate Judiciary Committee has unanimously approved a bill which provides for the death penalty—in some cases—for violating the narcotics laws.

The bill, authored by Senator PRICE DANIEL, Texas Democrat, provides for a possible death sentence for the third offense in the smuggling of heroin, and allows juries to recommend the death sentence for the sale of heroin to youths under 18 years of age.

In addition, the bill stiffens penalties for other violations, and sets the minimum penalty for dope sales to minors at 10 years. The bill would require that all doctors maintaining a supply of heroin sell their drug to the United States and that it hereafter be banned from the country.

Heroin cannot accomplish anything which certain other drugs, which are not as adaptable to abuse, can do usually well.

The Daniel bill is long overdue. The American people are in favor of stiffer penalties for convicted dope peddlers, and especially those who sell dope to youngsters, or who repeat their offenses. In many cases, the death sentence would be desirable from the standpoint of protecting society in general.

Not only do we hope for speedy passage of the bill, but we hope to see its use by the judges, in a stern fashion, in the near future.

[From the Birmingham (Ala.) Post-Herald of June 2, 1956]

A MUCH-NEEDED LAW

Dope pushers deserve the most drastic penalties. Selling their narcotics, getting rich off the addicts they create, they and their trade are at the root of much of the crime of this country.

They are murderers by indirection, degraders of men and women and school children.

This week the Senate passed a bill that strikes the most severe blow any legislative body has ever directed at the dope traffic. Its penalties are severe; its terms permit the death sentence under certain conditions.

Moreover, the measure strengthens the arm of our Federal Narcotics Bureau, giving it more agents, greater strength to combat the dope pushers, added powers to help detect this horrible trade.

We hope the House passes a similar bill, and that this Congress with White House concurrence puts on the books a new narcotics law that will help all Federal law enforcement agencies do a better job of suppressing the narcotics traffic. Such a law will encourage the States adequately to arm themselves against this growing evil.

[From the New York Mirror of June 2, 1956]

FOR THOSE WHO SELL DEATH

Why not death for the sellers of death? The Senate poses that question in passing and sending to the House a bill setting up new and stiffer penalties for the creatures engaged in the sale of narcotics.

Sponsored by Senator PRICE DANIEL, Democrat, of Texas, the measure permits the death penalty in certain extreme cases. It could be imposed, if recommended by juries, upon sellers of heroin to juveniles, or upon the third conviction of dope peddlers or smugglers.

The bill aims to completely outlaw heroin, the narcotic used by 80 percent of all addicts in the United States. Possession under any circumstances would be made illegal except under special regulations governing scientific research.

The merchant of narcotics profits by the destruction of human souls as well as bodies. Society should have the means also to destroy him. The House, which has its own narcotics control bill, should concur in the capital feature of the Senate bill. Those who sell death should know that they risk death.

Mr. DANIEL. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a number of other editorials from States throughout the Nation concerning the narcotics bill recently passed by the Senate and concerning tightening our laws on the subject.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 4, 1956]

THE TRAFFIC IN HEROIN

No one can read without indignation and horror the report on the nationwide investigation of the illicit narcotic traffic which was authorized last year by the Senate. The findings justify two bills which are now before Congress. One has been passed by the Senate; the other has been reported by the House Ways and Means Committee. Both would stiffen the penalties now imposed for trafficking in narcotics, the Senate bill going so far as to impose life imprisonment and the death penalty in some circumstances.

The statistics used to justify these Draconian bills are appalling. We have more drug addicts than all other Western countries combined. There are at least 60,000 in the United States, and 13 percent are under 21 years of age. Fifty percent or more of all crimes committed in our larger cities and 25 percent of those committed in the Nation are attributed to the illicit drug business. An average of 2,000 persons are arrested every month on narcotic charges. The worst feature of the traffic is its contagious character. Addicts themselves have testified that each has corrupted at least four friends. Despite the penalties imposed, the traffic is increasing, and with it crime in general.

If the Federal Criminal Code is stiffened in the manner proposed by both branches of Congress there is some reason to believe that heavy drug profits—as much as 1,000 percent—will not be as tempting as they are. Long prison terms will remove some traffickers from the underworld organization. Experience has shown that condign punishment has some deterrent effect on drug traffickers. The Canadian Senate's narcotic investigating committee is as convinced of this as are the Members of the Senate's Judiciary Committee.

The bills now before Congress are likely to be passed in some form, with the probable elimination of the death penalty for third offenders. The Attorney General's office is in favor of a more stringent narcotics law but believes that convictions will be more difficult to obtain because of intensified resistance to prosecution that violators will turn to forms of narcotics other than heroin and marihuana, that the courts should be given more discretion than they would be allowed in imposing sentences under the Senate bill, and, finally, that some of the penalties if adopted may violate constitutional rights.

But these are risks we have to take. The traffic in narcotics touches the very bottom of criminal depravity. It is so iniquitous, morally so corrupting, that dealers and addicts cannot be allowed to take advantage of the legal technicalities still open to them.

[From the Albany Times-Union of June 3, 1956]

SELLING DEATH

Why not death for the sellers of death? The Senate poses that question in passing and sending to the House a bill setting up new and stiffer penalties for the creatures engaged in the sale of narcotics.

Sponsored by Senator PRICE DANIEL (Democrat, Texas) the measure permits the death penalty in certain extreme cases. It could be imposed, if recommended by juries, upon sellers of heroin to juveniles, or upon the third conviction of dope peddlers or smugglers.

The bill aims to completely outlaw heroin, the narcotic used by 80 percent of all addicts in the United States. Possession under any circumstances would be made illegal except under special regulations governing scientific research.

The merchant of narcotics profits by the destruction of human souls as well as bodies. Society should have the means also to destroy him. The House, which has its own narcotics-control bill, should concur in the capital feature of the Senate bill. Those who sell death should know that they risk death.

[From the Beaumont (Tex.) Enterprise of June 2, 1956]

BILLS TO PUNISH DRUG PEDDLERS

Senator PRICE DANIEL of Texas has a number of substantial achievements to his credit as a public official, but if he had never done anything else but lead the fight in Congress to put narcotics peddlers and smugglers behind prison bars for long terms or even execute them, he would deserve at least a footnote to history. Representative HALE BOGGS of Louisiana, author of a House bill similar to that of the Senate, also deserves much credit.

These two Members of Congress are determined to drive the drug peddler and the drug smuggler out of business, if that is possible. They may not succeed in accomplishing this purpose entirely, but since Senator DANIEL himself declares that the Senate bill is "the strongest blow against the cancerous narcotics traffic that has ever been passed," the drug traffic will not be as profitable or as safe in the future as it has been in the past, provided Congress enacts the Senate-House bills.

It is no reflection upon Harry J. Anslinger, United States Commissioner of Narcotics, or his department that drug peddlers are far too numerous in this country. Pursuit and prosecution of drug smugglers and peddlers has been conducted relentlessly by Federal agents, but they were handicapped in large measure because existing laws for dealing with these human vultures are too lenient.

Mr. Anslinger, therefore, approves the legislation pending in Congress which will make the illicit drug traffic hazardous with a "last mile walk" for those who persist in following it.

As for the complaint of Senator MORSE, of Oregon, who objects to the death penalty in the proposed legislation on the ground that a human life should be taken "only before the bar of God's judgment," a suitable reply

might be: The drug peddler who destroys the souls and bodies of youth, and in the process takes many lives, defies the laws of both God and man.

[From the Olympia (Wash.) Olympian of May 29, 1956]

CRACKING DOWN ON DOPE

At long last a bill with teeth in it has been put forward in the Senate to curb the frightening narcotic addiction that has spread across the country, particularly among young people.

Designed by a special subcommittee, the legislation was introduced by its chairman, Senator PRICE DANIEL, a Texas Democrat. The bill's sharpest edge which calls for the death penalty, at the discretion of a jury, for those who sell heroin to persons under age 18.

DANIEL has indicated there will be similar legislation from the House of Representatives, and he expects action on the bill to be taken during the current session.

That will hardly be soon enough. Every day that addicts and dope pushers roam the streets the well-being of our communities is in danger. For it has been proved time and again that all forms of crime are tied in with narcotics. And often it's the kiss of death.

The Daniel proposal follows nearly a year of nationwide hearings which made it brutally clear that there was no time to waste in cracking down.

The bill would completely outlaw heroin in the United States on the grounds that it is the "worst and most prevalent drug sold on the illicit market, and it has no medical use which cannot be served by other drugs."

Other important provisions include:

Permission to wiretap telephone calls between narcotic traffickers when authorized by a Federal court.

Penalties for the smuggling and sale of heroin ranging from 5 to 10 years for the first offenders up to life imprisonment or the death penalty for third offenders.

This is one piece of legislation to which Congress might well give immediate attention. The penalties may be stiff. But they're nowhere near as stiff as the life-wrecking jolt of a narcotic needle.

[From the Jackson (Mich.) Citizen-Patriot of May 23, 1956]

CRACKING DOWN ON DRUGS

The Judiciary Committee of the Senate has put its stamp of approval on the toughest piece of antinarcotics legsislation ever to be considered by the Congress. Over on the House side of the Capitol the Ways and Means Committee has agreed unanimously to recommend stiffer penalties for those convicted in dope traffic cases.

The interest by the committees in the subject gives a measure of hope that more effective laws to curtail this fiendish trade may find their way into the books.

Particularly significant is the fact that the committees are basing their recommendations on an extensive study of the cause and effects of the illicit drug trade. A Senate subcommittee has been particularly active along this line. The members have seen with their own eyes what happens to individuals who become victims of narcotics. They feel the proper revulsion toward those who deal in the "living death."

There also is evidence that the views of Federal Narcotics Commissioner Harry J. Anslinger, a highly qualified and dedicated public servant, are being given more weight than ever before.

Mr. Anslinger probably knows the subject better than any living American, but his pleas for realistic laws, vigorous prosecution, and stiff penalties often have fallen on deaf ears. Now, at last, he is getting attention.

The control measures approved by the Senate committee are extreme, to say the least. They include the death penalty for persons convicted of selling heroin to juveniles, and for three-time offenders in heroin smuggling and peddling.

Anyone who has studied the effects of the drug traffic is likely to agree with the Senate committee. The death penalty for murder long has been more or less accepted as proper. The drug "pusher" is worse than a murderer. He affects more lives—destroys them although the victim may continue to breathe.

If capital punishment, life sentences, and other extreme measures are necessary to kill the illicit drug trade, then they should be used.

[From the Bridgeport (Conn.) Post of May 24, 1956]

CRACKING DOWN ON DOPE

Connecticut law, quoted under the cartoon on this page today, is stiff. Twenty years for anyone convicted of peddling drugs to a minor on the first offense; life imprisonment for subsequent offenses. These depraved parasites, peddlers of narcotics, are operating in this State. They deserve no sympathy and the courts, we are confident, will give them the full treatment when brought before them.

Congress is now considering legislation to increase penalties for narcotic violations. The legislators are being asked to adopt measures even tougher than those against subversion, treason, and espionage. A bill unanimously favored by the Senate Judiciary Committee on May 14 provides death sentences for some offenders and would outlaw all uses of heroin, the deadly narcotic which seems to be in commonest use by unfortunate addicts.

The proposed law would permit judges to impose the death penalty on persons convicted of selling the stuff to minors, and upon three-time offenders in heroin smuggling and peddling. We would approve of that penalty to first-time smugglers, since they are behind the terrible traffic, in a big way.

Doctors no longer need heroin in medical practice. Under the new measure all physicians who have any would be required to sell it to the Government.

Equally strong legislation is appearing in the House. The following recommendations were unanimously approved by a Ways and Means Subcommittee on May 8:

Increase minimum and mandatory sentences and maximum permissible sentences for traffickers; make penalties more severe for sales to minors; increase maximum permissible sentences in all cases; remove suspension of sentence and probation for traffickers; grant immunity from prosecution to witnesses; permit use of wiretapping information in drug and marihuana cases; increase United States control of barbiturates and amphetamines.

In 1951 the Senate Crime Investigating Committee headed by Senator KEFAUVER urged penalties for 20 years to life, without probation for adults who peddle narcotics to youths under 17. No action was taken. We would like to see this provision incorporated into any new Federal law, increasing the age from 17 to 21.

Stiffer terms must be given to the traffickers They cannot peddle drugs in prison, and they should be kept behind bars until every day of the sentence is completed. No jury should hesitate to recommend the limit when a narcotic peddler is on trial.

The first thing to do is to catch these criminals, all of them, of every degree, then give them the limit, and we may be on the way to drying up the source of this evil. The situation should be made so tough that no man, not even the lowest, will dare enter the illicit business.

[From the San Diego (Calif.) Tribune of May 22, 1956]

STIFFER PENALTIES STUDIED AS NARCOTICS TRAFFIC CURB

Seizure of a record load of marijuana at the border here recently draws attention to measures that are being studied to curb the Nation's menacing dope traffic.

Stiffer penalties, including the death sentence, are being urged in Congress.

The Senate Judiciary Committee on May 14 unanimously approved a bill providing for the death sentence for some narcotics offenders.

It would outlaw all use of heroin, most widely used and potent drug in the vicious traffic. Doctors would be required to sell all their legally held supplies to the Government.

Authorities have long pointed out that there is no need for this enslaving drug in view of the discovery of many other and safer pain relievers.

The death penalty provision is aimed at the most sinister aspect of the problem—the sale of heroin to juveniles.

In the Senate bill, juries would be permitted to impose the death penalty on persons convicted of selling to juveniles and on three-time offenders in heroin smuggling and peddling.

The House is considering equally stringent measures.

A Ways and Means Committee on May 8 unanimously agreed to recommend increasing both minimum mandatory sentences and maximum permissible sentences for traffickers in narcotics and marijuana.

In addition to harsher penalties, the committees reflect a mounting concern over the law enforcement officials in their constant war on illegal dope.

It favored granting immunity from prosecution to witnesses; permitting the use of wiretapping information in narcotics and marijuana cases, and increasing Federal control of barbiturates and amphetamines.

These actions by Senate and House committees reflect a mounting concern over the narcotics problem.

In 1951, the Senate Crime Investigating Committee urged immunity grants to key witnesses in Federal cases. It also recommended penalties of 20 years to life, without probation, for adults peddling narcotics to youths under 17.

But Congress at that time showed no readiness to go along even with those comparatively moderate measures. It did, however, pass the Boggs Act, tightening penalties for violations of the Harrison Narcotic Act of 1914.

The measure made prison sentences of from 2 to 5 years mandatory for second offenders and sentence of 10 to 20 years on third or subsequent convictions.

There are differences of opinion about the effectiveness of stiffer penalties as a deterrent.

Some opposition is based on the theory that the stiffer the penalties, the less likely juries are to convict, although the Federal Bureau of Narcotics reports that experience under the Boggs Act has not supported that theory.

Harry J. Anslinger, Federal Narcotics Commissioner, is a strong advocate of the hit-'em-harder school. He believes that the best way to curb the drug trade is to put the convicted trafficker out of business for longer periods of time.

The enormous profits to be made in this filthy business will always seem to make the risks worth the try if peddlers are convinced they will get off with paying an insignificant fine or spending a few months in prison.

This unsavory fact lends most weight to the current efforts to crack down harder—to persuade even the criminal that the dope trade doesn't pay.

[From the Tiffin (Ohio) Advertiser-Tribune of May 16, 1956]

IT'S ABOUT TIME

At long last a no-holds-barred bill has been put forward in the Senate to curb the frightening narcotic addiction that has spread across the country, particularly among young people.

Sponsored by a special subcommittee, the legislation was introduced by its chairman, Senator PRICE DANIEL, Democrat, of Texas. The bill's sharpest edge is a provision which calls for the death penalty, at the discretion of a jury, for those who sell heroin to persons under age 18.

DANIEL has indicated there will be similar legislation from the House of Representatives, and he expects action on the bill to be taken during this session.

That will hardly be soon enough. Every day that addicts and dope peddlers roam the streets the well-being of our communities is in danger. For all forms of crime have been proven to be tied in with narcotics. And often it's the kiss of death.

The Daniel proposal follows nearly a year of nationwide hearings which made it brutally clear that there was no time to waste in cracking down.

The bill would completely outlaw heroin in the United States on the grounds that it is the "worst and most prevalent drug sold on the illicit market, and it has no medical use which cannot be served by other drugs."

Other important provisions include:

Permission to wiretap telephone calls between narcotic traffickers when authorized by a Federal court.

Penalties for the smuggling and sale of heroin ranging from 5 to 10 years for first offenders up to life imprisonment or the death penalty for third offenders.

This is one piece of legislation to which Congress might well give immediate attention. The penalties may be stiff. But they're nowhere near as stiff as the life-wrecking jolt of a narcotic needle.

[From the Savannah News of May 24, 1956]

CONGRESS CRACKS DOWN ON DRUGS

Subversion, espionage, and treason are very definite threats to this country. They are something which should be steadily guarded against every day and every hour.

But there are many things which should be even more closely guarded against than these things. There are things which undermine the national conscience, the national character, and the national welfare even more seriously than the above-mentioned evils. What we refer to specifically is dope. Whatever evils we may lay at the doors of communism, they still fall under the heading of ideology. One cannot, in justice, completely condemn another human being for adhering to a different political philosophy. Such reasoning is an integral part of our own democratic formula.

But there are crimes which supersede this category. One is the subversion of humanity by artificial means. Such lays the groundwork for all the evils to which man is heir. And of all the means by which humankind is traduced, there is none more evil than dope. There is no sin to which man is prone that is not the more easily promoted by the use of narcotics. There is no more sure incentive to crime than addiction to drugs.

For this reason Congress currently is being urged to adopt antinarcotic measures even more stringent than the laws against subversion, espionage and treason.

For example, a bill, unanimously approved by the Senate Judiciary Committee would provide death sentences for some narcotics offenders and outlaw all use of heroin. It would permit juries to impose the death penalty on persons convicted of selling heroin to juveniles, and on three-time offenders in heroin smuggling and peddling. It would require sale of all heroin legally held by doctors to the Government.

Legislation equally drastic is likewise forthcoming in the House. A Ways and Means subcommittee has unanimously agreed to recommend: (1) Increasing both minimum mandatory sentences and maximum permissible sentences for traffickers in narcotics and marihuana; (2) more severe penalties for adult traffickers selling to minors; (3) an increase in maximum permissible sentences in all cases; (4) removal of suspension of sentence and probation for traffickers; (5) granting of immunity from prosecution to witnesses; (6) permitting the use of wiretapping information in narcotics and marihuana cases; and (7) implementing of Federal control of barbiturates and amphetamines.

Various bills to implement this agreement have been literally pouring into the hopper. Some apply directly to the older type of narcotics, some are directly aimed at the newer barbiturates and amphetamines. But, by obvious inference, all the bills mean the same thing.

For contrast, only the Atomic Energy Act of 1946 applies anything as severe as the death penalty to peacetime espionage. It will be recalled that the Rosenbergs were executed in 1953 for wartime activities which violated the Espionage Act of 1917.

There is no glossing over the fact that narcotics have been one of the greatest incentives to United States crime. It is easily demonstrable from police files of major American cities that drug addicts are responsible for a great majority of the crimes committed. It follows naturally, therefore, that if we can cut off the sources of drug supply that we can control crime.

And certainly, with crime occupying the prominent place it does in our American scheme of things, the time when we should exercise sterner controls is long past. And the best of these, to our reasoning, is to control the drug traffic. For, as we see the matter, there is no criminal more reprehensible than the trafficker in drugs.

[From the Hannibal (Mo.) Courier Post of May 21, 1956]

BATTLING NARCOTICS

Congress appears to be set to enact a law which would give the Federal Government a stricter and more effective weapon to beat down the peddling of narcotics. A measure has been pushed along in the Senate to curb the frightening addiction of drugs which has continued to grow in this country. Especially alarming has been the trend of young people to their use.

A subcommittee of the Senate has sponsored a bill that bears the name of Senator PRICE DANIEL, of Texas, chairman of the group.

The sharpest teeth of the bill are contained in a provision which calls for the death penalty, at the discretion of a jury, for those who sell heroin to persons under age 18.

DANIEL has indicated there will be similar legislation from the House of Representatives, and he expects action on the bill to be taken during this session.

The Daniel proposal follows nearly a year of nationwide hearings which made it brutally clear that there was no time to waste in cracking down.

The bill would completely outlaw heroin in the United States on the grounds that it is the worst and most prevalent drug sold on the illicit market, and it has no medical use which cannot be served by other drugs.

Other important provisions include:

Permission to wiretap telephone calls between narcotic traffickers when authorized by a Federal court.

Penalties for the smuggling and sale of heroin ranging from 5 to 10 years for first offenders up to life imprisonment or the death penalty for third offenders.

This is one piece of legislation to which Congress might well give immediate attention. The penalties may be stiff. But they're nowhere near as stiff as the life-wrecking jolt of a narcotic needle.

[From the Pulaski (Va.) Southwest Times of May 21, 1956]

CRACKING DOWN ON DOPE

At long last a no-holds-barred bill has been put forward in the Senate to curb the frightening narcotic addiction that has spread across the country, particularly among young people.

Sponsored by a special subcommittee, the legislation was introduced by its chairman, Senator PRICE DANIEL, Democrat, of Texas. The bill's sharpest edge is a provision which calls for the death penalty, at the discretion of a jury, for those who sell heroin to persons under age 18.

DANIEL has indicated there will be similar legislation from the House of Representatives, and he expects action on the bill to be taken during this session.

That will hardly be soon enough. Every day that addicts and dope peddlers roam the streets the well-being of our communities is in danger. For all forms of crime have been proven to be tied in with narcotics. And often it's the kiss of death.

The Daniel proposal follows nearly a year of nationwide hearings which made it brutally clear that there was no time to waste in cracking down.

The bill would completely outlaw heroin in the United States on the grounds that it is the worst and most prevalent drug sold on the illicit market, and it has no medical use which cannot be served by other drugs.

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[From the Salt Lake City Tribune of May 21, 1956]

DOPE PROBLEM CALLS FOR SEVERE PENALTIES

The Daniel bill to stiffen penalties for illicit narcotics traffic is a good one, we believe. It fills a serious need but is not so extreme as to defeat its primary purpose, which is to dry up the sources of supply of heroin and other addicting drugs.

The measure as approved by the Senate Judiciary Committee appears to be superior to the House committee-advanced bill in that penalties are more severe. It is the product of extensive investigations by the Subcommittee on the Federal Criminal Code. Hearings by this group revealed that known drug addicts in the United States outnumber those in all the other western countries combined. One out of every 3,000 persons is addicted, and the number has been increasing since World War II.

Senator O'MAHONEY, of Wyoming, member of the committee, said that drug addiction and traffic are responsible for 50 percent of the crime in the country. It is inevitable, he warned, that the problem will become progressively worse unless more effective treatment procedures are provided and enforcement is tightened.

The Senate bill would outlaw all use of heroin, even that now in the hands of doc-

tors. Heroin, a morphine derivative and one of the drugs used most by addicts, serves no medical purpose which cannot be accomplished better by some other drugs, the subcommittee reported. This was bitterly disputed last year by the British Medical Association, which urged continued use in hospitals to deaden pain of certain serious diseases and injuries. The association acknowledged, however, that heroin used medically can cause strong addiction quickly.

The Daniel bill would increase penalties for smuggling and selling heroin as follows: first offense, 5 to 10 years in prison; second offense, 10 to 30 years; and third offense, life imprisonment or death upon specific recommendation of a jury. Persons convicted of transmitting heroin to persons under 18 years old would be subject to a minimum penalty of 10 years and a maximum of death, "if the jury in its discretion shall so direct."

No punishment is too severe for dope peddlers who prey on children and teenagers. Experience in some States with the death penalty for kidnaping, rape, and other crimes has shown, however, that juries are sometimes reluctant to convict if the penalty is really extreme. Penalties in this bill are increased with each offense. It is hard to believe many juries would have much compassion for a dope peddler convicted the third time.

The bill also provides for more severe penalties for smuggling marihuana, and it gives additional authority to the Federal Bureau of Narcotics and Bureau of Customs to deal more effectively with the problem. It eliminates some redtape in dealing with traffickers, provides for excluding or deporting of alien narcotics offenders, and directs the Narcotics Bureau to maintain a central clearing house of information on addicts and former violators.

The bill aims only at enforcement. It will be a serious mistake if anyone is lulled into believing that it would attack the various other phases of the complex problem. The treatment of drug addicts remains a mountainous responsibility. International cooperation is the only overall solution, but it will take many years, under the best of conditions, to work out a compact and secure real cooperation and enforcement on a global basis.

Since narcotic addiction often starts with a desperate inner drive to escape boredom or an unsatisfactory way of life, the campaign must go on to relieve social conditions that contribute to this and other manifestations of maladjustment. Crowded, impoverished slums, racial tensions, unhappy home and school, and community experiences all contribute to a deep-seated social malaise.

We must tighten restrictions and make penalties more severe but we also must do all we can to eliminate the conditions which lower human resistance to all kinds of pleasure poisons.

[From the Aberdeen (Wash.) World of May 18, 1956]

CRACKDOWN ON DOPE

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Sponsored by a special subcommittee, the legislation was introduced by its chairman, Senator PRICE DANIEL, Democrat, Texas. The bill's sharpest edge is a provision which calls for the death penalty, at the discretion of a jury, for those who sell heroin to persons under age of 18.

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This is one piece of legislation to which Congress might well give immediate attention. The penalties may be stiff, but they're nowhere near as harsh as crime and death from dope.

[From the High Point (N. C.) Enterprise of May 22, 1956]

CRACKING DOWN ON DRUGS

Congress is being urged to adopt anti-narcotics measures even more stringent than laws against subversion, treason, and espionage.

A bill unanimously approved by the Senate Judiciary Committee on May 14 would provide death sentences for some narcotics offenders and outlaw all use of heroin. It would permit juries to impose the death penalty on persons convicted of selling heroin to juveniles and on three-time offenders in heroin smuggling and peddling. It would require sale of all heroin legally held by doctors to the Government.

Legislation equally drastic is coming up in the House. A Ways and Means Subcommittee on May 8 unanimously agreed to recommend:

1. Increasing both minimum mandatory sentences and maximum permissible sentences for traffickers in narcotics and marihuana; 2, more severe penalties for adult traffickers selling to minors; 3, an increase in maximum permissible sentences in all cases; 4, removal of suspension of sentence and probation for traffickers; 5, granting of immunity from prosecution to witnesses; 6, permitting the use of wiretapping information in narcotics and marihuana cases; 7, increasing Federal control of barbiturates and amphetamines.

Bills to implement this agreement have been pouring into the hopper. Some apply directly to narcotics and marihuana; the others, to barbiturates and amphetamines.

For contrast, only the Atomic Energy Act of 1946 applies the death penalty to peacetime espionage. (The Rosenbergs were executed in 1953 for wartime activities which violated the Espionage Act of 1917.) However, Congress in 1953 extended the drastic wartime espionage-sabotage penalties, including the death penalty, for the duration of the Korean emergency and 6 months thereafter.

An immunity law adopted by Congress in 1954 limits such grants to witnesses whose testimony may be needed in cases affecting the national security. Even so, congressional committees or United States attorneys must petition Federal courts for the right to grant immunity from prosecution.

The House in 1954 voted to authorize wiretapping in national security cases, as requested by Attorney General Herbert Brownell, Jr. But it tacked on an amendment prohibiting wiretapping unless authorized by a Federal court, and that provision made the legislation unacceptable to the Justice Department.

The Senate Crime Investigating Committee, headed by Senator ESTES KEFAUVER Democrat, of Tennessee, in 1951 urged immunity grants to key witnesses in Federal cases, also penalties of 20 years to life, without probation, for adults peddling narcotics to youths under 17.

No action was taken on these recommendations, but at the same session Congress did put through the Boggs Act tightening penalties for violations of the Harrison Narcotic Act of 1914. The measure made prison sentences of from 2 to 5 years mandatory for second offenders; sentences of 10 to 20 years on third or subsequent convictions.

Some opposition to stiffer penalties for drug peddlers is based on the theory that the stiffer the penalties the less likely juries will be to convict. The Federal Bureau of Narcotics, however, reports that experience under the Boggs Act has not supported that theory.

Federal Narcotics Commissioner Harry J. Anslinger continues to maintain that the drug trade can best be curbed by putting the convicted trafficker out of business for longer periods of time.

[From the Greeley (Colo.) Tribune of May 19, 1956]

THE DEADLY CHAIN

A Senate judiciary subcommittee has recommended a crackdown on violators of Federal narcotics laws. In a bill submitted after a thorough study of dope peddling and addiction in the United States, the subcommittee asks for much stiffer penalties than the law now provides.

The measure would permit juries to mete out life prison terms or the death sentence for a third conviction of selling heroin or smuggling it into the country. It would make the death sentence possible for those convicted of selling dope to children. The subcommittee also wants to broaden the investigative powers of the Federal Customs Bureau and Narcotics Bureau to make apprehension of dope peddlers more certain.

The need for tougher laws and stricter enforcement against the devilish crime that leads to dope addiction has been apparent for a long time. The subcommittee recommendations, based on evidence gathered in extensive hearings, merit the most serious consideration.

Strong laws and vigorous enforcement are not the whole answer to the dope problem, however. There is a deadly chain, from the smuggler to the peddler to the often innocent victim who may in turn become a thief or peddler, that must be broken. Homes, schools, and churches can do much to help break the chain. They can do their part by showing children and young people the terrible consequences of addiction.

Meanwhile, the Senate Judiciary Subcommittee bill, or one much like it, should be quickly passed.

[From the Evansville (Ind.) Courier of June 3, 1956]

A MUCH-NEEDED LAW

Dope pushers deserve the most drastic penalties.

Selling their narcotics, getting rich off the addicts they create, they and their trade are at the spot of much of the crime of this country.

They are murderers by indirection, degraders of men and women and schoolchildren.

Yesterday the Senate passed a bill that strikes the most severe blow any legislative body has even directed at the dope traffic. Its penalties are severe; its terms permit the death sentence under certain conditions.

Moreover, the measure strengthens the arm of our Federal Narcotics Bureau, giving it more agents, greater strength to combat the

dope pushers, added powers to help detect this horrible trade.

We hope the House passes a similar bill, and that this Congress with White House concurrence puts on the books a new narcotics law that will help all Federal law enforcement agencies do a better job of suppressing the narcotics traffic. Such a law will encourage the States adequately to arm themselves against this growing evil.

[From the San Bernardino (Calif.) Telegram of May 31, 1956]

TOUGH ON DOPE SELLERS

Legislators in Washington are taking an approach to the narcotics situation that could gather momentum and lead to a nationwide crackdown on the evils of dope peddling.

Disturbed by the growth of the evil in recent years, Congress is being urged to adopt antinarcotics measures even more stringent than laws against subversion, treason, and espionage.

A bill unanimously approved by the Senate Judiciary Committee just a few days ago would provide death sentences for some narcotics offenders and outlaw all use of heroin.

This measure would permit juries to impose the death penalty on persons convicted of selling heroin to juveniles and on three-time offenders in heroin smuggling and peddling. It would require sale of all heroin legally held by doctors to the Government.

Legislation equally drastic is coming up in the House. A Ways and Means subcommittee on May 8 unanimously agreed to recommend:

Increasing both minimum mandatory sentences and maximum permissible sentences for traffickers in narcotics and marihuana; more severe penalties for adult traffickers selling to minors; an increase in maximum permissible sentences in all cases; removal of suspension of sentence and probation for traffickers; granting of immunity from prosecution to witnesses; permitting the use of wiretapping information in narcotics and marihuana cases; increasing Federal control over barbiturates and amphetamines.

Bills to implement this agreement have been pouring into the hopper. Some apply directly to narcotics and marihuana; others to the less potent, but just as harmful drugs.

A Los Angeles County grand jury last week heard a "get tough" plea in coping with the narcotics menace. It was asked to urge the Federal and local governments to adopt more stringent regulations and to provide for stiffer court penalties. Two recent San Bernardino County raids by State and local officers brings the problem closer to home.

Aroused public and official opinion may get the drastic measures which seem to be in order. For example, the stringent proposals developing in Congress are equal, and in some cases exceed, the laws that protect the security of the Nation. Only the Atomic Energy Act of 1946 applies the death penalty to peacetime espionage.

As for immunity from prosecution, a law adopted by Congress in 1954 limits such grants to witnesses whose testimony may be needed in cases affecting the national security.

The House in 1954 voted to authorize wiretapping in national security cases, as requested by Attorney General Herbert Brownell, Jr. But it tacked on an amendment prohibiting wiretapping unless authorized by a Federal court, and that provision made the legislation unacceptable to the Justice Department.

The Senate Crime Investigating Committee headed by Senator ESTES KEFAUVER, Tennessee Democrat, in 1951 urged immunity grants to key witnesses in Federal cases and also penalties of 20 years to life, without probation, for adults peddling narcotics to youths under 17.

No action was taken on these recommendations, but at the same session Congress did put through the Boggs Act tightening penalties for violations of the Harrison Narcotics Act of 1914. The measure made prison sentences of from 2 to 5 years mandatory for second offenders; sentences of 10 to 20 years on subsequent convictions.

Some opposition to stiffer penalties for drug peddlers is based on the theory that the stiffer the penalties the less likely juries will be to convict. The Federal Bureau of Narcotics, however, reports that experience under the Boggs Act has not supported that theory.

Many thousands of persons have been wrecked by dope, and other thousands will be unless it is curbed. Stiff penalties are in order.

[From the Wheeling (W. Va.) News-Register of June 3, 1956]

WAR ON DOPE

The Senate has passed what has been described as the toughest dope bill in the Nation's history. It increases penalties all along the line for narcotics violations, outlaws the use of heroin even for medical purposes, and makes possible execution for certain extreme offenses.

A very similar measure has been approved by the House Rules Committee and is expected to pass without difficulty this week.

These two bills represent congressional reaction to evidence of the ravages of the dope traffic presented during extensive hearings in both branches.

Quite obviously, the use of narcotics has reached grave proportions and has wreaked havoc in our society to move lawmakers to such extreme steps.

It is reasonable to assume that harsher penalties and increased police activity made possible by whatever bill finally is decided upon will aid in the dope-traffic war. But a tough law and the addition of a few more Federal agents, even a great many more agents, will not of themselves prove adequate. If we are to make headway toward stamping out this great evil every police department in the land, every school authority, and every right-thinking parent must lend a hand, as the distressing fact is that the traffic has reached down to our school children.

[From the Sioux Falls (S. Dak.) Argus-Leader of June 1, 1956]

CURBING THE DOPE TRAFFIC

The United States Senate has approved a bill to provide the death penalty for persons convicted of selling heroin to teen-agers. That's proper and we hope it becomes the law of the land promptly. The laws and the courts have in many instances been far too lenient with dope peddlers and a change in attitude is long overdue. The narcotic racket can be controlled if we apply sufficient pressure on the proper authorities and enact the right kind of laws.

[From the Fitchburg (Mass.) Sentinel of May 25, 1956]

WAR AGAINST DOPE PEDDLING

There is a definite need for better Federal and State cooperation in the war against illicit narcotics. A proposed Federal bill, being prepared by a committee headed by Senator PRICE DANIEL, of Texas, is designed to strengthen the narcotics laws while recognizing the rights and concurrent jurisdiction of the States.

Until recent years both Federal and State laws in this field fell far short of requirements. Too, enforcement often was lax, and was marked by insufficient coordination between officers on the various levels of government. Relatively few officers, in fact, had the special training needed for such enforcement.

The last decade has brought the enactment of tighter laws by Congress and by some of the States. Yet there are still loopholes, and Senator DANIEL's committee is trying to plug them. We wish the committee success in its efforts.

[From the Houston Post of June 3, 1956]

NARCOTICS BILL, DUE FOR EARLY ENACTMENT, TO CURB DOPE RACKET

A long-overdue law that will deal adequately with dope peddling for the sinister curse that it is, now seems assured of enactment before Congress adjourns—probably in the next couple of weeks.

Senator PRICE DANIEL's drastic bill outlawing all use of heroin and prescribing penalties ranging from 5 years' imprisonment to a possible death sentence cleared the Senate Thursday. At the same time the House Ways and Means Committee recommended a basically similar measure, and its author, Representative HALE BOGGS, of Louisiana, expects House approval next week.

This legislation is the end result of a nationwide narcotics investigation conducted by Senator DANIEL's judiciary subcommittee. The Texas Senator has worked more strenuously on the effort to root out the cancerous dope racket than on any other measures save the tidelands bill and the natural gas bill. Both of the latter were of vital economic concern to Texas, but the new narcotics bill is of far greater potential human importance, for it will be the means of saving Americans from destruction.

Under the Daniel bill it will be unlawful for anyone even to possess heroin, the drug most used in the illicit traffic. The maximum penalties for repeat offenders, convicted of smuggling or selling the dope, are life imprisonment or even death. The minimum punishment for selling heroin to juveniles under 18 is 10 years; the maximum, death.

These are drastic penalties, but even they are not harsh enough to fulfill the eye-for-an-eye law of the Old Testament. A dope racketeer kills the mind and character of those he lures into addiction. He delivers them into an enslavement worse than imprisonment, into a life worse than death. Many are literally killed by drugs. Can any legal penalty be too drastic for perpetrators of such monstrous crimes?

The antinarcotics law now in prospect gives promise of drying up sources of illicit drugs and thinning out the hordes of racketeers. The effect will be a commensurate curb on the appalling nationwide spread of dope addiction. It may not cure the cancer, but should shrink it substantially.

[From the Austin (Tex.) Statesman of June 1956]

DOPE LAW WINS PRAISE OF OFFICIALS

The United States Senate's history-making antinarcotic bill was hailed as an excellent, long-needed measure here Friday by State and local law enforcement officers, prosecutors, and judges.

Former United States District Attorney Charles Herring praised the bill as "an excellent measure—one this Nation has sorely needed for many years."

Herring's personal investigation and report on the narcotics problem in Texas was credited with touching off the Nation's first full-scale congressional probe of illegal dope racketeering.

Senator PRICE DANIEL headed the Senate subcommittee in this probe and sponsored the bill in the Senate.

As passed by the Senate, the bill provides a death penalty for persons convicted of selling narcotics to teen-agers. It also provides the death penalty or life imprisonment for persons convicted on third offense, selling narcotics to adults.

District Judge Jack Roberts said Friday he believes the offense of dope peddling is "so

heinous that a penalty of that nature is indicated. That's the type of crime where not much clemency is warranted."

District Attorney Les Procter said the Senate bill is "a fine bill. Those who inflict the living death upon young people have got to be deterred and the penalty is not too severe."

Police Chief R. D. (Boss) Thorp and Department of Public Safety Director Homer Garrison both hailed the bill as a long-needed weapon for law enforcement officers.

Herring, who in January of 1955 branded the Texas border as the "international gateway for a deadly, multi-million-dollar narcotic racket," said Friday:

"This bill, if enacted into law, will give the Nation its first really effective weapon against dope pushers.

"For years we've been trying to fight them with 2 and 3 year prison sentences. Dope pushing is the worst kind of homicide. It's premeditated murder any way you look at it.

"A man who hands a kid a dropper of heroin is in effect killing that kid. More serious, this youngster will in turn take dozens of others down with him."

[From the Erie (Pa.) Times of June 2, 1956]

DEATH FOR DOPE PEDDLERS

The Senate Judiciary Committee has unanimously approved a bill which would authorize Federal courts to impose the death penalty for specific violations of the anti-narcotics laws.

The proposed bill which must be voted on the floor of the Senate and work through the House, would permit the death penalty for the sale of heroin to a minor, or for a third conviction involving sale to adults. The bill would also provide longer prison sentences, up to life, in some cases.

The bill is sponsored by Senator DANIEL, Democrat, of Texas, and the entire membership of his special subcommittee investigating the illicit drug traffic.

It is a strong measure but it should pass. Traffickers in heroin are murderers. They deal out living death. Their ruthless operations shriek for revenge, especially in the case of minors. They provide the diabolic dope that turns their victims and slaves to horrible crimes. The peddler, or big dealer, is the killer, the destroyer of reason, the breaker of morals. All for money.

The death sentence for these soul-killing jackals is demanding.

[From the Houston Press of June 1, 1956]

A MUCH-NEEDED LAW

Dope pushers deserve the most drastic penalties.

Selling their narcotics, getting rich off the addicts they create, they and their trade are at the root of much of the crime of this country.

They are murderers by indirection, degraders of men and women and schoolchildren.

Yesterday the Senate, spurred by investigation headed by one of our Senators, PRICE DANIEL, passed a bill that strikes the most severe blow any legislative body has ever directed at the dope traffic. Its penalties are severe; its terms permit the death sentence under certain conditions.

Moreover, the measure strengthens the arm of our Federal Narcotics Bureau, giving it more agents, greater strength to combat the dope pushers, added powers to help detect this horrible trade.

We hope the House passes a similar bill, and that this Congress with White House concurrence puts on the books a new narcotics law that will help all Federal law-enforcement agencies do a better job of suppressing the narcotics traffic. Such a law will encourage the States adequately to arm themselves against this growing evil.

[From the Fairmont (W. Va.) Times of May 21, 1956]

THE DEADLY CHAIN

A Senate judiciary subcommittee has recommended a crackdown on violators of Federal narcotics laws. In a bill submitted after a thorough study of dope peddling and addiction in the United States, the subcommittee asks for much stiffer penalties than the law now provides.

The measure would permit juries to mete out life prison terms or the death sentence for a third conviction of selling heroin or smuggling it into the country. It would make the death sentence possible for those convicted of selling dope to children. The subcommittee also wants to broaden the investigative powers of the Federal Customs Bureau and Narcotics Bureau to make apprehension of dope peddlers more certain.

The need for tougher laws and stricter enforcement against the devilish crime that leads to dope addiction has been apparent for a long time. The subcommittee recommendations, based on evidence gathered in extensive hearings, merit the most serious consideration.

Strong laws and vigorous enforcement are not the whole answer to the dope problem, however. There is a deadly chain—from the smuggler to the peddler to the often innocent victim who may in turn become a thief or peddler—that must be broken. Homes, schools, and churches can do much to help break the chain. They can do their part by showing children and young people the terrible consequences of addiction.

Meanwhile, the Senate judiciary subcommittee bill, or one much like it, should be quickly passed.

[From the Atlanta Constitution of June 2, 1956]

DEATH PENALTY ASKED FOR SOME DOPE SELLERS

Both Houses of Congress are about to get together on a bill stiffening Federal penalties for promoters of the narcotics racket.

The Senate has passed a bill outlawing the use of heroin by anybody at any time. Those who smuggle it into the country or peddle it are subject to a sentence of death.

The House, too, is working on a similar measure. In time one or the other, or a combination of both, will be passed.

The bills grew out of hearings on the illegal use and sale of narcotics, surely the most vicious of rackets. The addicts are the most tragic of all humans, for once in the grip of their particular drug nothing including murder can stand between them and their next charge.

The Senate did right in cracking down on the peddlers and smugglers of heroin, the most dangerous of the narcotics. We trust the House will concur in the Senate's very dim view of these racketeers.

[From the Easton (Pa.) Express of May 19, 1956]

DEATH SENTENCES FOR DOPE DEALERS?

Television viewers who remember the sinister faces that appeared on their screens in 1951 when a then relatively obscure fellow named ESTES KEFAUVER was running a Senate crime investigating committee may remember that one of the committee's recommendations had to do with increased penalties for convicted peddlers of narcotics.

If Congress had acted on this recommendation, there would have been a new law providing for prison sentences of from 20 years to life, with no probation, for persons convicted of selling drugs to buyers under 17 years of age.

At the time, Congress either failed to grasp the menace of the traffic in drugs or was unconvinced that the proposed penalties would serve the desired end. Instead of acting on the crime committee's recommendation, it passed the Boggs Act, bolstering the Harrison Narcotics Act of 1914, establishing prison sentences of from 2 to 5 years for drug sellers convicted as second offenders and sentences of from 10 to 20 years for peddlers convicted as third offenders or as offenders with more than three convictions.

In taking that action, Congress may have been restrained by the theory that making sentences more severe increases the reluctance of juries to convict, but regardless of its motivation, the years since have demonstrated tragically that the Boggs Act was not geared to its purpose.

The drug evil has swept on, engulfing more youngsters in its slimy tide, and Congress apparently has come to the point of admitting that it has failed to put proper weapons into the fight against it. This week the Senate Judiciary Committee unanimously approved a bill which would outlaw the use of heroin and establish the death penalty for persons convicted of selling heroin to juveniles and for third offenders in the smuggling and peddling of heroin.

Mention of the death penalty is, of course, a shocking thing, and as this issue is debated, comparisons will be brought into play.

It will, for instance, be noted that in peacetime, espionage carries the death penalty only when it is in violation of the Atomic Energy Act of 1946.

On the other hand, the drug traffic is a shocking thing, and it should be remembered that execution is a common penalty for taking one life, whereas a dope peddler who has corrupted a thousand teen-agers now risks only imprisonment for a few years, and not necessarily for the life of his sentence. In Pennsylvania in recent days we have watched the disheartening prospect of a pardons board compelled by existing State law to grant "good time" shortening of sentences in the case of dope peddlers, who probably were not the sort of criminals the lawmakers had in mind when they set up this incentive for good behavior in prison.

The debate in Congress, however, need not bog down into a debate on the morality of the death sentence or on the question of whether capital punishment is the ultimate deterrent to crime in general. This latter question probably will be debated academically for a long time, but the issue at hand is not academic.

This issue involves a particular kind of crime, one which tends by its nature to spread its vile seeds over ever-widening circles, to make every dope buyer into a peddler. If any crime justifies an attempt to limit an offender to one offense, this one does.

The framing of that attempt is up to the Congress, but we think it is self-evident that drastic action is indicated, and as the lawmakers consider its possible nature they should be reassured by the report of the Federal Bureau of Narcotics that the penalties under the Boggs Act, more severe than those of the Harrison Act, did not tend to make juries squeamish about conviction.

That, it seems to us, is eloquent testimony that juries are alive to the evil at hand, aware that the menace here is to the welfare of their children. Let the Congress approach this question with comparable appreciation of the stakes involved, and if it needs any boost toward dispatch, let it ponder the fate of the young lives which have fallen before the heroin needle since 1951.

[From the Ogden (Utah) Standard-Examiner of May 30, 1956]

DOPE SELLERS' DEPRAVITY

Senator PRICE DANIEL, of Texas, told the Senate last week that if something had to happen to one of his boys he should deem it better the boy be shot with a bullet than with a heroin needle, "because to be addicted

to heroin is to experience a living death. Not only will heroin eventually destroy the life of a person * * * but it will cause the person to turn to crime." The Senator also pointed out that few cures of addicts are recorded.

The Senator's statement reflects how wrought up members of the investigating committee became as they heard evidence of dope sellers' depravity. In one city the committee found a narcotics peddler had started 40 or 50 high school boys on heroin to build a new supply of customers, and incidentally a new supply of criminals.

Senator DANIEL said the committee believes that a maximum penalty for sales of heroin to juveniles should be the death penalty.

We believe that a poll of the parents would reveal that the committee's stand for the death penalty for dope sellers to juveniles is endorsed.

[From the Corpus Christi (Tex.) Times of June 1, 1956]

MORE ENFORCEMENT

Senator PRICE DANIEL, Texas' junior Senator, finally obtained Senate passage of his bill to control the narcotics traffic. This bill includes a provision which would permit juries to assess the death penalty on persons convicted of selling heroin to teen-agers and persons who are thrice convicted of peddling the drug anywhere.

Missing from the bill was the controversial provision which would have permitted Federal officials to tap telephone wires in order to gather evidence on drug peddlers. Senator DANIEL insisted that the telephone is a key part of the drug-peddling racket, but Senator WAYNE MORSE, Democrat, of Oregon, was successful in blocking the wiretap provision. Obviously, he considers the protection of a citizen's right to privacy more important than curtailing an ever-growing drug traffic that Senator DANIEL found to be corrupting more American youths every year.

It will be surprising if the death penalty interferes with the drug trade. This new law will have to be tested in Federal appellate courts since it is a major departure from the present Federal narcotics enforcement program which is based on tax evasion. There also is the trend away from capital punishment to be considered, although some juries might consider peddling heroin to minors to be a more serious offense than murder.

With or without the new Federal law, there is nothing to prevent local law enforcement officers from cracking down on narcotic pushers and thereby, obtaining the same results as those sought by the Daniel law.

[From the El Paso (Tex.) Herald Post of June 2, 1956]

A MUCH-NEEDED LAW

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The Senate has passed Senator PRICE DANIEL'S bill. It strikes the most severe blow any legislative body has ever directed at the dope traffic. Its penalties are severe; its terms permit the death sentence.

Moreover, the measure strengthens the arm of our Federal Narcotics Bureau, giving it more agents, greater strength to combat the dope pushers, added powers to help detect this horrible trade.

We hope the House passes a similar bill, and that this Congress with White House concurrence puts on the books a new narcotics law that will help all Federal law enforcement agencies do a better job of suppressing the narcotics traffic. Such a law will encourage the States adequately to arm themselves against this growing evil.

[From the Lawrence (Mass.) Tribune of June 2, 1956]

DEATH FOR DRUG PEDDLERS

One might have reservations about the wisdom of sending a defective personality such as Kenneth Chapin to the electric chair, but one would feel no such reluctance about condemning a narcotics peddler to die. We note that the United States Senate has passed a bill which calls for the supreme penalty for hardened offenders who traffic persistently in the living death which drug addiction means.

In view of the cold-blooded viciousness of such traffic, it is only fitting that such criminals—particularly those who are not addicts themselves, but are interested only in the huge profits to be made—should be permanently eliminated. The peddling of narcotics is an evil with which society can make no compromise. It is probably visionary to expect that other forms of crime will even be completely brought under control, but the drug traffic must be. There is no alternative.

The fact that the Senate has already acted and the fact that a similar bill, no less severe, has been approved by the House Ways and Means Committee, indicate that there will soon be a law on the books which should go a long way toward doing the job which has to be done. If it doesn't do the job, even sterner measures will have to be taken.

[From the Indianapolis Times of June 2, 1956]

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[From the Troy (N. Y.) Times-Record of June 2, 1956]

IT'S TIME TO STOP IT

The plan to permit the death sentence for those distributing heroin to high-school students ought to have general support. There are some timid, shrinking souls whose respect for human life is such that they decry the death penalty for any crime.

But most people wonder what wisdom there is in keeping a murderer or a traitor in prison for life, using the taxpayers' money and opening a permanent door for possible pardon. Individuals as unsocial as these have no right to live. And anyone who distributes a habit-forming poison to teen-agers, striving to make them addicts, has no right to live in a decent society. Nor has he the right to a long sentence, with the chance of pardon. He is a pariah, anathema to those who are looking forward. He is willing to destroy morals, possible success in life, even life itself, to further his financial objectives.

It is time we got out of the squeamish notion that hanging, the chair, or the gas chamber are always barbarous. It is the criminals who commit capital crimes who are barbarous. And any distributor of heroin to youth is certainly in that class.

[From the Tulsa (Okla.) World of June 2, 1956]

MAKING IT TOUGH ON DOPE PUSHERS

Public approbation will of a certainty follow congressional action toughening the criminal penalty for dealers in narcotics. The United States Senate has completed action on its own version of a narcotics law assessing the death penalty to hardened offenders. Similar, though not identical legislation, is underway in the House.

The tougher the penalty on dope sellers can be made, yet retain effectiveness in the courts, the better off the Nation will be. In the 10 years since World War II the use of narcotics in the United States has increased manyfold; there is much evidence that the smuggling of illicit contraband into the country has become another phase of the Communist cold war game. Hence, there is a reason not totally one of desire for the step-up in the use of illegal drugs; in many instances there is actual recruiting of users.

Whether the death penalty is the whole answer is subject to some question, though it is obvious Congress has met no opposition pressure in its deliberations. It is possible, though we do not believe probable, that too stiff a penalty for dope pushers could react against an effective cleanup, just as Oklahoma's 10-day mandatory jail sentence for drunken driving has at times seemed to defeat its own purpose before juries.

The essential ingredient in the Senate measure is, of course, the reference to hardened offenders. Certainly this will give juries leeway, and at the same time pattern a course for the court's instruction to jury members. An habitual peddler of narcotics would be the criminal most likely to feel the full force of the legislation; particularly those who are active in searching out and encouraging beginners. The Senate measure appears to present a wide enough choice to the juries, which should make the weight of the law felt.

Essentially the stiffer the penalty for illegal acts, the greater the safety of the general public—just so long, of course, as the penalty is not so strict as to defeat the intent of the law.

[From the Wilmington (Del.) Journal-Every Evening of June 5, 1956]

CONGRESS AND THE DRUG TRAFFIC

Apparently Congress is going to pass legislation this year to curb the illicit traffic in narcotics. The Senate has already passed a bill. The House version has been reported by the Ways and Means Committee. Certainly legislation is needed. Existing laws are failing to keep the traffic under adequate control. Light penalties let addict-peddlers back into circulation early to resume their activities. Technicalities let too many of the guilty escape.

In consequence, the traffic has grown until there are more addicts in the United States than in all other Western countries combined. A Senate Judiciary subcommittee reported in January that there were 60,000 addicts in the Nation, and their number was increasing by 1,000 a month, which would mean about 65,000 by now. Dope addiction, according to the subcommittee, has been

causing 50 percent of the crime in big cities and 25 percent in the Nation generally.

The value of new legislation will of course have to be tested in practice. The Senate bill provides the death penalty for third offenders under some circumstances, but in view of the dubious value of capital punishment as a deterrent this provision may not stay in the bill. Drastic provisions to keep drug traffickers from using technicalities to escape punishment are certainly desirable, but some particular proposals are open to question. We can never afford to lose sight of the fact that some of the technicalities so casually denounced may be based on fundamental constitutional rights—and that many of the abuses could be eliminated by better preparation of cases.

Merely passing a new law would not, in any case, solve the problem out of hand. The duty of Congress goes further—to provide adequate funds for war against the drug traffic on all fronts. The way to save money in this field is to take the long view and adopt a crash program that will reduce the traffic to a minimum—to spend more money now to stop the contagion from spreading, and only later to save money by cutting down on personnel for investigation and prosecution.

There is much truth in the flip old saying: "To discourage vice, make it unprofitable." Drug traffic profits run as high as 1,000 percent, and the risk of being caught is not as great as it should be. Congress, we believe, is going to try to change that.

[From the Sunbury (Pa.) Daily Item of June 2, 1956]

A bad day for drug peddlers was marked off Thursday when the United States Senate passed a bill providing new and stiffer penalties for narcotics law violators including the death sentence in some instances. At the same time Governor Leader signed a measure passed by the Pennsylvania Legislature providing prison sentences up to life for drug addicts and vendors.

There is always the possibility that laws which the public considers too harsh in their application will fail of their purpose. However, the death sentence for those who sell heroin to juveniles, or for the third conviction in any case as provided by the United States Senate bill, is not, in any evaluation of the narcotic evil, too severe. Under the Pennsylvania law, now in full effect, third offenders in illegal drug cases may be imprisoned for life.

The realization that the narcotics traffic is responsible for an alarming proportion of the Nation's crime wave, especially among juveniles, is apparent in these legislative moves. Of no less importance than stiffer penalties, however, is the matter of ending overly lenient paroles for drug pushers and addicts. The tightening up process must go all the way.

[From the Chattanooga (Tenn.) News-Free Press of June 2, 1956]

PUNISHMENT FOR DOPE PEDDLERS

The United States Senate has passed a bill providing the death penalty for selling heroin to juveniles and for third convictions of heroin selling to anybody.

The House of Representatives, according to a prediction by Representative HALE BOGGS Democrat, of Louisiana, next week will pass a broader bill, aimed at increased penalties for all kinds of narcotic law violations. But the House bill does not provide the death penalty, Representative BOGGS explaining it was feared juries might think the death penalty too severe and let violators off lightly.

If the death penalty is justified for any offense, it would seem to be proper punishment for anyone vile enough to make dope addicts of children. It is not likely that the death penalty would often—if ever—be imposed for dope peddling, however, even if this penalty should be provided for by law. So whether the death penalty is provided is not as important as the duty of both Houses of Congress to pass legislation assuring dope peddlers much heavier punishment than they have received in the past.

The selling of narcotics, especially to juveniles, is not a trivial offense. It should be punished by long terms of imprisonment, at least.

[From the Cedar Rapids (Iowa) Gazette of June 4, 1956]

DOPE CRACKDOWN COMING

Action in both the House and Senate indicated a strong determination to toughen penalties for peddling narcotics, especially to minors. A Senate passed bill would provide for death penalties and a House bill would provide for mandatory prison terms of 10 to 40 years.

There can be little question that these measures reflect the general public attitude toward the viciousness of dope peddling and probably there is reason to hope that more severe penalties will have a deterring effect on the narcotics traffic.

Probably it is overoptimistic, however, to expect that severe penalties alone will put a deep crimp in the traffic. One of the peculiarly vicious aspects of dope peddling is that many of the peddlers are themselves addicts. That means that they are not always in a condition to evaluate the risk of heavy penalties rationally. And that, in turn, might make it difficult to get convictions in court.

Even so, the legislation shaping up indicates that Congress means business in its determination to curb narcotics peddling. If that mood persists—as it should—there is new hope of getting real results by one means or another.

[From the New York Times of June 8, 1956]

TO CONTROL DRUG TRAFFIC—RECOMMENDATIONS FOR CONTINUED FIGHT AGAINST ADDICTION OUTLINED

To the EDITOR OF THE NEW YORK TIMES:

I have read with considerable interest your editorial of June 4 regarding the proposed narcotic laws now being considered in the Senate and House following reports of subcommittees under the chairmanship of Senator PRICE DANIEL, of Texas, and Representative HALE BOGGS, of Louisiana, respectively.

I am in full agreement with the intent of the proposed acts and with most of their provisions. The sale of narcotics to addicts is a heinous crime and a social problem of frightening magnitude. One of the legislative means at hand for society to use against one of the most vicious of crimes is a vigorous penalty; indeed, the ultimate penalty is justified where minors are forced into lives of crime and narcotics addiction.

Punishment of the pushers, however, is but 1 part of the 2 needed elements in the field. The other is prevention and cure of narcotics addicts. In the past our primary failure in dealing with narcotics addiction has been our lack of understanding that precaution and cure of addicts are as vital as apprehension and punishment of peddlers and traffickers.

JAIL NO CURE

Drug addiction is a disease, and like any other medical problem it cannot be cured by incarceration of the stricken victim in jail. We would be shocked by a suggestion that the mentally ill be arrested and jailed. The drug addict is mentally and emotionally sick and requires medical attention and not—unless also a pusher, peddler, or trafficker—confinement in prison. Unless we are prepared to treat and rehabilitate drug addicts, we will not soon diminish their demand for narcotic drugs. So long as there are addicts who require drugs, experience teaches that there are likely to be sellers, who are criminals, eager and ready to supply this demand.

Our appalling lack of knowledge on prevention and cure of narcotics addiction is one of the tragic facts in this field. Though narcotics addiction claims almost twice as many victims, some 60,000 of record, compared with what polio claimed every year before the blessing of the Salk vaccine, I estimate that less than one-thirtieth of what was spent on research against polio is being spent on research against narcotics addiction.

Research projects are entitled to the greatest amount of support and are most brave and laudable—a special note should be taken of the work being done here under Dr. Marie Nyswander—but the effort needs enormous expansion and development.

FACILITIES NEEDED

We need facilities for clinical treatment and commitment of addicts with the necessary implementing laws. To that end I made the following recommendations to the National Association of Attorneys General a few weeks ago:

The existing Federal facilities at Lexington, Ky., and Fort Worth, Tex., for the treatment of narcotics addicts need to be expanded and regionally dispersed.

We must further provide a suitable program for aftercare and outpatient surveillance, with psychiatric and social case work to assist the patient in full rehabilitation in the community in which he lives.

Given necessary clinical supervision, a controlled experiment might be set up to test a program of restricted legal distribution of narcotics as part, and only as part, of the program aimed at treating the drug addict as a medical case.

We should encourage voluntary organizations patterned along the lines of the National Committee on Alcoholism, such as Narcotics Anonymous, now operating with help from the Salvation Army on a limited basis, and others interested in this work to organize and enlist ex-addicts and the general public in a cooperative effort to help the drug addicts' rehabilitation and readjustment.

In fact, the National Association of Attorneys General acted favorably on the first, second, and fourth recommendations, and by calling for coordination between Federal and State penalties for violation of narcotic laws backed the stiffer penalties called for by the Daniel and Boggs bills.

The work of the 1956 New York State Legislature in the field of narcotics addiction was important and significant. A real advance was made in the effort to solve the drug problem, both by regulation of the illegal traffic in drugs and by rehabilitation of existing addicts. Much remains to be done. New York legislation is in the forefront of the Nation and could well serve as a model for the congressional committees currently considering the problem, but even in our own State the fight against addiction can and must be extended. We must learn to treat peddling, addiction and all the social problems attendant upon them as a whole and attack them together with all the means at our disposal.

J. K. JAVITS,
Attorney General, State of New York.
NEW YORK, *June 5, 1956.*

DEVELOPMENT OF ADDITIONAL INDUSTRIAL USES FOR AGRICULTURAL PRODUCTS

Mr. CAPEHART. Mr. President, I wish to speak a few minutes with reference to Senate bill 3503, to provide for a

scientific study and research program for the purpose of developing increased and additional industrial uses of agricultural products, so as to reduce surpluses of such products and to increase the income of farmers, and for other purposes.

I, together with some 30 other Senators, introduced that bill on March 21 of this year. The purpose of the bill is to find, by research, new uses and markets for farm products. Many persons have referred to the bill as a research bill. It asks for $100 million to carry out its provisions.

Not many days ago Congress passed a new farm bill. The administration at this moment is putting that bill into effect. One of its purposes is to place in operation the so-called soil bank under which American farmers are asked to reduce their production, to reduce the number of acres they plant of many different grains and other products, including cotton. The purpose of that bill was to accomplish two things. One was to get rid of existing surpluses which have been breaking the backs of American farmers and likewise the backs of the American taxpayers. The other was to increase farm prices.

My best judgment is that the bill will accomplish both objectives. However, that sort of situation, in which the farmers are asked to reduce their production and the American taxpayers are asked to contribute to the income of the American farmer, is certainly not a satisfactory one over a long period of time.

Mr. CURTIS. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. CURTIS. I heartily endorse the efforts of the distinguished Senator from Indiana. I am convinced that he deserves and will receive the lasting gratitude of the farmers of Indiana and of every other agricultural State. He is putting his finger on the need for additional markets for our farm products over the long pull.

At the present time there is an agricultural surplus of only 5 percent. However, because of the great strides made in agricultural production, it is estimated that in a few years, notwithstanding the increase in population, our agricultural surpluses will represent 10 percent of our needs for food and fiber. Therefore, the salvation of the agricultural economy rests on getting new customers.

Mr. CAPEHART. As a businessman, I know of only two ways to increase business. One is to sell more goods to existing customers, and the other is to find new customers. We are selling all we possibly can to existing customers. So we must find new uses and new customers if we are going to solve permanently the farm problem.

Let me point out, if I may, what has happened during the past 50 years in the United States. I am not complaining about it. I am happy that it has occurred. But in the United States during the past 50 years, particularly—much longer than that, but we have been amplifying it during the past 50 years—as a government and as a people we have been spending millions and millions of dollars to show the farmer how to produce more and more. There is a county agent in every county in the land. There are 4-H Clubs. There are great agricultural schools. The Department of Agriculture has spent a great deal of money. Private industry has spent a great deal of money in developing new seeds and new fertilizers. By spending millions of dollars in research ways and means of killing weeds have been found, so that the farmer can grow more. Billions of dollars have been spent. Billions of dollars of the American taxpayers' money have been spent in bringing into cultivation in the West, through irrigation, many acres which previously did not produce anything. The States of Arizona and California produce, I believe, or, at least, can produce, more cotton today than the original 11 cotton-growing States produce. Most of it is at the taxpayers' expense in connection with providing water to irrigate the land.

So, Mr. President, we have been spending billions upon billions of dollars to increase the farmers' production, but we have forgotten to whom the farmers would sell this increased production. So, the result is that the production is far up and the market is below the production.

What I wish to see Congress do is to spend as much time and as much money in the next few years in finding new uses for farm products and new market for farm products as we have been spending in showing the farmers how to produce more.

In other words, Mr. President, we must do either 1 of 2 things in the United States. We must either reduce farm production or we must provide markets which will utilize the farmers' production, and then increase evenly both the farmers production and the market.

To me, that is the only sensible way to do it. It is the only practical and sound way to do it. It simply must be done. To do otherwise will wreck the economy of America, and ruin the farmers by reducing their income.

If that should happen the income of every American would be reduced.

Mr. President, to me it is unthinkable that we should not do what I am advocating. The bill is before the Senate Committee on Agriculture and Forestry. Knowing of the interest which the able chairman of that committee [Mr. ELLENDER] has in agriculture, and the interest of the chairman of the subcommittee [Mr. CLEMENTS], my hope is that the committee will report the bill promptly, and that it will be passed at this session of the Congress. I cannot help feeling that the committee will do so. Thus far, the committee has not announced any hearings. I am forced to say that if hearings are not held, the committee will have to accept the responsibility, in my opinion, for the failure to take the necessary action to cure the farm problem permanently. But I do not believe the committee will fail to take action. I think hearings will be held, and a bill will be reported, because millions of farmers are looking to the committee to take action.

Let me cite an example of what I meant when I said a moment ago that the Government has spent millions upon millions of dollars to show the farmer how to grow more and more, but that very little has been spent to find new uses and new markets for farm products. I hold in my hand a table covering the 12 years from 1946 through 1957, and including the appropriation which was recently made for the fiscal year 1957.

I find that expenditures for agricultural research for State experimental stations from non-Federal funds, primarily State funds, during the 12 years amounted to $592,050,000. Almost $600 million have been spent, not to find new uses or new markets for farm products, but to show the farmer how to grow more and more and more.

Payments to State agricultural experiment stations from Federal grant funds during the 12-year period have amounted to $172,936,000. Again, that money was spent not to find new markets or new uses for farm products, but to show the farmers how to grow more and more.

For production research in the Agricultural Research Service, the amount spent in 12 years has been $276,320,000. In this instance, again, the money was not used to find new markets or new uses for farm products, but simply for research in agricultural marketing. The Government has simply been inviting farmers—and I am not quarreling with this—to grow more and more.

For marketing research in the Agricultural Marketing Service, $57,486,000 has been spent during the period 1946 through 1957. This agency is another branch of the Department of Agriculture.

The total amount spent for these items during the 12-year period amounted to $1,098,792,000—almost $1,100,000,000. I am not quarreling about that at all. I am glad the money was spent. I think it was a worthwhile expenditure.

But during the same 12-year period, what was the amount which was spent to find new uses and new markets for farm products? From 1946 through 1957, including the appropriation for fiscal 1957, $88 million, or 8 percent of what was spent to show the farmer how to grow more and to advise him what was going on, was spent to find new ueses and new markets for farm products. The $88 million was spent primarily in the four regional research laboratories which were established under the laws of 1938 and 1946.

I shall state the amount of money which was spent each year. In 1946, it was $5,117,000; in 1947, $5,766,000; in 1948, $7,675,600; in 1949, $8,053,600; in 1950, $8,686,400; in 1951, $8,122,400; in 1952, $8,002,400; in 1953, $7,713,000; in 1954, $7,956,000; in 1955, $9,047,000; in 1956, $9,575,000; and in 1957 it will be $12,488,500; a total of $88,202,900 in 12 years to find new uses and new markets for farm products. Contrast the $88 million spent for that purpose with the more than $1 billion spent to show the farmer how to grow more.

Mr. President, I ask unanimous consent to have this table, which was fur-

nished me by the Department of Agriculture, printed at this point in the RECORD.

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

Comparison of moneys appropriated for utilization research to production and marketing research

Year	Expenditure for agricultural research for State experimental stations from non-Federal funds primarily State funds	Payment to State agricultural experiment stations, Federal grant funds	Production research, Agricultural Marketing Service	Marketing research, Agricultural Marketing Service	Total per year	Utilization research, Agricultural Marketing Service (research conducted by 4 regional laboratories)
1946	(1)	$7,206,000	$14,880,000	$2,000,000	$24,086,000	$5,117,000
1947	(1)	7,206,000	17,269,000	2,379,000	26,854,000	5,766,000
1948	$35,350,000	9,677,000	18,464,000	3,068,000	66,559,000	7,675,600
1949	40,305,000	10,718,000	22,285,000	4,845,000	78,153,000	8,053,600
1950	45,205,000	12,694,000	22,723,000	5,247,000	85,869,000	8,686,400
1951	50,972,000	12,712,000	21,860,000	4,712,000	90,256,000	8,122,400
1952	56,884,000	12,676,000	22,240,000	4,342,000	96,142,000	8,002,400
1953	61,971,000	12,676,000	22,804,000	4,680,000	102,131,000	7,713,000
1954	67,205,000	13,705,000	23,600,000	4,745,000	109,255,000	7,956,000
1955	72,158,000	19,408,000	25,640,000	6,104,000	123,310,000	9,047,000
1956	78,000,000	24,754,000	28,567,000	7,164,000	138,485,000	9,575,000
1957	[2] 84,000,000	29,504,000	35,988,000	8,200,000	157,692,000	[3] 12,488,500
Total	592,050,000	172,936,000	276,320,000	57,486,000	1,098,792,000	88,202,900

[1] Figures not available.
[2] Estimated figure for 1957.
[3] Present agriculture appropriation bill.

Mr. CAPEHART. Mr. President, does it not make sense that not less than $100 million should be appropriated to find new uses for farm products in industry? Does it not make sense that tests should be made of the new uses with which the Department of Agriculture has already been experimenting and has almost perfected in the four laboratories I have just mentioned? Pilot plants ought to be built to test the new uses. Something should be done to find new markets and new uses for the products of the farmer. What are we waiting for?

I dislike to think there is anything political about this matter. I feel certain there is not. So why are we waiting?

Many persons have reminded me of the four laboratories which are now in existence. Yes, there are four laboratories. I said that when I introduced the bill originally on March 21. I named the laboratories at that time. I stated that the laboratories were at present working on 11 new uses for farm products. I said I had been told that if those experiments were successful, and if some pilot plants could be built and some field tests made to determine whether the uses were practical, and means were developed whereby the products could be processed and marketed, the new uses might well consume more than three billion bushels of grain a year out of the total of 6,500,000,000 bushels raised in the United States annually.

So I ask again, Mr. President, What are we waiting for?

The year in which the largest appropriation was made to find new uses and new markets for farm products was 1956, when $9,575,000 was provided and spent. In the same year, $300 million was spent to show the farmer how to grow more. To me, that does not make sense. There are in the United States a thousand manufacturing concerns, oil refineries, and mining companies which spend more than $9 million a year on research.

The United States has a great farming industry. The gross income of the 6 million farmers involved is from $36 billion to $38 billion a year. But only some $9 million was spent last year in what is called fundamental research in the finding of new uses and new markets for farm products.

Mr. President, I urge the Committee on Agriculture and Forestry, especially its chairman, to hold hearings immediately on the bill (S. 3503) and to report the bill. Let us give the four laboratories which are now in existence sufficient money to do the job. Let us provide them with money to build pilot plants in order to prove some of the uses with which they are now experimenting. Let us enable those laboratories to make field tests.

Let us solve the farm problem on a permanent basis. Let us solve it by increasing the income of farmers, rather than decreasing it. If we will increase the farmers' income and put them in a position profitably to grow more and more, we will be increasing the income of every American, because more jobs will be created, and there will be more business for the manufacturers, wholesalers, and retailers. The construction business will be increased, because it will be necessary to build new processing plants in order to manufacture the new article which will be made from farm products.

I observe the able senior Senator from Florida [Mr. HOLLAND] on the floor. The citrus industry in his State has had some experience with what can be done by finding new uses for or methods of handling farm products, as was demonstrated by the processing of citrus fruit. The Department of Agriculture developed methods for the quick freezing of citrus juices. This has proved to be very beneficial to the citrus growers of Florida. New industries were developed there because new processing plants were required. So there is no limit to what can be done in the United States if only we can get our people busy at work on the matter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on this subject prepared for me by the Library of Congress.

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

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., May 18, 1956.

RESEARCH, LEGISLATION, AND PROGRAMS RELATING TO THE UTILIZATION OF AGRICULTURAL PRODUCTS

PUBLIC LAW 733

The current research programs relating to the utilization of farm products are operated under the provisions of Public Law 733, approved August 14, 1946, as an amendment to the Bankhead-Jones Act of 1935, to provide for a great expansion in research programs with more emphasis on marketing and the utilization of farm products. It was recognized that the marketing and utilization research in the Department of Agriculture and in the State experiment stations should be expanded greatly in relation to production research as a means of dealing with the postwar adjustment problems.

The Research and Marketing Act of 1946 contains three titles:

Title I: Amends the Bankhead-Jones Act of 1935 to provide further research into the basic laws and principles relating to agriculture;

Title II: May be cited as the Agricultural Marketing Act of 1946; and

Title III: Provides for the establishment of committees advisory to the Secretary of Agriculture in the futherance of the research and service work authorized by the act.

Title I

In the statement of policy with reference to research, it is declared to be the intent of Congress "to assure agriculture a position in research equal to that of industry which will aid in maintaining an equitable balance between agriculture and other sections of our economy." For the attainment of this and other objectives, "the Secretary of Agriculture is authorized and directed to conduct and to stimulate research into the laws and principles underlying the basic problems of agriculture in its broadest aspects, including, but not limited to, research relating to the development of new and improved methods of production, marketing, and the utilization of agricultural products at all stages from the producer to the consumer."

The more specific directions with reference to utilization research include indications of the intent of Congress that it should contribute to the expansion of outlets for surplus products. In the language of the act, it is provided that the Secretary shall conduct and stimulate research "relating to the development of present, new, and extended uses and markets for agricultural commodities and byproducts as food or in commerce, manufacture, or trade, both at home and abroad, with particular reference to those foods and fibers for which our capacity to produce exceeds or may exceed existing economic demand * * *."

This is in line with the provisions of the Agricultural Adjustment Act of 1938 for the establishment of four regional laboratories for research relating to the utilization of agricultural products. Section 202 of that act provided that the laboratories to be established were to "develop new scientific, chemical, and technical uses and new and extended markets and outlets for farm commodities and products and the byproducts thereof." It is provided that "such research and development shall be devoted primarily

to those farm commodities in which there are regular or seasonal surpluses."

The Research and Marketing Act of 1946 provides that maximum use shall be made of existing research facilities of the Federal Government and the State experiment stations. It further provides that the research authorized is to be in addition to research provided under previous laws but should be coordinated with that research.

Appropriations were authorized with schedules increasing from the first fiscal year ending June 30, 1947 through fiscal 1950 or 1951, as follows:

Section 9 (a) authorizes increased appropriations for research for the State experiment stations beginning with $2,500,000 and increasing to $20 million for fiscal 1951. Section 11 provides that not less than 20 percent of the funds authorized to be appropriated under this section shall be used by State agricultural experiment stations for conducting marketing research.

Section 10 (a) authorizes additional expenditures for further research on utilization and associated problems, beginning with $3 million and increasing to $15 million for fiscal 1951. This section provides that the research authorized shall be conducted so far as practicable in the laboratories of the Department of Agriculture. However, it provides also that the Secretary of Agriculture may contract with public or private organizations for research supplemental to and coordinated with the research of the laboratories.

Section 10 (b) provides for cooperative research with the State agricultural experiment stations and other appropriate agencies in fields other than utilization. Additional appropriations were authorized to increase from $1,500,000 to $6 million per annum for the fiscal year ending June 30, 1950.

Following each of the schedules for annual increases in appropriations, additional funds are authorized as Congress may deem necessary.

Title II

The Agricultural Marketing Act of 1946 provides for expansion of the marketing research and service work of the Department of Agriculture and cooperating agencies. The marketing research and service authorized include activities related to utilization, as follows:

"SEC. 203 (a). To conduct, assist, and foster research, investigation, and experimentation to determine the best methods of processing, preparation for market, packaging, handling, transporting, storing, distributing, and marketing agricultural products: *Provided*, That the results of such research shall be made available to the public for the purpose of expanding the use of American agricultural products in such manner as the Secretary of Agriculture may determine. * * *

"(e). To foster and assist in the development of new or expanded markets (domestic and foreign) and new and expanded uses and in the moving of larger quantities of agricultural products through the private marketing system to consumers in the United States and abroad.

"(f). To conduct and cooperate in consumer education for the more effective utilization and greater consumption of agricultural products."

Such activities by the agencies engaged in marketing research and service are essential to the full development and effective use of the results of the utilization research in the laboratories.

Section 204 (a) authorized appropriations for research and service work in connection with the preparation for market, processing, packaging, handling, storing, transporting, distributing, and marketing of agricultural products, increasing from $2,500,000 for the first fiscal year to $20,000,000 for the fiscal year ending June 30, 1951. Additional funds are authorized thereafter as the Congress may deem necessary. This section also authorizes the Secretary to make funds available to State departments of agriculture, bureaus and departments of markets, agricultural experiment stations, and other appropriate State agencies for cooperative projects in marketing service and in marketing research.

Title III

Section 301 provides for a national advisory committee consisting of 11 members, including representatives of producers and their organizations, to make recommendations relative to research and service work and to assist in obtaining the cooperation of producers, farm organization, industry groups, and Federal and State agencies.

Section 302 authorizes the Secretary to establish additional appropriate committees, including representatives of producers, industry, Government, and science to assist with reference to specific research and service programs.

The committees authorized by title III provide channels of communication for keeping the Secretary advised as to the most pressing needs for research and also contribute to maintaining goodwill working relations with the trade and industry.

ORGANIZATION AND DEVELOPMENT TO DATE

The Department of Agriculture proceeded after the passage of the Research and Marketing Act in August 1946, to request appropriations in line with the authorizations and directions of the act. But the schedules of increased appropriations have not been carried through. No additional funds authorized for the first fiscal year ending in 1947 were appropriated. For fiscal 1950 only $19 million was appropriated whereas the authorizations provided for $48 million. The schedule of authorizations for utilization (sec. 10 (a)) was to increase to $15 million in fiscal 1951, but the appropriations identifiable for this purpose in 1956 are still short of the authorization for 1951.

The responsibility for failure to appropriate funds in accordance with the schedules in the legislation to expand research activities is chargeable to both the Congress and the administrative agencies. The administrative agencies have been restrained to some extent by (1) the shortage of available qualified personnel to staff a rapid expansion of research along the several lines provided for in the act; and (2) the pressure for economy or restraint upon increasing Government expenditures. Possibly weaknesses in organization and scarcity of dynamic leadership have been contributory factors. An evaluation of the significance of these factors could be developed through the testimony of witnesses from the Federal and State research agencies at hearings.

The extent of the responsibility of the Congress for failure to provide the funds scheduled or requested could be checked by a review of the relation of the appropriations to the budget requests for research funds. However, it is probable that the requests by administrators are affected to some extent by known or expected attitudes of members of the Appropriations Committees of Congress.

Mr. CAPEHART. Mr. President, I likewise ask unanimous consent to have printed in the RECORD, as a part of my remarks, a study made by the Library of Congress for me, which is headed "Research and the Utilization of Agricultural Products." There are many pages in the study, but I think it ought to be made a part of the RECORD.

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

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., May 9, 1956.

RESEARCH AND THE UTILIZATION OF AGRICULTURAL PRODUCTS

1. RESEARCH BY GOVERNMENT AGENCIES

The United States Government expenditures on research relating to the utilization of agricultural products including forestry, are small in comparison with expenditures on production. The total of the funds available for utilization research by the United States Department of Agriculture in the current fiscal year amounts to only $12,644,000 of a total of $58,614,000 available for research and development. The funds available for marketing research amount to $8 million, and the remainder, $38 million, is available for research relating to production.

The research designed directly for industrial utilization of surplus farm products is really only a small part of the funds available for utilization research. The utilization research programs included in the United States Department of Agriculture to which the funds indicated above are allocated, include research on human nutrition and home economics and the utilization of forest products. The direct obligations for utilization research to develop new and improved products, improving processing, and increasing the use of products are $9 million. A large part of this is utilized on improving feeds, foods, and clothing. Such research is directed toward improving qualities, protecting the products in relation to competition of nonfarm products, and satisfying special demands. It is practically impossible to determine a definite allocation of these funds for research designed primarily to increase the industrial use of surplus farm products, but it is evidently only a small proportion of the limited funds available for utilization research.

The State Experiment Stations and associated agricultural colleges and universities receive a substantial grant of funds from the Federal Government and a larger volume of funds from the State and other non-Federal sources for agricultural research and development, including some research on utilization.

The Federal Government in the current fiscal year has distributed $24,754,000 to the States and it is estimated that the State research agencies receive about $78 million from other sources. Only a very small proportion, less than $2 million, of the funds distributed by the Federal Government to the States is used for utilization research. The other agencies contributing to research in the States provide about $5 million for utilization research. Adding together all funds available in the current fiscal year for utilization research totals about $20 million, with about $126 million used for production and $16 million used in marketing research. The research directed at extending industrial uses for surplus farm products in the State institutions, as in the agencies of the United States Department of Agriculture, is probably only a small part of the total of the funds available for utilization research.

Agricultural research and development funds available fiscal 1956

Federal and State Government agencies, including agricultural colleges and universities:	
U. S. Department of Agriculture	$58,614,000
States, Federal funds	24,754,000
Non-Federal funds	78,000,000
Total	161,368,000

Agricultural research and development funds available fiscal 1956—continued

U. S. Department of Agriculture agencies:	
Distribution to types of research:	
Production	$38, 257, 000
Utilization	12, 644, 000
Marketing	7, 714, 000
Total	58, 614, 000
Agricultural Research Service payments to States:	
Distribution to types of research:	
Marketing	5, 603, 000
Utilization	1, 658, 000
Production	17, 493, 000
Total	24, 754, 000
Non-Federal funds available to State experiment stations, agricultural colleges and universities:	
Distribution to types of research:	
Marketing	2, 730, 000
Utilization	5, 460, 000
Production	69, 810, 000
Total	78, 000, 000

Type of research, distribution, funds available to Federal and State agencies, 1956

Distribution to types of research:	
Utilization: [1]	
USDA agencies	$12, 644, 000
State agencies, Federal funds	1, 658, 000
State agencies, non-Federal funds	5, 460, 000
	19, 762, 000
Marketing research:	
USDA agencies	7, 714, 000
Federal funds	5, 603, 000
Non-Federal funds	2, 730, 000
	16, 047, 000
Production research:	
USDA agencies	38, 256, 000
State agencies, Federal funds	17, 493, 000
State agencies, non-Federal funds	69, 810, 000
	125, 559, 000
	161, 368, 000

[1] Includes forestry products, home economics research, and allocations of library and other administrative funds.

Estimate of non-Federal funds and distribution by type of research supplied by budgetary reports, Agricultural Research Service, USDA.

The great disparity in the Government in use of agricultural research funds between production and utilization is an historical development. The authorization of Federal research in relation to production developed from the beginnings of research in the United States Department of Agriculture and the State experiment stations. Research in relation to marketing and utilization of farm products is a recent development. Recognition of the need for marketing research and services was registered in the establishment of the Office of Markets in the United States Department of Agriculture shortly before the outbreak of the First World War. The recognition of the need of utilization research as a contribution to the disposal of surplus farm products was formally recognized first in the Agricultural Adjustment Act of 1938.

Legislative provision for research on new uses and new markets for surplus farm commodities was included in title 2, section 202 of the Agricultural Adjustment Act of 1938, as follows:

"SEC. 202 (a). The Secretary is hereby authorized and directed to establish, equip, and maintain 4 regional research laboratories, 1 in each major farm-producing area, and, at such laboratories, to conduct researches into and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for farm commodities and products and byproducts thereof. Such research and development shall be devoted primarily to those farm commodities in which there are regular or seasonal surpluses, and their products and byproducts."

The Secretary was authorized and directed to cooperate with other departments, agencies, and institutions in carrying out the purposes of this legislation. An appropriation not to exceed $4 million was authorized for the first year. The four regional laboratories have become important research centers.

However, the financial support for the development of agricultural utilization research has not kept pace with the problems to be dealt with nor with the national expenditures upon research generally. The Federal expenditures on research and development have multiplied many times within the last 15 years. Estimates of expenditures for Federal research and development indicate an increase from less than $100 million in 1940 to over $2 billion in fiscal 1955.[1] The research and development expenditures in the Department of Agriculture increased from about $28 million in 1940 to $72 million in 1955, whereas the expenditures on utilization research, initially authorized at $4 million in 1938, has increased to only $9 million for fiscal 1955.

While there is no practical measure of funds required to deal with the problems which are dealt with in the field of utilization research, it is obvious that expenditures are far short of what might be considered as required to deal with such problems.

Evaluation of the results of utilization research by the United States Department of Agriculture

The utilization research in the Department of Agriculture has contributed to a significant extent both directly and indirectly to expanding the industrial utilization and to increasing the use value and expanding the use of may farm products. Results of the utilization work of the Department were reviewed recently in an article entitled "More Dollars From New Markets," published in the March 1956 issue of Chemurgic Digest. It is quoted as follows:

"MORE DOLLARS FROM NEW MARKETS

"Industrial uses and new foods add millions to farm-product value.

"The wholesale value of farm products (not including cotton and wool) used annually today for nonfood uses is about $1 billion.

"Animal fats are used in making plasticizers—substances used to make plastics pliable and tough—at the annual rate of some 15 million pounds worth from $3 to $4 million. Stabilized fats used in feeds amounted to some 280 million pounds in 1955. Research has shown that use of inedible animal fats in the hotdip tinning of sheet steel could absorb 15 million pounds of fat annually and release the industry from dependence on imported palm oil.

"Research to improve the quality of cotton products has helped raise cotton consumption and enabled cotton to ward off competition from other fibers. Developments by USDA's Agricultural Research Service in cooperation with industry include a cotton opener, which permits better cleaning and blending of raw cotton; a differential dye test, used to preselect cottons that will dye to a uniform shade; and new equipment that permits textile mills to handle cotton of different fiber lengths. The cotton opener alone is saving mills more than $2 million annually.

"Cottons that are virtually new fibers have been prepared through chemical modification. One of them is partially acetylated cotton, highly resistant to rot, mildew, and heat damage. Another chemical treatment flameproofs cotton fabric and enables it to keep its flame resistance even after many launderings. Improved surgical bandages, made by chemically treating ordinary cotton gauze to make it stretchable and self-clinging, costs less than half as much as that of other suitable bandages. They have already saved the Armed Forces several million dollars.

"An important new use developed for corn is a fiber made from the corn protein zein. Zein fiber, used in blends with wool, cotton, and other fibers now has a market value of $5 to $6 million annually.

"Research developed processes have made the dry grinding of such agricultural residues as corncobs, fruit pits, nut shells, and rice hulls a well established business. Much of the ground material is used for airblast cleaning and polishing. Corncobs are a source of the industrial chemical furfural, used in making nylon and other products. Waste straw is going into paper and paper products. Waste feathers are used for feeds and fertilizers.

"Research on medicinals by agricultural scientists has been extremely rewarding. USDA investigators helped boost yields of penicillin more than a hundredfold, mainly through development of the submerged-culture method, using corn steep liquor (a byproduct of cornstarch manufacture) and lactose (milk sugar) in the culture medium. From an overripe cantaloup they isolated the mold that is the parent strain of all those now used for penicillin production. Following penicillin, a vast new era of antibiotic research and production was initiated, and a multimillion dollar antibiotics industry has been established.

"Development of the starchlike substance dextran, a synthetic blood-plasma extender, is of incalculable value in case of a large scale catastrophe. Commercial production is now sufficient to meet military and civilian stockpiling needs.

"Within the past 20 years, bulk groceries have been almost entirely supplanted by nationally advertised prepackaged goods. The entire retail frozen-food industry has come into being. From only 77 million pounds in 1935, United States production of frozen fruits rose to 523 million pounds in 1954. Frozen fruit-juice concentrates shot up from nothing in 1935 to 82 million gallons in 1954. Production of frozen vegetables starting from practically nothing in 1935, has reached about 1 billion pounds per year.

"Developments in food processing have given farmers a more assured market for their crops, considerable relief from seasonably glutted markets, and more demand for products that provide better return for invested capital and labor.

"Frozen concentrated orange juice, used by housewives the country over, returns tens of millions of extra dollars each year to orange growers and has prevented development of a glutted fresh-orange market. Orange juice, once a luxury, is now available to everyone the year round. Frozen concentrated grape juice, pineapple juice, apple juice, tomato juice are also on the market.

"Research has increased tremendously also the outlet for dairy products. It has shown, for example, that milk solids can be used in practically any type of baked goods, making them taste, look, and keep better, as well as making them more nutritious.

[1] Federal Funds for Science, published by the National Science Foundation, 1954.

"Research conducted on dried eggs during the past 20 years has resulted in a high-quality, versatile new product. An expanding industry, now exceeding $50 million annually in volume, has been built on this research. At least 20 million pounds of dried whole egg, yolk, and white are now being used annually in candy and noodle manufacture, in commercial baking, and in prepared mixes."

The above statement selects for appraisal some of the most significant results of the utilization research by the Department. In addition, basic research not yet applied has laid the groundwork for tangible results not yet realized, but having great potential value. A substantial increase in funds for application and development probably could multiply the tangible results to farmers from the results of research to date. The fruitfulness of the modest expenditures to date suggest the potential value of expanding greatly the funds available for basic research and development.

2. UTILIZATION RESEARCH BY INDUSTRY

The expenditures on research in the utilization of agricultural products in industry[2] are probably greater than the expenditures of the Government. Available information is not sufficient to provide a current estimate of the expenditures by industry for research relating to the utilization of farm products, but estimates of such expenditures in 1951 exceeded the total of research expenditures in the United States Department of Agriculture on all research and development in that year. Information from about 300 companies carrying on research relating to agriculture indicated that they were then spending about $90 million on the utilization of agricultural products, including forestry products. In addition, industry in 1951 was spending about $50 million on research relating to farm machinery, agricultural chemicals, feeds, etc., related to production. The total of research expenditures relating to agriculture by industry probably exceeded $140 million whereas the United States Department of Agriculture was spending only about $56 million on all research and development projects in that year.

The recent survey of the cost of research and development in private industry indicated an expenditure in 1953 of about $3,700,000,000. Preliminary information indicates that more than one-third of the cost of research and development conducted by private industry was for work done on Government contracts. Probably not more than 5 percent of the total, if that much, was spent upon the utilization of agricultural products, including forestry. In this connection, it was estimated that the total expenditures on research by business, Government, and educational institutions probably exceeded $5 billion, with industry accounting for about two-thirds of that total.

Examples of private industry research re industrial uses of agricultural products[3]

The Atlas Powder Co. is a pioneer in the development of new uses for agricultural products through chemistry and has long recognized the interdependence of industry and agriculture. In the early 1930's chemists of the Atlas Powder Co. developed a new process for turning corn sugar—that is, dextrose—into sugar alcohols. Up to that time, sugars, including corn sugar, had been confined in their uses almost entirely to sweetening substances; since sugar is not sufficiently heat-stable to undergo chemical reaction, it had only limited application to the chemical industry.

By hydrogenating corn sugar, the company was able to produce heat-stable compounds which have found widespread use as a raw material in many manufacturing processes, both food and nonfood. Today, modern chemical research has made it possible to utilize corn sugar in emulsifiers for the manufacture of cosmetics, foods, medical and pharmaceutical preparations, and insecticides; also in placticizers, in industrial finishes for manufactured products, and in moisture conditioners for tobacco, textiles, paper, and other products.

Atlas is a substantial user of farm products in virtually all its operations. In most cases, farm products are used to make nonfood products. The manufacture of explosives, for example, requires large quantities of glycerin processed from livestock and vegetable oils, corn flour, nitrocotton, cane sugar, beet pulp, oat hulls, and many other products of the land. The company used some 12 million pounds of corn sugar in its manufacturing processes last year and is the Nation's largest user of corn sugar for nonsweetening purposes. More than 8 million pounds of natural fats and oils were required to make emulsifiers; and, in total, the company consumed approximately 40 million pounds of ingredients derived from farm crops.

The E. I. du Pont de Nemours & Co., Inc., in addition to developing and formulating products for agricultural use, through research, has found uses for many farm products and byproducts. For example, cotton linters (short-staple fiber still adhering to cottonseed after ginning) once preferred for the production of cellulose, which Du Pont uses in very large quantities for manufacture of rayon, cellophane, finishes, explosives, and other products. In recent years, cellulose from woodpulp has been raised in standard by Du Pont scientists until it is of sufficiently high quality to be satisfactory in practically all uses.

Farm products also enter substantially into manufacture of paints and lacquers by Du Pont. The company's finishes division uses large quantities of vegetable oils such as soya, linseed, and tung oil; butyl alcohol, which is derived from corn; and ethyl alcohol, derived from molasses which in turn is made from sugarcane.

Ely Lily & Co. for many years has used great quantities of agricultural byproducts in the manufacture of pharmaceuticals such as insulin, liver products, and thyroid extracts. In addition, Lily uses in the making of pharmaceuticals such agricultural products as corn sugar, cane sugar, cornstarch, and oil, potato starch, soya-bean meal and oil, cider and vinegar, orange and lemon oils, beeswax, casein (curd of milk), and milk sugar.

The Baker Castor Oil Co.'s program of research and development is concerned with vegetable oils unusual to United States agriculture, primarily castor oil, but also safflower oil and others. A spokesman for the company points out that its program is making possible higher incomes to farmers in areas where oil crops can be grown by providing new cash crops to be planted on acres retired from surplus crops, and thus permitting agricultural diversification with accompanying greater financial security.

Baker's research chemists work constantly to develop new products made from castor beans and thus increase the market demand for castor beans and other unusual oil seeds.

Spencer Kellogg & Sons, Inc., deals in oilbearing crops which are converted into oils and protein concentrates. In producing protein concentrates, which it sells to mixed feed companies, the Kellogg Co. maintains its own research laboratories in which scientists evaluate meals, for feed, from a nutritional standpoint.

An extensive research laboratory is maintained in the company's soybean solvent extraction plant in which Kellogg scientists work continuously to improve soybean oil both for edible and for industrial purposes and thus increase consumption. For example, a method of chemically treating soybean oil to increase its drying properties and make it equal to linseed oil has been developed, and the company says, "We have a proven record that our product can be used in outside house paints and the results are equal to linseed oil for this work."

The National Canners Association has played an important part in the improvement of the United States canning industry's methods and products. In the field of scientific research carried on by trade associations for the benefit of an entire industry, the Canners Association was a pioneer and steadily has broadened the scope of its work in recent years to extend it to the industry's raw products problems.

The Gerber Products Co. has been concerned with the manufacture of baby foods since 1901. From a humble beginning this company grew into an industry which in 1954 used a tonnage of fresh fruits and vegetables which would require 8,500 railroad cars to move.

The corn refining industry, comprised of 13 plants, has through the Corn Industries Research Foundation, Inc., an extensive research program with projects handled by many agricultural colleges. The 13 corn-refining plants are capable of grinding 250 carloads of shelled corn daily (120 million bushels per year) and of shipping out a like amount of finished products—starch and oil, and their byproducts which principally are used by the mixed-feed industry for dairy and poultry feeds. As the result of research, practically nothing is wasted; even the steepwater in which the grain soaks before it is processed is an important nutrient for growing yeast and molds which in turn produce the antibiotics, such as penicillin, teramycin, streptomycin, and aureomycin.

Industry research and development activities related to farm products probably would be stimulated by an expansion of the basic research program of the Government agencies. Cooperation of Government and industry in research and development of new and extended uses for farm products is essential to obtain the most significant results.

ECONOMICS OF UTILIZATION

The greatest interest in increasing utilization research arises from the need of finding outlets for surplus production. In working toward this objective it is necessary to give careful consideration to the significance of the results of utilization research in terms of market outlets and the volume of products which may be channeled through the new and expanded outlets.

A recent article by K. Starr Chester published in the Chemurgic Digest, February 1955, calls attention to the tendency of industry to use substitutes for agricultural raw materials. The article is quoted in part as follows:

"There is a growing trend for industry to use substitute raw materials for the agricultural raw materials formerly used. As a few examples of this:

"Butanol and acetone, basic industrial chemicals, were formerly made from corn. Today the plants that made these chemicals from corn are idle, and the chemicals are being manufactured from petroleum or natural gas.

"Glycerol, another basic industrial chemical, was formerly made from tallow, and to some extent from cottonseed oil and soybean oil. Now synthetic glycerol is dominating the market.

"There is an extensive market for proteins in paper coatings. Either soybean

[2] Science and Engineering in American Industry, Preliminary Report on a Survey of Research and Development Costs and Personnel in 1953–54, prepared for the National Science Foundation by the U. S. Department of Labor, 1955.

[3] USA-Background, published by the U. S. Information Agency as Rept. No. 2099, dated September 12, 1955.

protein or casein from milk can be used for this. This market is supplied from casein purchased from Argentina, which is cheaper than either domestic casein or soy protein.

"Furfural, which could have a major outlet in nylon manufacture, is made from grain residues, the use of which aids the economics of grain marketing. Yet cyclohexane from petroleum is used to great extent rather than furfural in nylon manufacture.

"Synthetic raw materials are replacing linseed oil in the drying-oil field, in numerous applications.

"Synthetic textiles are supplanting cotton for a number of uses including tire cords, carpeting, window curtains, and shower curtains as well as clothing.

"Alpha cellulose is now being made of woodpulp instead of cotton linters, as formerly.

"Synthetic detergents are replacing soaps which are made from natural oils and fats.

"Carboxymethycellulose, which in part has its origin in petroleum, is replacing starch as a thickening agent.

"The reasons for this shift away from agricultural raw materials are chiefly economic ones, which might be overcome if industry had incentives to use the agricultural raw materials. Synthetic raw materials are used because they are cheaper to buy and use, and are in constant supply at relatively constant cost from year to year. In some cases, they are more uniform and of higher quality, but these advantages generally have less significance than cost and supply.

"A great many agricultural raw materials are at a disadvantage because their cost is abnormally high; they have priced themselves out of the industrial market. Industry has no prejudice against agricultural raw materials; it simply cannot afford to use them. There is no lack of technology for producing industrial products based on such agricultural raw materials. In the fields of the Department of Agriculture, of industry, and of the Patent Office are many hundreds of processes for converting the surplus farm commodities into industrial products. These processes are scientifically sound, practical, and workable, but they lie gathering dust because their economics are not favorable. There is no economic incentive to use them."

Research that does not find an outlet that will increase the demand for the products will not in itself make a significant contribution to the disposal of surpluses except to the extent that it is significant to find outlets at lower value uses as relief measures to reduce losses otherwise being realized. The author cited above recognizes the problem and suggests that the Government provide incentives for the lower value use.

With reference to economic incentives for the greater use of surpluses, he writes:

"To ask industry to make greater use of the surpluses, which it is able to do technologically but not economically, is to ask industry to undertake operations that are economically hazardous, yet are in the national interest, and, indeed, are in the nature of an emergency. The precedents for providing industry with economic incentives, in such cases, are well established.

"It is desirable that a thorough economic and technological study be made of the feasibility of relieving the surplus problem through providing such incentives to industry. This study should point out the industrial processes in which surplus agricultural commodities could be used to greater extent than at present, provided the economics were more favorable, and the extent to which this would relieve the surplus problem. The nature and amount of incentives that could stimulate such utilization must be determined. The cost of these must be calculated, and compared with existing costs related to the surplus problem. The study should consider the impact which such a shift in raw materials would have on other industries, and its economic and social consequences."

Improving the processing and the economic utility of an agricultural product resulting in a higher value use, is, of course, more to be desired than a program of incentives to permit or encourage lower value uses.

The position of cotton in relation to synthetic fibers is a case which illustrates the problem and the possibilities of maintaining and even developing higher value uses. Improvements in the use values of the synthetics and lower costs of production have made serious inroads on the outlets for cotton. The National Cotton Council reports that the synthetics industry is now spending at least $60 million on research annually but the entire research expenditures devoted to cotton by all public and private agencies combined is probably only about $14 million annually. However, the cotton utilization research has demonstrated that the utility of the cotton fibers can be improved and the competitive position of that crop thereby strengthened.

3. PROGRAMS FOR UTILIZATION RESEARCH AND DEVELOPMENT

The research and marketing advisory committees of the United States Department of Agriculture with the assistance of members of the staff of the Department, now provide a means of keeping in touch with research needs and the industrial research programs as well as the activities and research plans of the Government agencies and other research institutions. Through the Department and these committees, it would be possible to develop information as to the programs in operation, plans for future work, and obtain evaluation of needed research and funds required for research programs which have the greatest promise of significant results.

Mr. CAPEHART. Mr. President, I hold in my hand many editorials which have appeared in the great newspapers and magazines of the United States in respect to this matter. I have not found anyone opposed to this idea. I have not found anyone who does not feel the purpose of the bill ought to be accomplished quickly. Many people do not quite understand why we have not heretofore passed such a bill. So I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, many editorials and articles from magazines and newspapers.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the South Bend Tribune of March 24, 1956]

CAPEHART'S FARM VISION

Senator CAPEHART'S suggestion that the Federal Government spend $100 million a year on a program for development of new uses of farm products commands serious consideration in the existing circumstances.

Already a lot of the taxpayers' money is going into subsidies, in one form or another, which evade the basic issue. At the root of the farm problem is overproduction. Too much is being produced in view of the existing need for farm products.

For decades, this has not been given proper consideration in the much-advertised "farm relief" laws. A series of evasive farm laws has merely aggravated the situation.

The Eisenhower administration is trying to create a less dangerous system for service while a program going completely to the root of the problem is being devised and applied. But the administration is literally besieged now by congressional advocates of measures that would prolong and intensify the basic trouble.

Perhaps an efficient crop production control system cannot be created. In fact, many authorities say that it is literally impossible.

So it is eminently sensible to consider ways and means of increasing demand for farm products. Incidentally, the remedies applied so far by the Federal Government, most notably rigid Government supports, have actually reduced demand for some farm products.

Senator CAPEHART specifically mentions "industrial use for agricultural products." The potential demand in that area may be unlimited.

The Indiana Senator thinks the markets for farm products can be increased 100 percent in the next 50 years. That could mean unprecedented prosperity for farmers.

This is not wildly fanciful. The surface has been barely scratched where new uses for farm products are concerned.

[From the Indianapolis Times of March 25, 1956]

HOOSIER FARM LEADERS BACK CAPEHART'S PLAN—BUREAU, FARMERS UNION CHIEFS ENDORSE UNITED STATES RESEARCH TO INCREASE PRODUCT DEMAND

(By Ted Knap)

Leaders of two major farm groups in Indiana yesterday endorsed Senator HOMER E. CAPEHART'S crash program to find new uses for agricultural products.

The Indiana Republican Senator said his $100-million-a-year research proposal would double the market for farm products. In introducing the measure last week, he said it would help solve the farm problem for all time.

Instead of concentrating on cutting farm production in line with the reduced demands, which has been Federal policy for more than 20 years, the Capehart plan would concentrate on boosting the demand so farmers can produce all their land will yield.

He called the plan staggering in impact.

Hassil Schenck, president of the Indiana Farm Bureau, said he is very enthusiastically in favor of the Capehart bill.

"It is one of the soundest investments the Government could make at this time," he said. "It would be a major step toward the long-range solution of the farm problem. The job is a big one, and the research program should get an appropriation big enough to carry it out."

John Raber, president of the Indiana Farmers Union—often opposed to the Farm Bureau—said his group also favors the Capehart plan.

Both the Farm Bureau and Farmers Union, at their recent State conventions, approved resolutions calling for more Government-sponsored research into industrial uses for farm products.

Both Mr. Schenck and Mr. Raber predicted the Capehart bill will pass in this election year when the farmers' plight is of major political concern. Mr. Schenck said some opposition is expected from those interests with which industrialized farm products would compete, like the gasoline industry.

"Its potential is virtually unlimited," Senator CAPEHART said. "I know enough about it that I have been saying to the farmers of Indiana: 'Don't sell your farmland. Buy more. The next 50 years on the American farm will see unprecedented prosperity.'"

"Its results," Senator CAPEHART said, "would include:

"More income for the farmer.

"More jobs—on farms, in new industries, and in transport.

"More retail business in farm communities and around the new industries.

"Lower taxes for all because it would wipe out, or at least reduce, the need for Government buying of surplus."

Senator CAPEHART pointed out that the $100 million he urges for research is less than

one-third of the $365 million Uncle Sam now spends just for storing surplus crops.

Main points of the Capehart bill are:

1. It creates an Industrial Agricultural Products Administration, headed by a Presidential appointee.

2. The IAPA would conduct research and experiments on old and new farm products to explore their usefulness in industry.

3. It would hire or contract with firms and research organizations, including universities, to conduct such study programs.

4. It would operate pilot plants to develop manufacturing processes to the point where it will be profitable for private industry to take over.

5. Pay private citizens for successful suggestions or inventions in this field.

6. Expand the research and pilot plant programs now being done on a limited basis by the Agriculture Department.

Senator CAPEHART said there are many possibilities for industrial use of crops, some of which have had preliminary exploration. Fo example, alcohol made from grain can be substituted for gasoline if cheaper manufacturing methods can be devised.

There has been considerable interest in a bamboo plant to be used as raw material for making paper pulp, which is in critically short supply.

"Some years ago, the citrus-fruit industry was in bad shape," Senator CAEPHART recalled. "Then our Agriculture Department, through research, aided in the perfection of the quick-frozen food process. I am told that this virtually saved the citrus-fruit industry."

[From the Hammond (Ind.) News of May 28, 1956]

NEW USES FOR FARM PRODUCTS

Mixing alcohol with automobile gasoline—a process used successfully in several foreign countries and which has received experimental approval in the United States—may go a long way toward solving the surplus grain problem. An estimated 2½ billion bushels of grain would be used annually in making alcohol for new uses—including 2 billion bushels for mixing with gas and 365 million bushels if alcohol can be produced economically enough to justify its use in the manufacture of synthetic rubber.

Study of the alcohol-from-grain possibility is among the proposals of many Senators who are seeking new uses for farm products to bolster the agricultural economy and reduce surpluces. Senator HOMER E. CAPEHART of Indiana has been among the leaders in advocating the establishment of a special agency devoted to exploring new industrial uses for farm products and has introduced legislation to that effect.

[From the Indianapolis News of March 23, 1956]

A KEY TO FARM PROSPERITY

Indiana Senator HOMER E. CAPEHART is to be commended for urging Congress to look beyond temporary farm relief measures toward establishment of a basis for permanent agricultural prosperity.

We believe that he is on the right track in introducing a bill to set up a broad Government-backed program of research to find new industrial uses for farm products.

Essentially, as the Senator explains, this is a solution of the farm problem based, not on the negative theory of curtailing production, but on a positive approach of creating new markets demanding full utilization of our agricultural capacity.

Industry in this country already has made great progress in using grain and other crop derivatives in processing rubber, plastics and other materials. But the surface has hardly been scratched.

Agricultural research, as far as Government programs have been concerned, has been a budgetary orphan. It presently has neither the facilities nor the personnel needed to bring it to the point of a breakthrough toward major accomplishment.

The $100 million annually to bring this about, as provided in the Capehart measure, is fractional when compared to the savings that could be made in farm subsidies and in Government storage of surpluses.

Senator CAPEHART believes enactment of such a research program would result in the creation of a farm market at least twice as great as any we have ever known.

Farmers could follow their natural instinct to get everything possible out of their land. Industry would profit. Doors would be opened to thousands of new jobs with the opening of plants to manufacture new products.

Our farm economy has been based too long on the notion that farm products are meant only to be eaten.

Research is disproving that now. But greatly expanded research is needed to bring the marketing of agricultural products for industry on a par with their marketing for grocery counters and feed mills.

As Senator CAPEHART says, much of the program he proposes should be carried on in existing public and private laboratories, particularly through our land-grant colleges, and through private industry itself.

The Government's role should be that of coordinator, not operator.

The main thing is to get the program started as soon as possible. Just that much sooner will farmers be brought into equality with other segments of our economy. And just that much sooner will the taxpayers be taken off the treadmill of paying for year-to-year high-cost farm relief bills.

When that time comes, we won't have the dismal spectacle of good Indiana corn rotting in storage.

[From the Indianapolis Star of March 25, 1956]

TO SEEK A PERMANENT CURE

Hoosier Senator HOMER CAPEHART has offered to the Senate a farm proposal which may justifiably be called exciting. It is a proposal that Government research in the industrial uses of farm products, long carried out on a limited scale by the Department of Agriculture, be elevated to the status of the major phase of the farm program.

All of American industrial experience suggests that Senator CAPEHART is merely stating a simple truth in saying that the possibilities of expanding the market for farm goods by this means are limitless.

Expansion of the farm market is the only kind of measure which can possibly bring permanent solution of the farm problem. The opposite measure—reduction of supply—has been the objective of the present Federal program since its inception during the New Deal. To date all the effort directed at this objective over more than 20 years has not been able to bring even a single season's respite from the problem. If the program ever were successful in shrinking production to the size of the market, there could be no sense of assurance that the market would not then contract further and bring the problem back.

If on the other hand relief from the problem can be obtained by expanding the market to absorb the existing production, even if production then expanded further, as it undoubtedly would, still there would be every possibility that a continued balance could be maintained by perpetuating the expansive trend of the market, once established.

We hope Congress will be quick to grasp the potentialities of this proposal.

We question the proposition that the idea should be implemented by creating a new administrative agency and a new section in the Department of Agriculture. To be sure this has been the standard method of launching a project in Washington over the past 25 years or so. But it is not necessarily the best method.

The establishment of new agencies would be dramatic. But it also would be time consuming. Funds and energies for a considerable period at the start of the program would be dissipated in the building of a new segment of bureaucracy. Only when it has firmly laid the groundwork for its own perpetuation and expansion is a new Federal Bureau ready to go to work at the task assigned to it.

It might be more effective to put the funds and energy into direct expansion of the existing research program of the Department of Agriculture. Surely sufficient emphasis could be achieved in the passage of the act to give the program initial impetus equivalent to that achieved by the psychology of establishing a new agency.

The basic proposal is a good one. The mechanics are important to the end that energy be applied as soon and as directly as possible to the achievement of the mission, with a minimum of diversion into the fields of new buildings, new plants, and new staffs.

Senator CAPEHART has hold of something.

[From the Indiana Farmers Guide]

MORE USES FOR FARM PRODUCTS

One of the constructive proposals to come out of current debate on the farm problem is the bill introduced by Hoosier Senator HOMER E. CAPEHART to establish a $100 million Government research program "to double the demand for farm products through discovery of new industrial uses and utilization of new processes already known." Although some research along this line has been conducted for a number of years on a limited scale by the United States Department of Agriculture and land-grant college experiment stations, this would be an intense, well financed effort to speed up and expand such research to alleviate the farm crop surplus problem as rapidly as possible.

Expansion of the farm market is the only real solution to our current crop surplus problems. Natural population growth and concerted efforts to find new markets for our crops as food and fiber will take care of part of the expanding production, but Senator CAPEHART'S proposal is designed to eliminate the slack entirely and to strengthen the American farmer's economic position in a constructive manner.

We are inclined to disagree with the Senator on one provision of his bill. This would establish a new Industrial Agricultural Products Administration to conduct the program and a new agency within the Department of Agriculture to carry out the work. It might be better if this entire project were made a part of the existing research program of the Department of Agriculture, rather than creating another office.

We hope Congress will give this program for expanded industrial uses of agricultural products serious consideration.

[From the Plymouth (Ind.) Pilot-News of May 2, 1956]

FARM PROBLEM SOLUTION

Senator HOMER E. CAPEHART, of Indiana, has proposed a plan for the solution of the troublesome farm problem which he believes will make an unlimited market for our farm products. His plan: "A tremendous research and development program * * * to develop to the utmost the industrial uses we already know about for farm products * * * and at the same time find new uses creating a demand for at least double what we have considered normal farm production of the United States."

Senator CAPEHART has a big farm down near Washington, Ind., and knows something firsthand about the farmer's problems. He would have a sizable appropriation for the rapid and signal increase of research for

greater and greater uses of farm products until surpluses will be a thing of the past.

For many years the Chemurgic Council has been working on this matter of turning farm products into new uses, and considerable progress has been made. CAPEHART believes that there is no limit to the new products we can discover if we devote enough time to the subject.

The Senator may be right about this, for scientists have done far more wonderful things than this. The time has certainly come to give this idea a thorough trial. If science can solve our critical farm problem, that is without doubt the best and surest way to do it. Politics will never solve it.

[From the Washington Star of April 6, 1956]

CAPEHART'S FARM PLAN WORTH LOOK

A new line of attack on the farm problem, uniformly recognized as the number one headache in the national economy, has been proposed to Congress. It is, in brief, a greatly expanded and intensified research program to find new industrial uses for farm products. Legislation to launch the program, under a fulltime administrator, has been introduced by Senator CAPEHART, Republican, of Indiana.

The idea of research in agriculture is not, of course, a new one. The Department of Agriculture, though its experimental stations and in cooperation with both public and private agencies, has engaged in research for many years. And Senator CAPEHART proposes that his vastly broader program should be built upon the foundations of this existing activity.

To a large extent, however, past research has been directed at improving production methods and quality of crops rather than seeking new uses for the products themselves. It is in this proposed change in emphasis, perhaps, that a substantial increase in research offers its greatest promise for utilization of our continuing and costly overproduction.

There are, in fact, certain lines of research under way—but with limited funds and attention—that might provide important new agricultural markets. One is the extraction of metallurgical oils and another of paint oils from grain. A third is the manufacture of synthetic rubber through the use of ethyl alcohol extracted from grain, or in the use of grain-derived ethyl alcohol for other industrial purposes.

The petroleum and chemical industries, as examples have demonstrated—particularly in the last decade—the unlimited horizons that can be discovered through research. The chemical companies already are directing attention to the possibilities in agricultural products.

The farming community itself, however, is not able, through organization or financing, to undertake research on any effective scale. The proposed program would be a long-term one and relatively costly in the first instance. It might, however, bring much greater dividends than those derived from spending money for the storage of surplus crops or for holding land out of production. The plan is worth a careful look.

[From the Indianapolis Star of March 25, 1956]

INDIANA FARMING: CAPEHART FARM-AID PLAN PUTS ACCENT ON GROWTH

(By Robert Kellum)

The United States Senate piled more confusion on the belabored farm problem last week—by passing a bill that has more pitfalls than a winter-ravaged county road.

But, behind the fanfare over what kind of price supports to provide for commodities, there's sentiment mounting among many agricultural leaders for an entirely new approach. They think it's time to look further ahead than 1 year on this job of putting better stability into rural buying power.

Senator HOMER E. CAPEHART's introduction of a bill to create an Industrial Agricultural Products Administration with a $100 million annual research fund is a step in this direction. The accent is on growth, not restrictions.

CAPEHART said:

"The United States must undertake at once a $100 million-a-year research and development program to find new and increased industrial uses for agricultural products. * * *

"It is my opinion that the Department of Agriculture and our research and development people know enough now that, given a real opportunity to prove it, they can find industrial uses for 5 million additional bushels of grain, such as corn, wheat, rye, barley, oats, rice, and sorghum grains, as well as potatoes, each year. Our total production now of these grains is only about 6,500,000,000 bushels."

He says that "as fast as the Government proves practicability of each new farm product in industry, the process should be turned over to private industry for production."

He lists 11 probable industrial uses for agricultural products "on which best available estimates indicate likely use of 2,500,000,000 bushels a year of agricultural products."

Here's his lineup: High protein food by fermentation; paint from vegetable oil; synthetic rubber; microbia rubber; increased use of starch in paper; industrial exploitation of oxystarch; raising disease-free poultry for export; new drug plans; hardboard, boxboard, and building board from wheat; development of high amylose corn; blending 10 percent grain alcohol with gasoline.

He also cited these possible uses for grain derivatives: Smokeless powder; plastics; medicinals; toilet preparations; soaps; cleaners; anesthetics; antifreeze; dyes; varnishes; power and fuel.

The research program, once it is given a full opportunity to work, would do these things, CAPEHART asserted:

"It would end our farm surplus problem, it would save the Government money, it would help relieve the tax burden, and give a chance for reduction of the national debt, it would create new industries, new jobs, stimulate sales, and provide better incomes for our people, including the Nation's 6 million farmers."

Without any direct reference to Senator CAPEHART'S plan, but relating to it, nevertheless, were comments by Dr. E. T. Weiler, head of the Purdue Department of Economics, at the 12th annual Indiana Bankers Association agricultural clinic on the West La Fayette campus last week.

Weiler stressed the fact that America doubles its output every 20 years.

This will continue, he added. Normal is an increase in total output of goods and products of 3 to 5 percent each year. With population gaining at a rate that is equal to South Bend-Mishawaka census figures every month, growth all along the line is inevitable, the economist said.

Commenting that "1956 may well see a record for gross national product in the United States," Weiler asserted that "research continues to open new frontiers for the American economy."

From another source, Dr. Vernon W. Ruttan, Purdue agriculture economist, writes in the Review of Economics and Statistics that:

"By 1975, United States food and fiber requirements can be met with approximately the same land requirements as at present with a farm-labor force at least 20 percent below present levels."

Actually, that's what the agricultural leaders see ahead when they say it's time for a new approach to this problem—something to replace billions of dollars worth of rotting corn or other grain that's kept off the market in an effort to bolster prices on farm products.

Dr. Ruttan adds:

"The important question facing American agriculture is not that of meeting requirements of food and fiber for an increased population but what combination of expenditures for research, land, labor, and capital is needed to produce this output at the lowest cost.

"The Nation's needs for foods and fiber are expected to increase 60 percent above the 1950 level by 1975. If past trends continue, half of this increase will be taken care of through increased efficiency resulting from the application of new research and technology.

"To produce the other half of the Nation's increased need for food and fiber, additional expenditures will be required for fertilizer, tractor fuel, insecticides, and antibiotics.

"As a result of these changes farm output will become more sensitive to price change and attempts to control farm output will become more difficult and costly than at present."

If anybody thinks Ruttan is wrong on his 1975 forecasts of farm productivity, let him look back on corn records in Indiana. Average yield per acre has about doubled in the last quarter century.

Growth deserves more attention in farm debates.

[From the La Porte Herald-Argus of March 28, 1956]

CAPEHART'S PROPOSAL

If there is anything which should make even the experts humble it is the constantly belabored farm problem, a matter about which the layman who resides in the city admittedly knows little. And that same layman is far from convinced that the experts, or even the farmers themselves, know many of the important answers. The farm problem will keep on being that, just as it has since the first farm movements began in the 1870's and 1880's of the last century.

There are some points on which there is agreement. The farm population continues to decline. Farm output can be stepped up constantly by improved methods and more machinery. And farm supports are a part of Government's business and will continue to be ad infinitum.

Senator CAPEHART, of Indiana, offers a suggestion looking to the future of American farming which conforms to the pattern of probable American growth in population and productivity. The Senator wants an Industrial Agriculture Products Administration with an annual $100 million research fund. The research would be to discover new uses for agricultural products so that more of them rather than less would be necessary to supply expanding demand.

He lists some probable industrial uses for farm products, such as high-protein food for fermentation, paint from vegetable oil, synthetic rubber, increased use of starch in paper, new drug plants, hardboard, boxboard, and building board from wheat, blending of 10 percent grain alcohol with gasoline, and others. The Senator has apparently been communing with research chemists and what he says contains lively possibilities for the future. The farm and the laboratory must work hand in hand. Demand for food and fiber will increase as our population does. And there are many potential new uses for almost everything grown domestically.

There is no answer in this to the problem of maintaining farm prices. No matter what research shows can be made useful to man, there is always the question of how much the farmer gets for his products. His income has dropped sharply in recent years and understandably he is not happy about it. If he is able to produce more for new purposes there is no assurance his net income above expenses will be greater.

[From the Indianapolis News of March 27, 1956]

RESEARCH IS "KEY" TO HEALTHY AGRICULTURE

(By Frank Salzarulo)

Research can be given much of the credit for converting agriculture from a one-horse industry to a mechanized monster.

More research in the future may be the difference between doom and boom in our modern agricultural economy.

It used to be that 80 percent of our population on the farm produced food and fiber for 20 percent in the city.

Today, one farm worker provides enough for himself and 18 of his city cousins.

Great results have been chalked up by researchers and farmers, to wit:

For every 2 eggs laid by one hen in 1940, today's hen lays 3.

In 1939, farmers produced 2½ billion bushels of corn on 88 million acres. In 1955 they produced 30 percent more on only 80 million acres.

On the average, today's cow produces a half ton more milk in a year than a cow in 1940.

There are 95 million cattle on the same pastures and rangelands today that supported 70 million head in 1940.

There are 100 million hogs today on farms compared to the same farm plant that carried 75 million in 1940.

So the story goes.

In Washington, the politicians are haggling over what to do to buoy farm prices that have been sagging while prices farmers pay for things they buy continue to rise.

SENATOR CAPEHART OFFERS SOLUTION

One Senator, HOMER E. CAPEHART, believes he's got the answer—more research.

In a letter to Rural Route, he writes:

"This just has to be the answer to the farm problem. The sooner we all get behind such a program, the better off the United States and the world will be."

He's introduced in the Senate a bill proposing a $100 million research program, that would, in his opinion, double the demand for farm products through discovery of new industrial uses and utilization of new processes already known.

CAPEHART spells out 11 probable industrial uses for farm products, and estimates they'll use 2½ billion bushels a year of agricultural products out of 6½ billion bushels produced yearly. They are:

High protein food by fermentation; paint from vegetable oil; synthetic rubber, microbia rubber; increased use of starch in paper; industrial exploitation of oxystarch; raising disease-free poultry for export; new drug plants; hardboard, boxboard and building board from wheat; development of high amylose corn, and blending 10 percent grain alcohol with gasoline.

CAPEHART says the benefits of such a research project to the Nation would be limitless. He cites these benefits—full market for full farm production; end of farm surpluses; save Government money; relieve tax burden and reduce national debt; create new industries; create new jobs; stimulate retail sales; provide higher income for all people.

[From the South Bend Tribune of April 2, 1956]

NEW USAGE EXAMPLES

When Senator CAPEHART recently suggested use of some Federal money to encourage development of new uses for farm products he undoubtedly was thinking of what has been done already in the private-enterprise area. The meatpacking industry, among others, has set an encouraging example.

The Federal Government is already spending heavily for farmers' benefits. But the Government spending so far has not decisively reduced production or stimulated more consumption. The best approach to the overproduction problem would be promotion of greater usage of farm products.

The American Meat Institute reported 1,000-pound steers selling on the Chicago market recently at an average $203.80 per animal or 20 cents a pound. The meat yield from a 1000-pound steer averages 580 pounds.

Each pound of meat sells wholesale at about 32.9 cents or $190.80 from each 1,000-pound steer. In other words, choice beef was sold wholesale for $12.98 less than was paid for the 1,000-pound animal on the hoof.

Byproducts make the difference. "Glue factory" is no longer the last word in animal byproducts.

Scores of commodities are manufactured from meat products that were once considered unusable. They include drugs, medicines, fertilizer, and paint.

These new uses had to be developed carefully. That took work—and money. But private packers and the meat institute had the foresight to see that some day the expense would be practically justified.

It would be worthwhile to develop new uses for other farm products. Anyone paying Federal taxes would benefit because right now we are paying taxes for farm overproduction.

[From the Oil and Gas Journal of April 2, 1956]

GOP PUSHES PLAN TO PUT ALCOHOL IN GAS TANKS

WASHINGTON.—The drive to put alcohol into the Nation's automobile tanks and into its tires is rolling at high speed.

Eyeing the farm vote next November, Republicans in Congress are going all-out behind moves to develop new agricultural markets. And gasoline, they believe, offers a way, indirectly, to burn up a lot of grain.

Senator HOMER E. CAPEHART, of Indiana, proposes the creation of a Federal Industrial Agricultural Products Administration with a $100 million kitty. Thirty-three other Republicans immediately signed their names to his bill. A number of similar measures were introduced in the House.

CAPEHART'S bill came in a few days after the Senate adopted an amendment to the farm bill directing the President to set up a five-man commission to write legislation for industrial use of farm products. But his bill goes much further. It is a "crash program," the Senator said.

IMPLICATIONS STAGGERING

The proposed IAPA would have an almost unlimited field. It could conduct research, make field studies and experiments. It also could built pilot plants and, if necessary, operate manufacturing facilities to prove the commercial feasibility of volume production.

Development of nonfood agricultural products would not only make acreage limitation unnecessary but would induce farmers to work every possible acre, CAPEHART told the Senate.

It would create new industries and increased demand on present ones. Retail business would zoom billions of dollars, he said. Taxes could be eased because it no longer would be necessary to provide farm subsidies and other aids.

"The ramifications of such a plan are staggering," CAPEHART said.

Seeing an end to the surplus grain problem, CAPEHART said the Agriculture Department estimated that over 2.6 billion bushels of grain could be consumed in a mere 11 industrial products. A 10 percent blend of alcohol with gasoline would take 2 billion bushels. Another 365 to 400 million bushels would be used in synthetic rubber.

OIL MARKET WOULD SUFFER

"The petroleum industry might lose 10 percent of its market," CAPEHART admitted.

"However, the 90 percent in only a few years' time would be so much bigger in volume and so much more important to the industry that the two are hardly worth comparing."

At the moment it would cost more to produce alcohol than gasoline, CAPEHART conceded. "But know-how in America always gets the price down."

The reduction in crude production resulting from the blending of alcohol with gasoline would in the long run "be more than offset by increased consumptions in the hundreds of thousands of new tractors, trucks, transport vehicles, automobiles, and other petroleum-burning equipment in use because of this very program," he said.

[From the Cleveland Plain Dealer of March 28, 1956]

CRASH PROGRAM FOR FARMS

(By Walker S. Buel)

WASHINGTON, March 27.—Dawn of a new and brighter day for the American farmer, as a result of a $100 million program to multiply industrial uses of agricultural products, is foreseen by Senator HOMER E. CAPEHART, Republican, Indiana, in introducing legislation to launch such a plan. The bill, which the author says should be enacted immediately to provide all-time solution of the farm problem, has 35 Republican cosponsors, including Ohio's Senators BENDER and BRICKER.

Although a draft was circulated among all Members of the Senate before its introduction, no Democrat signed it, which is a fair indication that it has little chance in this Congress.

WANTS USE IN INDUSTRY STEPPED UP

Nevertheless, CAPEHART intends to push it as vigorously as he can. Several similar bills have been presented in the House by Indiana Representatives after conference with CAPEHART. The Senator believes the huge problem can only be met on the basis of more uses for farm products in industry—that it never can be licked by production for food uses alone. His measure would create an industrial agricultural products administration, as a separate executive agency, and provide also for an agency of similar title within the Department of Agriculture.

Duties of both would be to conduct research, test commercial production procedures, maintain pilot plants, operate manufacturing facilities, and generally promote the development of processes and techniques for industrial uses of greater quantities of farm products.

Senator ANDERSON, Democrat, New Mexico, former Secretary of Agriculture, called attention to the fact that a special agricultural research administration was established in the Department of Agriculture in 1946, but that it has been difficult to push Congress to get the necessary appropriations by the Budget Bureau. CAPEHART said he thought that with a mandate from Congress such as he proposed, programs now dragging would be accomplished more quickly.

The Indiana Senator said on many industrial uses some research already has been done. He named this list of 11 "probable" industrial uses for farm products, given him by the Department of Agriculture, which he said would require 2½ billion bushels annually:

High protein cattle food by fermentation; paint from vegetable oil; synthetic rubber; microbia rubber, a natural rubber produced from the gluten in grain; increased use of starch in paper; industrial exploitation of oxystarch; raising disease-free poultry for export; new drug plants; hardboard, box board, and building board from wheat; development of high amylose corn; and blending 10 percent grain alcohol with gasoline.

"I think," CAPEHART told his colleagues, "that through the proposed legislation Congress ought to mandate the administration, especially the Department of Agriculture. An administrator, whom I should like to call a czar, should be appointed to get the job done. I want to see one appointed who will start bumping heads together."

SENSIBLE—BUT WHAT OF ELECTION?

"Let us get the job done. The farmers are in a bad situation. I am trying to have Congress and the administration do for agriculture that which was done for the rubber industry during the last world war. During the war and in a hurry, the Government developed a synthetic rubber industry to the point where today more synthetic rubber can be produced in the United States than can be used.

"I do not want to delay the expenditure of the money. The program ought to be what might well be termed a crash program, and the administration ought to be mandated to proceed with it. It ought to be accomplished 2, 3, or 4 times as fast as any similar program that has been undertaken."

This all seems to make quite a lot of sense. Perhaps that militates against it on Capitol Hill in a campaign year.

[From the La Fayette Journal and Courier of April 2, 1956]

A NEW APPROACH

A radically new approach to the Nation's farm problem has been proposed in a bill introduced in Congress by Indiana's Republican Senator CAPEHART. Others in Congress are giving his proposal active support.

Senator CAPEHART would have the Government undertake a $100 million a year research program designed to find new uses for agricultural products.

In submitting his proposal, the Indiana Senator cited other fields which have utilized research to discover new industrial and commercial uses for their products. Senator CAPEHART would do the same for agriculture.

In a Senate speech accompanying his introduction of the bill, the Indiana Senator contended that his proposal would in a few years create a demand for farm products in industry at least equal to the amount now used for human consumption in the United States. He holds it offers a solution to the farm problem based not on the negative theory of curtailing production, but on the positive approach of creating new markets demanding complete and full utilization of our total agricultural capacity. He would develop to the utmost those industrial uses of farm products which we already know about and at the same time find new uses "creating a demand at least double what we have considered the normal farm production of the United States." His program, he promises, will bring about 50 years of the greatest agricultural prosperity in the history of the Nation.

Senator CAPEHART expressed the opinion that his program would end the tremendous tax burden now imposed to finance the Nation's vast agricultural assistance and storage programs. He cited the fact that present farm programs have built up surpluses costing some $9 billion, which serve to depress the market. The cost of the farm assistance program was placed at $3 to $5 billion for this year alone. The cost of the research program, at $100 million a year, would be but one-third of present annual storage costs for surpluses.

The Hoosier Senator further contends that his program would insure the American farmer his rightful share of an otherwise bountiful prosperity and at the same time put an end to the unsound practice of spending billions to preserve a bad situation when a lot less would provide a permanent cure.

What are the other possibilities? Besides ending the farm surplus problem, saving money for the Government, relieving the tax burden and helping reduce the national debt, the Senator believes his program would create new industries and new jobs and stimulate business generally, providing better incomes for all, farmers included.

Some research already is being conducted along the lines suggested, but at a snail's pace, the Senator holds. He would make it a crash program.

Experience would appear to indicate that the farm problem cannot be solved permanently by curtailing production. Price supports have not worked because of the vast surpluses they encourage.

It is apparent that the right answer has not yet been found for the agricultural problem. Certainly increased consumption and new markets for farm products would help. In this direction may lie the eventual and sole solution.

For this reason, Senator CAPEHART's program may offer unusual merit. Research has worked miracles in some fields of endeavor. It may provide agriculture's salvation. Under such circumstances, Senator CAPEHART's program would appear to deserve the most serious consideration by citizens and also by the Congress.

[From the Kokomo Tribune of May 26, 1956]

FINALLY, A FARM BILL

Probably no one is entirely satisfied with the farm bill that was finally passed by Congress after President Eisenhower had vetoed the first version April 16. Probably no one is entirely displeased with it, either. The bill is a compromise, an election-year compromise of the sort that results when both major parties want the farmer above all to understand that they are working for his benefit.

The most striking new feature of farm legislation in 1956 is the soil-bank program under which farmers will receive $1,200,000,000 annually for taking land out of production. This program recognizes the essential fact that the Nation's farm plant is overexpanded for the time being. The soil-bank plan will reduce the amount of land producing crops now in surplus, and at the same time it will store fertility against the day when it will be needed for production of food. That is good.

The measure directs Secretary of Agriculture Benson to start the soil-bank program at once. It is generally acknowledged, however, that getting such a program into full swing this late in the crop year will be all but impossible. That will have to wait until next year.

Though the administration sought authority to make advance payments this year under the soil-bank program, it is just as well that this authority was denied. That makes the plan much less vulnerable to charges that it is merely an attempt to buy the farm vote. Such charges might have done great harm to an interesting new program that deserves a full and impartial trial.

At the same time, if it is argued in this year's election campaign that the Republicans ignored immediate relief for the farmer, the Eisenhower administration can say that the Republicans attempted to ease the farmer's financial pinch this year. Congressional Democrats, fearing the immediate soil-bank payments proposed by the Republicans would win votes, defeated the plan for advance payments. The administration then turned to fill the gap by using discretionary powers contained in existing laws to deliver early aid.

The new bill doesn't solve the farm problems, but insofar as it will keep production in line with demand, it is sound. As a permanent policy, however, the Government ought to start a broad research program to find new uses for farm products. Senator CAPEHART, of Indiana, has proposed just such a plan, deserving of much prompter attention than Congress is giving it.

[From the Indianapolis News of May 1, 1956]

WIDEN MARKETS—ATTACK SURPLUS BY DISCOVERING NEW CROP USES

(From Farm Journal)

Congress worked up a farm bill that became a political monstrosity. It ought to have served one useful purpose—to scare the daylights out of anyone who rests in Government his hopes for salvation.

The course of the bill disclosed blindness to facts, political fear, and demagogy. Commonsense and courage, too, were displayed. Some meritorious features survived the committees, debates, and conferences. The total result, however, was a mess of conflicting measures full of bad provisions.

Agriculture can't afford to leave the future to Government. Future Congresses may outdo this one—they may be able to pass still worse farm legislation.

Something substantial must be done for farmers this year—there's no doubt about it. Fortunately, quite a lot can be done—and will be done—even if the President has vetoed the bill. But, without minimizing the present problem, let's take a longer look ahead, toward something that might get us out of trouble permanently.

The political approach, year after year, has been negative and backward. It has said to farmers, "Retreat. Produce less. Do less. Go backward."

Temporarily this may be necessary. But in the long run no industry has ever advanced by going backward. Agriculture can't get ahead by backing up. Actually, farmers have repudiated the policy of retreat. When directed to reduce acres, they have increased yields to maintain their income. Those who could do so have enlarged their farms. The American habit is to go ahead.

Farmers have eagerly adopted ways to produce more. They have moved ahead with production. Output has advanced faster than marketing, and much faster than the development of new uses for the products.

The total surplus production runs now about 4 or 5 percent ahead of demand. New studies indicate that during the years ahead production likely will gain further over present rates of consumption.

This can only mean that more markets and more uses are absolutely vital. Piling more stuff into Government warehouses provides no answer. It only hangs over the market and reduces current prices. Someone must buy and use the output.

Senator HOMER CAPEHART, of Indiana, and 33 other Senators introduced a bill that has received practically no attention. It proposes $100 million for a "crash" program to find new uses and new markets. Wouldn't it make more sense to spend $100 million in ways that would use up some surplus rather than several billions to build up bigger surpluses?

[From the Indianapolis News of May 9, 1956]

WHERE'S THAT HOOSIER FARM REVOLT?

Yesterday's Indiana primary had been billed nationally as a possible yardstick of opposition to Eisenhower administration farm policies.

If nominally Republican rural Hoosiers cast Democratic ballots in the presidential preference primary in significant numbers—well.

But the outcome gave no sign of that farm revolt we have been hearing so much about.

Percentagewise, the Republicans ran better than they did in the 1952 primary.

ESTES KEFAUVER, the only Democrat in the presidential preference primary, made a respectable showing somewhere in the neighborhood of that of the Democrats in the 1952 primary.

But he fell somewhat short of running like a corncrib afire, let alone a house.

The Indiana primary need not upset Adlai Stevenson to the point of making any further folksy personality changes.

As for that farm revolt, we wonder whether many Democratic leaders may not be doing their party a disservice by making such a big to-do about it in Indiana and similar States.

To be sure, there is farm discontent here. But is it of such a nature as to cause sizable vote shifts?

In view of the fact that President Eisenhower ran strongly in Indiana rural areas despite his veto of the farm bill, Indiana Democratic leaders might consider whether a further inflation of the farm revolt bogey is worth bothering with.

[From the Omaha World-Herald of May 4, 1956]

MR. CAPEHART'S FARM BILL

A bill introduced by Senator CAPEHART, Republican, Indiana, would create an Industrial Agricultural Products Administration and authorize it to spend up to $100 million in developing industrial uses for farm crops.

The new agency would be empowered not only to carry out basic research, but to establish pilot plants and demonstrate the commercial feasibility of whatever it may discover.

Senator CAPEHART suggests that the Omaha alcohol plant, owned by the Federal Government and standing idle, should be reactivated immediately under such a program. He foresees an eventual potential industrial market for 6 billion bushels of farm commodities—which would push the productive resources of all the farmland in the United States.

These are known industrial uses for farm products which have not been fully exploited. Mr. CAPEHART proposes to go the full route and find out, for instance, whether alcohol made from grain can be used economically in motor fuel.

This appears to be a realistic, long overdue approach to the farm problem.

The Government now is spending about $350 million a year just to store nearly $9 billion worth of surplus commodities it has taken over in spite of efforts to restrict production.

If spending a mere $100 million a year would create new farm markets, take the Government out of the costly farm price-support business, and develop new industries and more jobs, it would be a mighty wise investment.

[From the Farm Journal for June 1956]

RUBBER FROM CORN?—BACKERS OF THE NEW "CRASH" RESEARCH PROGRAM ALSO SEE FURNITURE FROM GRAIN, DRUGS FROM NEW CROPS—AND MORE INCOME FOR FARMERS

We're on the threshhold of some amazing farm discoveries—with dividends for farmers everywhere—if we have the "push" to engineer a bold research program.

That's the idea behind a $100 million "crash" research program now before Congress. This is 10 times more than the USDA now gets for "utilization" research. "But it's still less than $1 for every $100 tied up in CCC surpluses," points out Senator CAPEHART, Republican, Indiana, who is pushing the increase.

Here are some promising grain projects that might be speeded up:

1. Ferment grain to make a substance very similar to sap of the rubber tree. This could replace 600,000 tons of imported natural rubber which could easily be cut off from us.

Grain needed to do this job: about 50 to 100 million bushels a year.

2. Another grain-fermenting process may yield a 20 percent protein concentrate—one that is rich in amino acid nutrients needed by livestock.

Possible use: 150 million bushels.

3. A grain starch mixture could stretch scarce, expensive paper pulp. It makes better paper, too.

Grain outlet: possibly 40 to 100 million bushels of corn or wheat.

4. We may be able to substitute 6-cent-per-pound wheat flour for 20-cent glues used in hardboard and boxboard. Puffed wheat might make a filler in "coreboard" used in furniture.

Possible use: 30 million bushels.

Here are some livestock and poultry projects to be developed:

Find out how to produce choice weaning lambs in the Southeast and promote it into a "favored" regional dish. If people in these States ate as much as the national average, it would use 3½ million lambs and boost farm income by $35 million.

Develop areas free of Newcastle and other important poultry diseases. Europe and South America won't take our poultry now for fear of infecting their own flocks.

If we cleaned up some areas and maintained a quarantine, we could ship as much as 200 million pounds a year.

Finish the work on a dried whole milk—one that will keep on the shelf without refrigeration. We're close; but still have some rancidity problems. There's a $227 million-a-year pot of gold at the end of this rainbow.

Find how to really tenderize the poorer cuts of beef. The USDA says that this could add 3 cents a pound to the retail price of meat—$1.8 billion a year to the value of cattle.

Finding new crops for planting in surplus areas and on diverted acres could be an unexplored gold mine.

1. One possibility is to learn to make paper from timber bamboo, hemp, flax and other fibrous crops. If this captured only 10 percent of the paper market, it could use as much as 3½ million acres.

2. The chances are good for developing new chemical compounds from safflower, flaxseed and castor beans.

The USDA feels that with better harvesting machinery castor beans could replace 400,000 acres of cotton in Oklahoma, Texas, Arkansas, Missouri, New Mexico, Arizona, and California.

3. An interesting variety of "medicinal" crops are possible, including Tephrosia vegelii, a legume yielding a low-cost rotenone; Dioscorea, whose tubers yield a cortisone-like drug; candelilla, a wax-producing shrub; and Rauwolfia, which furnishes some of the new drugs used in treating mental diseases.

Right now there's a market that would keep 235,000 acres busy.

Dr. Byron T. Shaw, head of USDA's Agricultural Research Service, tells Farm Journal that out of every $100 that industry takes in, it sets aside $2 for research and development.

Government farm research to expand uses comes to only 4 cents out of every $100 taken in.

The surplus story (CCC inventory and loans)

Commodity		Investment, Mar. 31, 1956 (millions)		Alltime high (millions)	
		Amount	Cost	Amount	Date
Wheat	bushels	1,096	$2,821	1,119	February 1956.
Cotton	bales	13.1	2,275	14.3	January 1956.
Corn	bushels	1,141	1,911	1,141	March 1956.
Tobacco	pounds	919	547	1,054	December 1955.
Grain sorghum	hundredweight	70	141	76	January 1956.
Cheese	pounds	295	115	463	October 1954.
Barley	bushels	99	100	104	February 1956.
Butter	pounds	114	70	521	September 1954.
Oats	bushels	88	63	92	November 1955.
Dried milk	pounds	142	24	656	April 1954.

Money tied up in CCC inventory and loans, including these commodities above, reached a record alltime high last month of $8.9 billion.

[From the Farm Journal of June 1956]

WANTED: "CRASH" RESEARCH

The most exciting new farm legislation in the congressional hopper is the Capehart bill. It proposes to set up a $100 million "crash research" program to find new crops and new uses for present crops. So far, 34 Senators have signed the bill.

Unless this bill gets snarled in election-year politics, its chances are good. The greatest question is whether the Democratic leaders on Capitol Hill will decide to sidetrack the bill because it is thus far solidly identified with Republican Senators.

Dr. Byron T. Shaw, USDA, tells Farm Journal that out of every $100 that industry takes in, it sets aside $2 for research and development. Farm research to expand uses comes to only 4 cents out of every $100 taken in.

[From the Chicago Daily Tribune of June 7, 1956]

DAY BY DAY ON THE FARM

(By Richard Orr)

LAB STUDYING NEW USES OF CORN

PEORIA, Ill., June 6.—A new kind of clothing material made from cornstarch is in prospect some day as the result of research in a Government laboratory here.

Scientists on the staff of the northern utilization research branch of the United States Department of Agriculture have devised a way to modify amylose, a cornstarch component, to form soft but tough fibers for clothing. The same material also may be used to make a film similar to cellophane and designed for similar uses, including food wrappers and containers.

The discovery is one of several outstanding achievements accomplished here since the laboratory was established in 1940 for the purpose of engaging in research to find new and improved industrial uses for agricultural commodities and thereby expand farm markets.

LIKENED TO CELLOPHANE

When and if amylose fiber arrives on the market it will be the second clothing material derived from a corn substance. One, zein, a component of corn protein, already is in use.

Dr. F. R. Senti, head of the laboratory's cereal crops section, explained that amylose film is as good as cellophane in some respects, having comparable strength and folding properties in dry form, though its wet strength is lower than that of cellophane. Amylose film also has the unique quality of being digestible, which means that, if packaging and merchandising plans were so designed, it could be eaten along with the food it contains.

The technological problems of producing amylose film are largely solved. However, Senti explained, at present it is relatively costly to separate the amylose from corn. This makes the product not yet commercially economical, compared with the less expensive cellophane which is made from regenerated woodpulp.

NEED NEW CORN VARIETIES

One approach to this problem is to develop new varieties of corn which yield a higher percentage of amylose. The laboratory's researchers now are cooperating with State agriculture experiment stations and private corn breeders to develop such varieties.

Most varieties of corn now yield about 27 percent amylose. Senti said it is hoped eventually to develop varieties that will boost the yield to above 80 percent.

Breeders already are growing new varieties that consistently yield 55 percent amylose and some which will yield as high as 70 percent, though not consistently. It is just a matter of time, however, before suitable varieties are developed.

[From the Syracuse (N. Y.) Post-Standard of May 20, 1956]

FARM AND FOOD: INDUSTRY SEEN AS HOPE OF USING SURPLUS CROPS

(By Dr. Karl Butler)

The excess production of agricultural products in 1955 over what was consumed has been estimated by a number of experts as being about 4 percent. The trouble is that we have been producing a great many things for which there is no immediate market, and the excess production continues to accumulate.

In trying to come to grips with this problem, many types of proposals are being brought forth. Only recently, Senator HOMER CAPEHART, who is up for reelection in Indiana, proposed a bill which would set up a czar and an agency, possibly within the United States Department of Agriculture, to explore and expand the industrial uses of agricultural products.

Senator CAPEHART, being a highly successful salesman and Hoosier farmer in his own right, speaks on this subject with great enthusiasm. Recognizing that farmers do not cherish the idea of having to decrease their production but actually would like to increase it, the Senator believes the best way to expand markets is through the industrial route. In 1954 (the most recent figures available) the following percentages of various important crops were used for industrial purposes:

Crop:	Percentage
Potatoes	2.5
Fruits	5.8
Vegetables	0.3
Corn	3.3
Soybeans	3.3
Wheat	0.01
Sugarcane and beans	4.9
Cattle and calves	8.7
Cotton	58.3
Tobacco	67.8
Wool	[1] 291.7

[1] Imports greatly exceeded domestic production.

All crops used for industrial purposes average not more than 3 or 4 percent of our total production. This doesn't sound too impressive, but even so it almost offsets the excess production of agricultural products for the same period.

A few weeks ago, several thousand Ohio farmers were asked what they thought should be done to solve the farm-surplus problem. In the survey, the farmers were submitted a list of 11 different approaches to the problem and asked what they considered to be the most promising. It is significant that "research for new uses and new markets" topped the list, with approval by more than 70 percent of those who responded.

Wheeler McMillen, vice president of Farm Journal, Inc., has pointed out that the American economy has an insatiable appetite for products other than food. He emphasizes the importance, not only of increasing the industrial use of current agricultural products, but of finding new crops. Although there are more than 300,000 known species of plants on earth, less than 200 are used for commercial agricultural production; and actually only 12 produce about 80 percent of all of mankind's food. Only rubber has been added to the list of our most important crops during the last century.

Some of the suggested increased uses of agricultural crops are: High-protein food by fermentation, paint from vegetable oil, synthetic and microbia rubber, increased use of starch in paper, the manufacture of hardboard, boxboard and building board from grain, and the manufacture of alcohol from grain for blending with gasoline. Most of these uses present difficult problems.

The amount of effort and money expended in agricultural research is relatively small compared with many other industries. Most manufacturing industries spend from 6 to 10 times as much for research as is spent with food and agricultural products. We could well spend more effort and money in finding new crops and new uses for our agricultural production.

[From the U. S. News & World Report of May 25, 1956]

WILL AUTOS SOLVE GRAIN SURPLUS?—YES, IF GRAIN CAN BE MADE INTO CHEAP ALCOHOL

Drive cars on grain alcohol—new approach to the farm problem.

A far-fetched dream? Maybe not. At least, 34 Senators think it's time to look into this idea again.

They're backing a big Federal program for research into new uses for farm products. Object: To rid the Government of those rising mountains of surplus grain.

There's a move afoot to revive the old plan for getting rid of surplus grain by mixing alcohol with the gasoline you burn in your car.

That's the key point in a program proposed by 34 Senators for increasing industrial use of farm products. The program would cost $100 million a year. But the Senators contend that's a small sum compared with $9 billion the Government has tied up in farm surpluses.

The program would be aimed at stimulating output of a wide variety of industrial products from agricultural crops, including plastics, building materials, smokeless powder, dyes, varnishes, and oil for paints. It's estimated that 365 million bushels of grain could be consumed annually in making alcohol from grain if such alcohol could be produced cheaply enough to justify its use in the manufacture of synthetic rubber.

In all, the Senators figure their plan could boost the outlet for grains by 2.6 to 2.7 billion bushels a year.

TWO BILLION BUSHELS FOR FUEL?

The potential of blending alcohol with gasoline, however, far exceeds other possible outlets for surplus crops. In the first place 10 percent of alcohol would make a high-test "premium" fuel out of ordinary gasoline. And, if the blend were used in all automotive gasoline, it would require 2 billion bushels of grain a year.

The biggest drawback is a simple one—cost. Gasoline at the refinery costs 12 to 14 cents a gallon. Alcohol made from corn costs 60 cents a gallon, if you can get the corn for $1.25 a bushel. A blend with 10 percent of this alcohol would cost 4.6 cents a gallon more than straight gasoline.

The Department of Agriculture figures it another way. Suppose the blend is priced a penny a gallon higher at the refinery than straight gasoline, because of the premium quality. Ten gallons would be $1.50. Of that, $1.26 would go for 9 gallons of gasoline, leaving 24 cents for the 1 gallon of alcohol. But alcohol at that price would require grain at 36 cents a bushel. Support prices in 1955 averaged $1.58 for corn, $2.08 for wheat.

Another complication is that just as good results can be obtained with a blend using ethyl alcohol made from natural gas, at 40 cents a gallon, or methyl alcohol, at 30 cents a gallon.

Obviously, a law to require blending wouldn't do much toward getting rid of grain surpluses unless it also specified that only grain alcohol—ethyl alcohol made from grain—could be used. Otherwise there would be a repetition of what happened with synthetic rubber. That product was made from grain alcohol early in World War II. Then processes were developed that produced ethyl alcohol more cheaply from natural gas, and grain alcohol was priced out of the picture.

TECHNICALLY SOUND

The blending of alcohol with gasoline as a motor fuel is technically sound. This has been proved by experiments in the United States and actual use of blends in other countries.

For more than 30 years, Sweden has required a blend containing 25 percent alcohol. Blends also have been used successfully in Germany, France, Cuba, Brazil, the Philippine Islands, India, and other countries. But, in every case, the higher cost was justified in terms of national defense or welfare.

The only substantial effort to put over an alcohol-gasoline blend in the United States was made some 20 years ago by a foundation that set up a trial plant in Kansas. The project was abandoned after a few years because the blend, using alcohol made from grain, couldn't meet the price competition of straight gasoline.

A different technique was tried several years ago by a firm in Cleveland, Ohio. A mixture of alcohol and water was injected into the engine of the car when extra power was needed for passing or for climbing a hill. But the petroleum industry soon increased the octane value of its gasoline and the Cleveland company dropped its project.

SPONSORS PERSEVERE

The huge outlet for surpluses that would be created by blending grain alcohol with gasoline, however, continues to make the idea tempting. Despite the cost problems of the plan, the sponsors contend it might be a lot cheaper than buying up surplus grains and then paying $365 million a year to store them.

[From the Indianapolis News of February 16, 1956]

GET RID OF THE FARM SURPLUS NOW

There is proper concern in Congress for getting some immediate help to the farmers. They need it.

Future price-depressing surpluses can be stopped through the administration's soil bank program to take acres out of production.

Certainly the idea of returning rigid 90-percent price supports is not the answer either to the immediate or long-range problem. That would only create more surpluses and refill the warehouses which the fallow acres would empty.

However, even if it is not saddled into ineffectiveness by high-rigid supports, the soil bank still is for the years ahead, not now.

What to do to give the farmers help now?

Indiana's Senator HOMER E. CAPEHART has come up with a plan which is sound and logical. It is the creation of a Federal agency which would be mandated to sell, barter, or give away as quickly as possible the vast stores of food the Government now is holding.

As long as that surplus hangs over the market it will continue to depress farm prices. And just as soon as it is cut down to size farm prices will rise.

If Congress will adopt the Capehart bill, the farm-price problem could be licked before the summer's end.

The surpluses would go to needy people in the United States and other countries who would not otherwise be able to purchase the foodstuffs. We would give away only what we could not sell and did not need for a national emergency reserve.

Senator CAPEHART told the Senate that he had traveled all over Indiana, meeting with farmers and farm leaders. And that he had not "found one who does not agree that the present low farm-commodity prices are due to the surplus."

He said, "If somehow, in some way, tomorrow we could get rid of the huge surpluses, farm prices would go up where they belong, and we would no longer have to worry about farm prices."

America's farm problem is a problem of abundance. We can serve humanitarian interests at the same time we serve the cause of our own farmers if we will only start spreading the abundance about.

It's as simple as that.

As Senator CAPEHART says, "There are thousands of people in the United States who are underfed. There are millions of people in the world who are underfed. Have we not sufficient intelligence in the Congress and as a people to give away some of these foodstuffs?"

It is a dog-in-the-manger attitude that is keeping these huge stores of food in Government warehouses.

Every Indiana farmer could have extra dollars in his pocket by July if the Government were only empowered to get rid quickly of this load.

Cosponsors of Senator CAPEHART's bill include Senator WILLIAM E. JENNER, of Indiana, as well as influential members of both parties like MUNDT, of South Dakota, THYE, of Minnesota, YOUNG, of North Dakota, BUTLER, of Maryland, WELKER, of Idaho, GEORGE, of Georgia, CASE, of South Dakota, and BARRETT, of Wyoming.

Congressmen ought to forget about politics in this matter. If they want to do something for the farmer now—and they certainly should—then let them boost farm prices by getting rid of the present surpluses.

They can start a flow of greenbacks farmward by oats seeding time if they only will put their mind to getting the Capehart disposal formula going right away.

[From the Philadelphia Inquirer of January 11, 1956]

WORLD DILEMMA: TOO MUCH FOOD; TOO MANY HUNGRY

President Eisenhower's farm message disclosure that a Surplus Disposal Administrator will be appointed and other measures taken to spur the disposition of excess agricultural products points to one of the major dilemmas of our times.

On one side many countries of the world—and notably the United States—have more food than they can use. On the other, half the world's population hasn't enough to eat.

This grave problem hangs over the American farm situation. The surplus farm products we have accumulated—nearly $8 billion worth, which cost a million dollars a day just to handle—reflect both our success in growing crops and our failure to find ways to distribute them. Even though vigorous efforts on the part of the administration resulted in a greatly increased disposition of the surplus, President Eisenhower said that for every bushel moved out of the huge Government stores another bushel and a half took its place.

Appointment of an administrator to devote full time to finding ways of decreasing the surplus is a wise move. The President's recommendation that Congress permit sale of our agricultural surplus behind the Iron Curtain offers an additional method of coping with the problem.

But it is evident that the dilemma will exist for some time. When we have $7,700,000,000 worth of surplus farm products, arranging to get $192 million worth to the needy of other lands—the figure for the last fiscal year—won't make much of a dent. Nor will it do much to relieve the hardships of a billion people in the world who go to bed hungry every night.

That the dilemma is difficult to resolve is painfully obvious. Selling surplus food at home or abroad at less than prevailing market prices would have a disruptive effect. Even giving the food to countries whose people need it might cause severe economic dislocation.

Because the problem is difficult, however, is no reason why efforts shouldn't be made to find a solution. Plans put forward by Senator HOMER CAPEHART and others deserve serious study. Congress this year could hardly perform a greater service than making real progress toward answering the problem of distribution of farm products which plagues both our farmers and hungry people throughout the world.

[From Chemurgic Digest for April 1956]

SENATOR CAPEHART, OF INDIANA, PROPOSES $100 MILLION FOR INDUSTRIAL USES—"CRASH" RESEARCH PROGRAM URGED IN NEW BILL INTRODUCED WITH 33 SENATORS AS SPONSORS

A "crash" research program to produce industrial outlets for farm products has been proposed in a bill introduced March 21. Senator HOMER E. CAPEHART presented the measure, with 33 other Senators joining him as sponsors.

"If and when we solve the farm problem, it will be solved on the basis of more uses for farm products in industry," Senator CAPEHART told the Senate. "We shall never solve the farmers' problem by producing for food users alone."

The measure asks for an appropriation of $100 million. It proposes to create an Agricultural Industrial Production Agency. The administrator in charge, appointed by the President, would have wide powers, and report semiannually to Congress.

Known as S. 3503, it was referred to the Committee on Agriculture and Forestry.

The following excerpts are taken from the speech made by Senator CAPEHART in introducing the bill:

"Mr. President, I am about to propose a far-reaching, permanent solution of the farm problem so vast that its potential is virtually unlimited.

"While the economic, industrial, and social implications of this program cannot, with any degree of accuracy, at this moment be estimated, it is clear that this program will tend to solve, if not wholly solve, the farm problem for all time.

"After months of painstaking examination of its possibilities, I have reached the altogether justifiable conclusion that this plan would, within a few years, create a demand for farm products in industry at least equal in amount to that now consumed for human consumption in the United States. It would double the farm market.

"We are only asking for $100 million or less than one-third of the cost to store for 1 year the surplus agricultural commodities the Government of the United States now owns.

"No, Mr. President, we cannot solve our farm problem permanently by curtailing production. We must increase consumption; we must find new markets. Since, generally speaking, the vast majority of our people are well fed, our only alternative is to find new and increased industrial uses for our agricultural products.

"We are not going to help the farmer very much by reducing his production. We can help him only by increasing his production, and this bill provides for that. The White House is already behind it. It is very enthusiastic about the objectives and purposes of the bill.

"As an inherent part of the legislation, we wish to set up an administrator who will have almost the title of czar. He will proceed to get the job done, in the same fashion in which the Government developed synthetic rubber during the war.

"The proposed program might well be called a crash program.

"I am thinking in terms of $100 million in addition to that which the Congress has already appropriated, or might appropriate.

"It is my belief that as fast as the Government proves the practicability of each new farm product in industry, the process should then be turned over to private industry for production.

"The program we propose should be built on the framework of and within the existing research activities of the Department of Agriculture.

"The potentialities are so vast that any attempt to evaluate the benefits to this Nation and its people dollarwise is an almost hopeless task. I have been unable to select any segment of our economy—any group of our people—who would not lead more comfortable lives and enjoy higher standards of living and benefit generally from the fruits of such a program.

"It would mean the assurance of a full market for full farm production.

"It would end our farm-surplus problem.

"It would save the Government money.

"It would help to relieve the tax burden and give us a chance to reduce the national debt.

"It would create new industries.

"It would create new jobs.

"It would stimulate retail sales.

"It would provide better incomes for our people including the Nation's 6 million farmers.

"It is, in our opinion, in all modesty, the most constructive approach to the farm problem yet devised.

"I have always said that when handed a lemon, make lemonade out of it."

BRICKER, MUNDT SPEAK

In the course of the colloquy on the floor during Senator CAPEHART's presentation, Senator BRICKER referred to the work of the Chemurgic Council while its headquarters were in Columbus.

Senator MUNDT of South Dakota said:

"What is sought to be done by the bill is to take the program of farm chemurgy out of low gear and to put it into high gear."

Senator MUNDT also referred to the "crash" programs which produced the vital domestic dye industry during World War I, and those which developed synthetic rubber and atomic energy during World War II.

Mr. CAPEHART. Mr. President, I now ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, a few, and only a few, a small percentage, of the letters I have received from persons in a position to know what can be done as a result of such legislation as I propose, setting forth why such legislation should be enacted, and why we should proceed to do something permanent for the farmers of America, rather than ask them to reduce their production in order to get rid of their surpluses, which I am in favor of at the moment, in order to eliminate future surpluses.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE WARNER BROODER CORP.,
North Manchester, Ind., June 7, 1956.

Hon. HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

DEAR MR. CAPEHART: Several weeks ago, I received, from you, a copy of your speech

made on the floor of the Senate on March 21, 1956, for which I thank you very much.

First, let me state that you are to be commended very highly for your analysis of this farm problem. I have 260 acres near North Manchester, Ind. I have been directly connected with farming for some 40 years, as well as being a manufacturer of poultry and hog equipment for the last 20-some years. I, therefore, feel that I may be somewhat qualified in making the following remarks.

Your proposed solution, in Senate bill 3503, to our farm products surplus problem, is certainly the most practical approach that has come to my attention.

It seems to me that subsidizing the average farmer only provides for a meager existence, with small chance to improve his farm surroundings and living standards. Whereas, this proposal of yours has a good chance of not only improving the lot of the farmer to the utmost in many ways, but may very well be a sizable boost to our economy in general.

Nothing has come to my attention that would indicate this bill is receiving any kind of action. Will you advise me of the present status? May I encourage you to promote, to the best of your ability, the proper study and enactment of this bill. In my opinion, this is one of the most worthwhile and timely pieces of legislation presented on the Senate floor in quite some time.

Sincerely yours,

BOYD C. WARNER, *President.*

PURDUE UNIVERSITY
AGRICULTURAL EXTENSION SERVICE,
Columbia City, Ind., April 25, 1956.

HOMER E. CAPEHART, M. C.,
United States Senate,
Washington, D. C.

HONORED SIR: I have read your speech about agricultural research made in the Senate March 21, which you submitted with a letter requesting comments, pro and con.

The basic theory of the bill is sound, as I see it. In addition to expanding industrial uses, there is opportunity for expanding export markets through the exchange of goods. Here a slight reduction in the industrial boom can be made to step up the agricultural economy and put it on a more equitable level.

It is basic that farmers should operate the land at the peak of their ability and skill. And it follows they should be rewarded for their thrift and industry on the same plane as other producers with similar investments, ability and skills. The limiting of production continuously is wrong and unnatural. Subsidies tend to penalize the efficient and reward the incompetent. A businesslike administration of quotas and subsidies in agriculture is most difficult and mostly not attained.

Real help on the part of the Government can come from finding outlets for farm products which will challenge rural people to create maximum wealth from the lands they control.

Such expanded outlets appear to lie in the fields of industrial uses and foreign markets. Some expansion in domestic consumption of foods is a possibility and deserves exploration.

I hope you succeed in getting established farm aid that is real, permanent and beneficial to all segments of society. The proposed bill, S. 3503, appears to be a big step in that direction.

Respectfully,

B. V. WIDNEY,
County Agricultural Agent.

ALBANY, IND., *April 5, 1956.*

DEAR MR. HOMER E. CAPEHART, OF INDIANA: Your recent letter received and your material on different things are fine.

If you can bring it through, it sure would help everything. This is a grand old world with lots and lots of opportunities in it. If people would work to find out what's in it instead of trying to destroy it and themselves also, what a world it would be to live in.

Thanks for your fine letter.

Sincerely,

MARY INEZ DAY.

BLOOMFIELD, IND., *April 15, 1956.*

DEAR MR. CAPEHART: I read your copy of the speech made before the Senate, March 21, and want to commend you on your interest in the current farm situation.

In my contacts with farmers in this county it seems to be the general opinions that the soil-bank plan plus 90 percent supports is the best alternative for a period until some other cure comes to light.

Your proposal of legislation adequate funds for research to increase use of agricultural products sounds like a wonderful thing, as farmers will benefit as well as all economies from research.

Glad to hear that you voted for the farm bill on last passage in Senate, which may not have been perfect in your opinion but keep us farmers in mind.

We want a farm bill this year.

Yours truly,

DON CALVERT,
A. S. C. Grain Inspector, Greene County, Ind.

HOWE, IND., *April 16, 1956.*

To the Honorable Senator HOMER E. CAPEHART,
Washington, D. C.

DEAR SENATOR: First I want to thank you for your copy of your speech to the Congress as to your views on disposing of the surplus grains now held by the Government.

Your plan made more sense to me than anything I have read pertaining to this problem than anything I have seen in the last 15 years.

A lot of young farmers, 30 years old and down, have known nothing in this productive life but to expect help from the Government in one way or another or should I say interference from the Government.

I have just finished reading your research program for the future, it makes sense to me and I agree with you wholeheartedly.

Why not give the farmers the right to think for themselves and to gain back their self-respect.

I say scrap the present program of doling out a few dollars to the farmers and taking back more in taxes. Go ahead with your research plan.

Keep up the good work; I am with you all the way. Give the farmers back their independence.

WINFORD LEWIS,
Auctioneer.

CLYDE G. HARLOW & SONS,
Tipton, Ind., April 16, 1956.

Hon. HOMER E. CAPEHART,
Washington, D. C.

DEAR MR. CAPEHART: I am pleased to reply to your letter of April 6 with copy of speech enclosed.

I have heard nothing but favorable comment for the gist of your formula as a solution of this giant farm problem.

Personally, I feel the intent and purpose are 100 percent right, and if successful research is carried out to the point you suggest, I can see nothing but good coming from it.

I hope those in authority give your proposal the attention it deserves, since to me it seems the sound solution and would in itself handle the parity problem much better than any proposed farm bill past or present.

Thanking you for this recognition, I am

Yours very truly,

CLYDE G. HARLOW.

OAKLAND CITY, IND., *April 3, 1956.*

Hon. HOMER E. CAPEHART: I read your speech with much interest and as you say it's a tough problem and all legislation will not solve the problem unless we find ways and means to find a market for our goods.

Thanks for sending me this.

Yours truly,

HERMAN G. SCHMIDT.

PURDUE UNIVERSITY AGRICULTURAL
EXTENSION SERVICE,
Crawfordsville, Ind., April 10, 1956.

The Honorable HOMER E. CAPEHART,
The United States Senate,
Washington, D. C.

SIR: Replying to your letter received April 7, I have studied with interest your far-reaching permanent solutions of farm problems.

I think that from the long viewpoint, this research program is a most dependable and sure solution to our farm surplus problem. I would like to personally encourage you to pursue the enactment of this proposed research program if at all possible to get the support to do so.

In my contacts with farmers in Montgomery County, I do not find that the majority of them are expecting all of their farm problems to be solved by enactment of legislation for temporary relief. I think as a group, our farmers are very tolerent and understanding.

The young farmer has been affected the most in our county by this adjustment of the agricultural economy. I know that most of the farmers that have been farming back through the war years have been expecting and preparing their operations for an adjustment period.

I personally subscribe to the manner in which you are representing your people.

Very truly yours,

GORDON A. SOWERS,
County Agricultural Agent.

PURDUE UNIVERSITY AGRICULTURAL EXTENSION DEPARTMENT,
New Castle, Ind., April 9, 1956.

Senator HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPEHART: I received the copy of your speech before the Senate concerning your proposal of additional effort to find new markets for agricultural products and also was privileged to hear you discuss this issue at the New Castle "Third House" last Thursday.

It seems self-evident that the creation of new uses for agricultural products would do much to remedy our present situation. As you state, the program is a continuing and long-term approach. Many facilities now exist and much is being done along this line, but doubtless the whole program needs activating and coordinating. Those engaged need to feel the urgency of doing it now. Your proposals would doubtless get this job done.

There is a little concern in my mind that new emphasis will need to be placed on soil conservation when and if new demands give wartime incentive to production. In other words, we must be interested in continued high production as well as getting ourselves out of a present difficulty.

As you know, farmers live to produce and with price encouragement, they are apt to forget long time soil needs.

We certainly commend you for your interest and leadership in this matter.

Sincerely,

W. G. SMITH,
County Agricultural Agent.

INTERNATIONAL ASSOCIATION
OF MACHINISTS,
Washington, D. C., April 5, 1956.

The Honorable HOMER E. CAPEHART,
United State Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPEHART: This will acknowledge your letter relative to the proposed legislation which you have sponsored to provide for a scientific study and research program for the purpose of developing industrial uses of agricultural products. I have studied the proposed draft and believe it merits serious consideration and action by Congress. We have in the past supported the broad objectives of an expanded agricultural program, fully realizing that the welfare of the farmer cannot be divorced from the welfare of the working people in industry.

At the present time we are actively supporting the proposed certificate amendment as sponsored by Senator KERR and others in connection with the social-security legislation now pending in the Senate Finance Committee which would provide food and fiber commodities to dependent widows and children and those permanently and totally disabled. It is our sincere desire to see this legislation enacted because we believe that this would relieve much hardship now faced by our older citizens and those unable to earn a livelihood. In so doing, this could expand our consumption of farm commodities and eliminate much of the unnecessary waste and unnecessary expense of storage.

If the Senate Agricultural Committee holds hearings on the legislation which you have proposed, we will be prepared to support this measure.

Sincerely,

GEORGE R. NELSON,
Legislative Representative.

PURDUE UNIVERSITY,
AGRICULTURAL EXTENSION SERVICE,
Jeffersonville, Ind., April 10, 1956.

Senator HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

HON. SENATOR CAPEHART: With your letter of April 5, you included a portion of the CONGRESSIONAL RECORD comprising your speech and provisions of your agricultural bill presented to the Senate on March 21. I have read this speech and provisions of the bill with interest and believe that you have struck at the real heart of the agricultural problem. Farmers, as well as almost everyone else, realize that their income cannot be enhanced by reducing production. They realize fully that any programs of acreage allotments, based on previous history, are by their very nature unjust to some farmers. They realize that reduced production would not allow them the opportunity of managing their business in the most efficient manner. Farmers in this area are so opposed to acreage allotments that many of them have expressed the willingness to eliminate any national program in order to abandon acreage controls. You I am sure realize that it would be tragic for the Government at this point to pull out of agricultural programs when the farmer is being depressed by surpluses encouraged by previous Government programs.

It seems to me that your approach of immediate action to get pilot plants and industry using agricultural products and at the same time promoting greater research in this field, should give the answer in reasonably short time. I read a news release last week of a product developed by a starch factory in Columbus, Ind., which holds tremendous possibilities in this field. That plant has developed through research a starch product made from corn which has proven effective in soil stabilization. That is, it eliminates water penetrating into the soil and gives the soil so treated a consistency almost that of paving. I understand that it is being used to stabilize the soil beds under roadways, and that it could be used for paving farm yards, driveways, and would prove a tremendous market for corn. The cost at the moment is very high, but with proper testing, no doubt, it could be lowered. I believe this is the kind of thing you are talking about in your bill.

My suggestion, whenever possible, is that the pilot testing and research be carried out by industry under contract rather than by the Government, and that the land-grant colleges be called upon to do whatever they can in the program, but that their regular research programs not be disturbed, and that they not be given a major responsibility in this industrial type of program. Where industry could foresee an opportunity to take over the product and profit by it, they would work faster and more effectively than pure research. Of course, this type of program would not solve all the immediate problems of agriculture, but would give confidence which is desperately needed, and then, coupled with a simple but effective farm program for a few years, could solve the agricultural problem and have going at full capacity a farm production plant ready to meet the needs of any emergency, or of the natural growing population demands. If we build agricultural programs on the basis of controlled production, we could in the not too distant future, find ourselves with a problem of shortage. In a program of all-out production and utilization by both industry and for food, in any emergency, the amount used in either place could be expanded or reduced to keep a safe balance.

I have worked almost 24 years as a county agricultural agent and have observed with interest the coming and going of national farm laws and it appears to me that we are today further away from the real solution to the problem with our present programs than we have been through all the years. It seems to me that for the immediate future, an abandonment of all acreage allotments, and maintaining price supports at a reasonably low level, that the greatest good could be accomplished by simply making direct payments to farmers for any acreage he might have or wish to put into hay and pasture crops, and at the same time permit him to use and harvest those crops. This in my opinion would not increase greatly the amount of roughage consuming livestock and the amount of meat and milk, which is feared by so many people, because we all know that the great amount of meat, milk, and other livestock products are produced by grain rather than by grass. A simple 2- or 3-year program of direct help to farmers based on the acreage of land in grass, would give immediate help and would reduce the acreage in grain crops and the tremendous storage problem involved with high supports. The longtime problem could be solved, as you indicate, by the utilization of agricultural commodities through industrial markets.

Yours truly,

M. F. GOODE,
County Agricultural Agent.

CORYDON, IND., *April 16, 1956.*

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SIR: May I first state that any comments which I make are of my own personal opinion and not necessarily the thinking of the Department of Agriculture by which I am employed.

I would like to wholeheartedly compliment you for the speech made before the United States Senate March 21, 1956, concerning your proposed research program.

In my daily contact with farmers I find that they are not a type of people who desire a giveaway program. Farmers at this time need assistance and guidance to lift them from the present farm recession created by the great surplus of basic commodities.

However, I personally feel that we should at all times have a nominal amount of grain in reserve and also an adequate incentive program for conserving our water, land, and forest resources.

Again may I congratulate you on your proposed research plan. In order that agriculture can compete with modern industry they must acquaint themselves with the common facilities used by industry.

Yours very truly,

Mrs. MARY R. EISENMENGER.

RENSSELAER, IND., *April 13, 1956.*

The Honorable HOMER E. CAPEHART,
The United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: I appreciate very much receiving a copy of your speech made in the United States Senate on Wednesday, March 21, 1956.

I commend you highly for your stand in reference to the agricultural problem. An improved market through more uses of agricultural products is the only sound and lasting answer to the agricultural problem. It may be that new and different crops will be grown for some of the needs of industry, but farmers can adjust to the kind of crops or livestock if they have a market for the product.

I hope the idea of using farm-produced products as part of the fuel used in automobiles, trucks, etc., can be further developed. Conserving the supply of natural resources such as oil and coal is just as important for the future as conserving the soil.

Sincerely,

J. A. CARROLL,
County Agricultural Agent.

AGRICULTURAL EXTENSION
DEPARTMENT, PURDUE UNIVERSITY,
Washington, Ind., April 13, 1956.

The Honorable HOMER CAPEHART,
United States Senate Building,
Washington, D. C.

DEAR SENATOR CAPEHART: I studied with interest your speech of Wednesday, March 21, and your bill, S. 3503, and hope that Congress may be persuaded to adopt this promising measure.

It is true that we have spent large sums of money for increased production, but have left the consumption and utilization of farm crops more or less take care of itself. This, of course, has not been the case.

Research has done wonders in making more goods for a higher standard of living in America. There is no reason why a vigorous research program directed in the proper manner with sufficient funds cannot go a long way in solving the critical problem facing the farmers today in a relatively few years.

Congratulations on the positive, forceful way in which you presented your bill.

Sincerely,

EARL KUMPF,
County Agriculture Agent, Daviess County.

PURDUE UNIVERSITY,
AGRICULTURE EXTENSION DEPARTMENT,
Princeton, Ind., April 13, 1956.

Senator HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: I don't think you are out of line on setting up a research program such as outlined in your speech of March 21, 1956, to the Senate.

You have one more fan believing in your proposal. I'm keeping your report on file.

I would like to see more research for agriculture. It looks to me that what nature made in the way of coal, oil, and other things, science can make it better from agricultural products.

It may be that we may approach an era when we won't have the farmer as we know of him today. Research is the only approach to solve this problem.

Very truly yours,

ALFRED H. GESELL,
Agricultural Agent.

HUNTINGBURG, IND., *April 17, 1956.*

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR HOMER: I want to congratulate you on the idea for expanding the market for farm products as well as the presentation that you made in the Senate.

This would seem to be one of the most constructive things that has been done in a long time and certainly is a new and fresh approach.

It is an odd situation that in a country like America, that a bumper crop should create so many problems as to almost be a catastrophe. While there has long been talk of using the products of the farm for industrial purposes, of course, nothing has been accomplished in a big way.

We would be so conscious of this situation in southern Indiana where so much of the land is marginal and it would seem to us that some development might be made in the hybridization of trees. I found in Macon, last month, that the time for growing pulpwood, for instance, has been reduced from 30 years to 15 years and that they think with the further selection through the hybridization of the trees themselves, it would be possible to get pulpwood as a crop on a 7-year cycle. If that could be done, there would be untold prosperity in this particular area.

Again congratulations and with warmest regards, I remain,

Yours truly,

R. H. MCMURTRIE.

PURDUE UNIVERSITY
AGRICULTURAL EXTENSION SERVICE,
Newport, Ind., April 12, 1956.

Senator HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SIR: I like your approach to the farm problem. I can see no future in the farm program for farmers on tax papers either when the Government pays farmers not to produce. It costs the consumer more for his products and as taxes. The farmer is hurt with less income. Corn is a good crop, but a 100-acre farm that can grow only 20 acres of corn is in bad shape no matter what the support price is.

America was built on more production—making items cheaper and better. Your approach is the only one that looks toward more production.

It seems that our farm problem is one of losing foreign and domestic markets for our crops. One answer is to cut production to meet the demand. The other is to establish new and better markets to use the present or increased production.

I am not sure as to what existing agencies can do or what new ones are needed, but it seems that this is the only approach left.

Yours truly,

JOHN L. STARK,
County Agricultural Agent.

PURDUE UNIVERSITY AGRICULTURAL
EXTENSION DEPARTMENT,
Bloomington, Ind., April 17, 1956.

Senator HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: I have your letter of April 5, together with a copy of your speech before the United States Senate on Wednesday, March 21.

When can we learn that there is no reverse gear on progress, and quit looking backwards. Your suggestion of enough basic research to find profitable uses for his agricultural production, is the first sound approach I have seen taken, regarding our farm problem.

I would hope that it would not be necessary to set up a whole new Federal bureau to get the job done. We have only so many scientists and research men in the country anyway, so they will have to do the research work, regardless of the organization within which they do it. We have an experiment station in each State, and also a few Federal research institutions. Strikes me as being more practical to provide more facilities and equipment—and if possible, more scientists—to these institutions to broaden their activities, than to set up a complete new Federal agency.

Very sincerely yours,

CORRY ALCORN,
County Agricultural Agent.

MONTICELLO, IND., *April 17, 1956.*

Senator HOMER E. CAPEHART,
Washington, D. C.

DEAR SENATOR CAPEHART: Thank you for your letter of April 6 and copy of your speech before the Senate.

I have read your speech very carefully and discussed it with a great many farmers. I have met no one who thinks in a straight line, that does not believe it is the right approach to the solution of this whole complex problem.

On page 2, column 2, paragraph 5, which begins, No, Mr. President, we cannot solve—etc., indicates to me that you know what is wrong with present thinking regarding this whole situation.

Your proposed plan of research to discover and create new uses for farm commodities just can't miss being the right plan of attack.

Very truly yours,

LLOYD MIKESELL.

THE PRAIRIE FARMER,
Chicago, Ill., March 29, 1956.

The Honorable HOMER E. CAPEHART,
United States Senate, Washington, D. C.

DEAR SENATOR CAPEHART: Mr. Johnson is serving as an adviser at the Inter-American Institute of Agricultural Sciences at Turrialba, Costa Rica. He will not be back until the first of May.

Thanks very much for sending us the bill which you are introducing into the Senate.

I sincerely doubt if the bill is the answer to the farm problem. On the other hand, Prairie Farmer is certainly in favor of research investigating the possibilities of expanding farm crop markets. There is little doubt but that we would be up to our ears in soybeans now if it had not been that soybeans have so many uses. We are certainly in favor of expanding our research to find new and improved uses for agricultural products.

Very truly yours,

RALPH S. YOHE,
Associate Editor.

AGRICULTURAL EXTENSION SERVICE,
Crown Point, Ind., May 29, 1956.

Senator HOMER E. CAPEHART,
Senate Office Building, Washington, D. C.

DEAR SENATOR CAPEHART: I am very sorry for the delay in answering your letter regarding the speech which you made before the United States Senate on Wednesday, March 21. I have been very busy and wanted to study the excerpt from the CONGRESSIONAL RECORD, which you sent me, in detail.

I think it is very desirable that the Federal Government follow an aggressive research program with regard to the industrial use of farm products. In all of our world history so far no government has ever been able to permanently set aside the law of supply and demand with laws and regulations. I do believe, however, that it is the duty of our Federal Government to do what it can to prevent extremely wide fluctuations in the prices of farm products. Farming is, by its nature, largely a small enterprise business and, inasmuch as it is one of our basic industries, I think that it is the duty and obligation of our Federal Government to engage in research which in other industries might be undertaken by large corporations. It seems also that it is a sound development to expect our Federal Government to engage in exhaustive investigations of the possible industrial uses of farm products so that private industries can immediately avail themselves of up-to-date information on this subject whenever it is economically sound to do so. A research program such as you suggest would undoubtedly develop many industrial uses that manufacturers would want to avail themselves of immediately.

I hope my opinions are of some value to you.

Sincerely yours,

LLOYD E. CUTLER,
County Agent.

CARMEL, IND., *April 4, 1956.*

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: Your speech sponsoring a bill to set up an Agricultural Products Administration and an Industrial Agricultural Products Agency was received yesterday, and I have just finished reading it. This is a plan which fires the imagination. The first 21 years of my life were spent on a farm, and my determination to obtain a technical education came about because all the farmers in our neighborhood seemed to be at a terrible disadvantage due to lack of anything resembling an industrial approach to their problems of production and marketing. Since my personal interest was in electricity, I planned to work in rural electrification when I finished my college work. However, I graduated in 1936, and there weren't any jobs available in that area, so I ended up on the industrial side of the fence, where I have been ever since.

It seems to me that you and the other distinguished sponsors of this bill have spotlighted the basic farm problem very clearly. Finding markets for farm produce must be just as much of the overall effort as finding ways and means to increase production. The automotive people probably do the best job of creating markets for their product of any specific group in industry. The analogy to the farm problem is not strictly accurate, but it is close. The auto industry spends millions of dollars yearly to develop new components, new styles, new safety devices, and they also spend millions to merchandise these new ideas, so that there is always a newer, better car on the market than the one you presently own. The result, in terms of customer demand, is a matter of record. An ever-increasing demand for farm products must be built up in industry.

Deliberately legislating a sense of urgency into the program you recommend seems to me to be essential. We are all well aware of the tension which surrounds our national-defense projects. I have heard many an industrialist refer wryly to his defense commitments as operating on a madhouse basis. This does not mean that they are disorganized, but that everyone is striving to accomplish great technical and manufacturing strides in the shortest possible time.

One of the problems in carrying out the program envisioned in your bill will be to divert the necessary technical talent to it. As you well know, a great percentage of our young scientists and engineers are struck with the idea of participating in glamorous enterprises like atomic energy, supersonic flight, space satellites, color television, and so on. During the Korean war, I was in Washington, calling on such laboratories as

Naval Research, Naval Ordnance, the Bureau of Standards, the Army Engineer Center, and others. I was quite depressed by the great numbers of young men and women who had started their professional life in the business of producing materials for human destruction, and who, unless the pattern changes, will never know the satisfaction of doing something which will improve man's lot, instead of reducing him to an expendable part of a weapons system. National defense is necessary, and it must be maintained at a level which will avoid war, if possible, but some way must be found to lead an adequate number of technical people into the fields of human needs. After all, the producing part of the economy must be big enough and healthy enough to support the cost of the defense program.

If the money is appropriated and put in the hands of people who will get the job done, I think there is no question but what the predictions made in the early part of your speech will come true, and the results will begin to show up in the first year of operation.

As a suggestion (and you undoubtedly have already considered this), it seems to me that the administrator would find an advisory committee very useful. The members of the committee would represent both agriculture and industry, and the membership should change frequently enough to continually bring in fresh points of view, and to avoid criticism that some group was becoming dominant. The Defense Department uses this system very widely, and I am sure that it provides them with assistance and guidance which simply could not be purchased. This system can be used at lower levels, also, to obtain resistance on specific projects.

I hope that you obtain adequate support for this bill, and I am sure that there are many people across the Nation, like me, who feel that some of the techniques developed in national-defense programs and industrial programs would work wonders in the agricultural area. The return from such a program, in terms of better living and greater security for our people as well as others around the world would be nothing short of stupendous.

Sincerely yours,

PHIL WATSON.
P. R. WATSON.

RUTGERS UNIVERSITY,
OFFICE OF THE PRESIDENT,
New Bruswick, N. J., May 16, 1956.

The Honorable HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPEHART: Thank you for sending me the text of your bill proposing a federally sponsored research and development program to find new and increased industrial uses for agricultural products. We are greatly interested in the bill, as you can imagine, and are appreciative of what you are doing.

Sincerely,

LEWIS WEBSTER JONES.

CORNELL UNIVERSITY,
Ithica, N. Y., May 15, 1956.

Senator HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CAPEHART: Thank you so much for sending me a copy of your speech regarding the unlimited market for farm products. You certainly are to be congratulated on this forward-looking approach to the solution of one of our most basic problems and I am delighted to have had the chance to learn in detail of the bill which you have introduced.

With sincere personal regards,

Cordially,

DEAN W. MALLOTT, *President.*

COLLEGE OF AGRICULTURE,
UNIVERSITY OF ILLINOIS,
Urbana, Ill., May 9, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

MY DEAR MR. CAPEHART: Thank you very much for sending me a copy of your speech and the bill which you and other Senators and Congressmen have introduced pertaining to the ultimate solution of the farm problem. I have read this carefully and it is refreshing to see an approach which is different from that which seems to have become standard in the last several decades.

As soon as I return from a trip I shall write to Senator EARLE C. CLEMENTS regarding the desire of the university to be represented at the hearings. The only thing which I note about the bill that would be of immediate concern would be the securing of the personnel needed to conduct the research studies provided by the bill. However, even this difficulty should not deter us in the effort.

Very truly yours,

W. G. KAMMLADE,
Associate Director of Extension.

UNIVERSITY OF ARKANSAS,
COLLEGE OF AGRICULTURE
AND HOME ECONOMICS,
OFFICE OF DEAN AND DIRECTOR,
Fayetteville, May 12, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: The subject of your letter of May 1 relative to the bill which you introduced in the Senate on March 21, 1956, has been discussed with President John T. Caldwell. He has written you to the effect that he should like to have the university represented at the hearings to be arranged by the Honorable EARLE C. CLEMENTS by the dean of our College of Agriculture and Home Economics.

The subject of your bill is of very real interest to us and we shall be preparing ourselves to appear before the hearings called by Senator CLEMENTS. If at any time, additional information is issued with reference to your bill, we would appreciate receiving copies.

Sincerely yours,

LIPPERT S. ELLIS,
Dean and Director.

UNIVERSITY OF MARYLAND,
EXTENSION SERVICE,
College Park, Md., May 10, 1956.

The Honorable HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: Thank you for your letter of May 2 with copy of CONGRESSIONAL RECORD containing speech and text of bill which you introduced. I certainly agree with you that new uses for farm products in industry and new markets created thereby would aid in an ultimate solution of the farm problem.

I am happy to have your speech and text of bill and I wish to congratulate you.

Very truly yours,

PAUL E. NYSTROM,
Director.

STATE COLLEGE OF WASHINGTON,
INSTITUTE OF AGRICULTURAL SCIENCES,
OFFICE OF THE DIRECTOR,
Pullman, Wash., May 9, 1956.

Senator HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR: Your recent letter addressed to Director M. T. Buchanan has been referred to me for reply. I am certainly in agreement with you that part of the ultimate solution to the farm problem lies in new uses of farm products in industry. Much of the data which is needed to develop these new uses of farm products must come from public funds appropriated for research. I am sure that you agree heartily with this approach.

I wish it were possible for someone from our institution to attend the hearing to be held by Senator EARLE C. CLEMENTS, but because of the distance and the expense it will be impossible at this time.

Let me express our appreciation for your kind invitation.

Sincerely yours,

J. S. CARVER,
Acting Director.

ALABAMA POLYTECHNIC INSTITUTE,
EXTENSION SERVICE,
Auburn, Ala., May 7, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

MY DEAR SENATOR CAPEHART: This is another reply to yours of May 1. At home yesterday I studied your speech and bill in the CONGRESSIONAL RECORD of March 21.

There seems to be no evidence against what you are proposing to do. In my judgment it makes sense in every way.

In addition to funds for public research I hope that corporations that use and process farm products will spend more money and energy on research to find new markets and bigger markets. There is a big opportunity for them.

Some time in Washington I hope to discuss this with you because I'm genuinely encouraged by what you are proposing to do.

Sincerely yours,

P. O. DAVIS, *Director.*

UNIVERSITY OF MISSOURI,
DIVISION OF AGRICULTURAL SCIENCES,
Columbia, May 9, 1956.

Senator HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPEHART: Your letter of May 2, with the enclosed copy of the speech which you made concerning research on new uses of farm products, has been received. I greatly appreciate your sending me this statement.

The need for additional research to aid the entire agricultural industry with its problems is just as important as research in the chemical industry or any of the other great manufacturing industries.

I will write to Senator CLEMENTS regarding this matter.

Very truly yours,

J. H. LONGWELL,
Director.

LOUISIANA STATE UNIVERSITY AND
AGRICULTURAL AND MECHANICAL COLLEGE,
Baton Rouge, La., May 8, 1956.

Hon. HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPEHART: I appreciate very much a copy of your address and a copy of the bill which you jointly sponsored to appropriate additional funds for agricultural research. Since our extension program is based very largely on the research results of the State experiment stations and the United States Department of Agriculture, we do have a deep, abiding and continuing interest in an expanded agricultural-research program.

I wish for your great success.

Very truly yours,

H. C. SANDERS,
Director, Agricultural Extension.

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS,
DIVISION OF AGRICULTURE,
Ames, Iowa, May 10, 1956.

The Honorable HOMER E. CAPEHART,
The Westchester,
Washington, D. C.

DEAR SENATOR CAPEHART: I received your letter of May 1 and the copy of the bill which

you introduced on new uses for farm products in industry and new markets created thereby. I have discussed this bill with some of our outstanding farm leaders and asked that they write their Senators and Congressmen. Tomorrow I am going to review the bill with Mr. Howard Hill, president of the Iowa Farm Bureau Federation, and perhaps he will follow up in that organization.

As you suggested, I also wrote Senator EARLE C. CLEMENTS, of Kentucky.

Dean Harry Reed, of Purdue, has told me of your genuine interest in constructive agricultural programs. I am happy to participate and grateful to you for the contributions you have made.

Sincerely yours,

FLOYD ANDRE,
Dean and Director.

THE UNIVERSITY OF TENNESSEE,
AGRICULTURAL EXPERIMENT STATION,
Knoxville, May 23, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: This is in regard to your bill, S. 3503, which is a proposal to authorize large appropriations for support of research in the utilization and marketing of farm commodities. You may feel assured that we are keenly interested in this bill and would like to see it passed.

You are perhaps aware of the fact that we have a legislative committee for the experiment stations representing the land-grant colleges. Dr. L. E. Hawkins, of Stillwater, Okla., is chairman of this committee. If you have not already done so, I think he would be the appropriate person for you to write. Then, if he needs any assistance, he will call upon those whom he feels might be the appropriate persons to have appear before the committee.

You also are perhaps aware of the position taken by the American Association of Land-Grant Colleges in regard to this particular work. I am quoting same below:

"The association believes that progress can be made in the industrial utilization of agricultural products, and that the best way of making progress is to provide additional funds for this purpose to the established agricultural research agencies of the land-grant institutions and the United States Department of Agriculture."

Sincerely yours,

J. H. MCLEOD,
Dean and Director.

UNIVERSITY OF KENTUCKY,
OFFICE OF THE DEAN AND DIRECTOR,
Lexington, Ky., May 30, 1956.

Senator HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: This is a belated reply to your letter of May 1, with reference to your proposed research program in the field of chemurgy.

We, of course, are vitally interested in finding new uses for farm products, to the end that farmers may profit by such markets and that consumers will have the benefit of new or improved products.

If and when Senator CLEMENTS holds hearings on this bill, we probably will be in a position to make a statement on it.

Sincerely yours,

FRANK J. WELCH,
Dean and Director.

THE UNIVERSITY OF CALIFORNIA,
May 28, 1956.

The Honorable HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: Thank you for your letter of May 2, 1956, with information about S. 3503 to provide expansion for a scientific study and research program for the purpose of developing increased and industrial uses of agricultural products so as to reduce surpluses of such products and to increase the income of farmers.

Expanded research designed to find new crops and new industrial uses of present crops, now in surplus, is a worthy effort which our research people have long had as an objective. The framework upon which to build this type of research exists in the United States Department of Agriculture and land-grant colleges of the Nation, but the financing has been meager when compared to general industrial research financing. Unfortunately, the research path is slow and the rewards materialize some time in the future. This is not an argument against expansion of such a program now but it is important to realize that immediate large results will not likely be forthcoming.

The director of our agricultural experiment station, Dr. Paul F. Sharp, is a member of the legislative committee of the directors of the 48 States and 3 Territories. His committee, I understand, is planning to request permission to appear before the appropriate committees of Congress considering this bill, to present the combined thoughts of the agricultural experiment station directors of the United States.

As the research program develops, the university, as usual, is prepared to cooperate in the areas where it can contribute substantially.

Yours sincerely,

ROBERT G. SPROUL.

UNIVERSITY OF RHODE ISLAND,
COLLEGE OF AGRICULTURE,
Kingston, R. I., May 21, 1956.

Hon. HOMER E. CAPEHART,
United States Senate, Washington, D. C.

MY DEAR SENATOR CAPEHART: I am in receipt of your letter together with the portion of the CONGRESSIONAL RECORD giving your speech together with a copy of the bill which you have introduced into Congress. As a station director, I am happy to lend support to this bill.

In our experiment station organization we have a committee known as the organization and policy committee which is represented by directors from the four areas of the country. This committee appoints a legislative committee consisting of one director from each region. We have found in the past that it is desirable for us to have all legislative matters handled by the members of this committee. They are authorized to speak for the directors.

The chairman of our organization and policy committee has requested that the legislative committee handle the testimony for the station directors in support of your bill. I trust, therefore, that having the matter handled in this way will prove satisfactory to you.

Very sincerely yours,

MASON H. CAMPBELL,
Dean and Director.

VIRGINIA POLYTECHNIC INSTITUTE,
V. P. I. AGRICULTURAL EXTENSION SERVICE,
Blacksburg, Va., May 19, 1956.

Hon. HOMER E. CAPEHART,
United States Senate, Washington, D. C.

DEAR SENATOR CAPEHART: On my return to the office, I found your letter of May 2 and the speech which you made on the uses for farm products in industry and new markets created thereby. I deeply appreciate this and feel that you are on the right track. Certainly, we need a great deal more research in the utilization of farm products. The bill and your speech certainly indicate a thorough consideration of this long-range problem. I sincerely hope that we can be of assistance in this field and will collaborate at the very first opportunity with Dr. H. N. Young, the director of our agricultural experiment station.

Thanking you for your thoughtfulness, I am,

Respectfully yours,

W. H. DAUGHTREY,
Associate Director.

NORTH CAROLINA STATE COLLEGE,
SCHOOL OF AGRICULTURE,
Raleigh, N. C., May 16, 1956.

Senator HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: Reference is made to your letter of May 2, in which you enclose the bill that you introduced which would provide an attack toward the solution of the farm problem by developing new uses for many of our surplus farm products. I am sure that all of us feel that there are real possibilities in exploring further such uses and we are pleased that the Congress is giving attention to this most important subject. The organization of State Agricultural Experiment Station Directors has a legislative committee, of which Director Louis Hawkins, of the Oklahoma Agricultural Experiment Station, at Stillwater, Okla., is the chairman. I am sure that you would consider it most appropriate for our appearance in your hearings to come through such a committee. I am assuming, therefore, that you wrote to him also and, furthermore, that when the opportunity arises for hearings that he and members of his committee will represent all of the rest of the experiment station directors.

Very sincerely yours,

R. L. LOVVORN,
Director of Research.

EXTENSION SERVICE,
COLLEGE OF AGRICULTURE,
New Brunswick, N. J., May 17, 1956.

Hon. HOMER E. CAPEHART,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPEHART: I am appreciative of the fact that you have sent me the copy of the CONGRESSIONAL RECORD containing your suggestions relative to a new research program leading toward greater utilization of farm products.

If uses for agricultural products can be developed on a basis which will make it economically sound to produce and process the crops in question, I am sure that the farm problem will be solved.

We are very much interested in the plans which you propose but must confess that over the years we have been discouraged by the chemurgic attempts which have, for the most part, met with failure because of the prohibitive costs involved in processing the various agricultural products. Certainly, however, we should not permit such a defeatist attitude to occupy our minds, and we, therefore, will follow with the greatest interest the results of your research campaign.

Sincerely yours,

LINDLEY G. COOK,
Associate Director.

UNIVERSITY OF DELAWARE,
SCHOOL OF AGRICULTURE,
Newark, Del., June 4, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: This is in response to your letter of May 2, 1956, which accompanied the copy of the speech which you made before the Senate March 21, 1956, concerning a $100 million research program to double the demand for farm products through discovery of new industrial uses and utilization of new processes already known. I have read your remarks and those of your distinguished colleagues with considerable

interest. I am enthusiastic about the possibilities of such a research program. I believe it could be made to yield extremely worthwhile results.

One may wonder why land-grant colleges and agricultural experiment stations have not made more progress on this problem in the past. I would suggest that part of the difficulty arises out of the fact that, as you have indicated in your speech before the Senate, the approaches in the past have only been nibbling at the fringes of the problem. Each new increment in available research funds has been too small to accomplish the large purposes such as you visualize. Each of these increments have been programed well in advance and by and large have been programed primarily in terms of the facilities and research personnel available. This has tended to keep us in something of a rut.

Your approach provides for a stimulus for a new approach not committed to present proposals or programs. We hope that this proposal receives the consideration which it merits.

Sincerely yours,

G. FRED SOMERS,
Associate Dean and Associate Director.

COLLEGE OF AGRICULTURE OF THE
OHIO STATE UNIVERSITY,
Columbus, Ohio, May 23, 1956.

The Honorable HOMER E. CAPEHART,
The United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: This will acknowledge receipt of your letter of recent date concerning the importance of marketing programs as the ultimate solution to the farm problem. We appreciated very much the attached copy of your speech made in the Senate on March 21.

The Agricultural Extension Service has given major emphasis to marketing education programs during the years past with added emphasis to this phase of the program during the last few years. We operate in the area of overall marketing education in assisting rural people in developing new markets, new marketing facilities, and in the orderly movement of agricultural products. During recent years we in Ohio have become involved in a broad consumer marketing program by assisting the consumers in general by furnishing marketing information on seasonal supplies and buys and in an effort to further promote the orderly marketing of agricultural products. We appreciate very much your interest in this area and agree that much can be accomplished by promoting still further the marketing program.

Very truly yours,

W. B. WOOD,
Director.

VIRGINIA POLYTECHNIC INSTITUTE,
DEPARTMENT OF AGRICULTURAL
ENGINEERING,
Blacksburg, Va., June 7, 1956.

Hon. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPEHART: I regret that I have not replied to your letter in reference to your speech on the farm problem. I have read your speech and the comments by yourself and others with a great deal of interest. The solution of many agricultural problems, as you have indicated, lies in research and education. The amount of money spent for research in agriculture is very small compared to that spent in industry. Additional funds expended for research could go a long way toward helping to solve some of our most vexing farm problems.

Thanking you for your courtesy in sending me a copy of your talk, I am,

Very truly yours,

L. B. DIETRICK,
Dean of Agriculture and Director of Extension.

Mr. CAPEHART. Mr. President, why do we ask the American farmer to cut back his production? Why do we not say to him, "We are going to find new uses for farm products in industry. We are going to find new uses for your products. We want you to grow more, not less. We want your income to be greater, not smaller. We want to create new jobs in America, not fewer"?

Mr. President, I wish to say a word or two about a certain school of thought to whose expressions I have listened occasionally. I refer to the thought which is entertained by many persons that the small or marginal farmer must be eliminated, that such a farmer has no place in the scheme of things today. I say shame on any man who makes such a statement. The small farmer can be eliminated, if it is desired to do that, and his land can be turned over to the big farmer. But what will happen? The big farmer will grow more on the land which will be turned over to him than did the small farmer. So we shall have more production. We shall have more surpluses. We shall not have solved any problem by transferring the acreages of the small farmer to the big farmer. We will increase the problem rather than decrease it. What made America great was having a multitude of small farmers and a market for the products they grew.

Let us establish a research laboratory. Let us appropriate the necessary money for it. Let us get the American people thinking about the problem. Let us spend as much time and money in trying to find new uses for farm products as we have spent in showing the farmers how to grow more, so the small farmer on a 40-, 80-, or 100-acre farm can remain in production. A farmer today can produce about twice as much as he used to, by the use of new types of fertilizer and seeds. Let us find new uses for his products, so he can live on the farm and can produce on his acres, regardless of how small his farm may be, and receive sufficient income to make a living. If we do not do that, if we go in the opposite direction, we shall travel backward and bring about a peasant system, a feudal system in America, in which a few farmers will own all the land. That is not what we want. That is why hundreds of thousands of Europeans left Europe originally and came to America. They left to get away from big landowners, so they might own a few acres and make a living from them. Let us create new markets for farm products. Let us find new uses for farm products.

I again say I hope the Senate Committee on Agriculture and Forestry will hold hearings on the bill. I dislike saying this, but I hope we shall not have to make a political issue of the matter, because the farm problem is not a political problem; it is an economic problem. Let us handle it as an economic problem. Let us have the bill reported, or if the bill I have introduced is not reported, let some bill which is similar to it in substance be reported, and let us go forward in finding new uses for farm products and new markets.

Mr. President, I previously asked permission to have printed in the RECORD letters I have received from people scattered all over the United States, who have shown a keen interest in this proposal. I have many more letters. I think I shall withhold them until I make another speech on this subject, which I hope I shall not have to make.

I trust the Senate Committee on Agriculture and Forestry will hold hearings on the bill and report it. As Senators know, Congress passed a farm bill. It was not entirely satisfactory to everybody, but, generally speaking, I think it was a good bill. It was as good as any which could be had. I am not criticizing the bill or anyone who had anything to do with it at all. We found ourselves faced with huge surpluses, and we had to get rid of them somehow. We found ourselves faced with the surplus production of farmers who, as a result of help from the Government over a period of years, amounting to billions of dollars, produced crops in such quantity that the market could not absorb them. If we will spend as much time, money, effort, and ingenuity in finding new uses for farm products as we have spent time, money, effort, and ingenuity in showing the farmers how to produce more, we will permanently solve the farm problem.

I appreciate the remarks made by the able Senator from Nebraska [Mr. CURTIS]. I am directing my closing remarks to the chairman of the Committee on Agriculture and Forestry and the chairman of the subcommittee which would handle the bill I have introduced. I request them, I urge them—yes; I even beg them—not on behalf of myself as the author of the bill, not on behalf of myself as a farmer, but in behalf of all farmers and all Americans, to report the bill; so that we may proceed in an earnest effort, not next year, but this year, to find new uses for farm products, and new markets, thus assuring prosperity to the farmers of America, and eliminating the idea that they can become more prosperous by reducing farm production. Moreover, by finding new uses for farm products, we shall be able to eliminate the great price which the farm program has been costing the American taxpayers. I have been told that it will cost $365 million this year to store surplus commodities. My bill asks only for $100 million in the next year to find new uses for farm products. I hope we can get the job done before Congress adjourns, which I hope will be within the next 30 days.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. O'BRIEN of New York, Mr. EDMONDSON, Mrs. GREEN of Oregon, Mr. MILLER of Nebraska, and Mr. SAYLOR were appointed managers on the part of the House at the conference.

The message also anonunced that the House had agreed to the amendments of the Senate to the bill (H. R. 7471) to provide for the conveyance of certain lands of the United States to the Board of Commissioners of St. Johns County, Fla.

The message also announced that the the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10899) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1957, and for other purposes, and that the House receded from its disagreement to the amendments of the Senate numbered 22, 23, and 28 to the bill, and concurred therein.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATION BILL, 1957—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I understand that the conference report on H. R. 10899, the appropriation bill for the Department of Commerce and related agencies, has been acted upon by the House and has reached the Vice President's desk. Preliminarily to calling it up, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Legislative Clerk proceeded to call the roll.

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

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

Mr. HOLLAND. Mr. President, before calling up the conference report, I wish to state that the report is signed by all the conferees on the part of both the Senate and the House of Representatives; that I have notified the Senate leadership on both sides of the aisle, and there is no objection to taking up the conference report; and that I have notified the ranking minority member of the Commerce Subcommittee of the Senate Appropriations Committee, who has asked me to proceed without further delay. So far as I know, there is no opposition to consideration of the report at this time.

Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10899) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1957, and for other purposes. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 14, 1956, pp. 10415–10416, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. HOLLAND. Mr. President, I am glad to see that the ranking minority member of the subcommittee which handled this measure [Mrs. SMITH of Maine], and who also served in the same capacity as one of the conferees on the part of the Senate, is present.

In making a brief summary of the conference report—which, as I have said, is signed by all the conferees of both the Senate and the House of Representatives—I wish to give a few figures.

Under the conference report, the amount to be appropriated for the agencies covered by the bill is $1,416,732,000 for the fiscal year 1957. This amount is $29,584,000 less than the amount included in the Senate version of the bill, which the Senate passed some days ago. It is $34,729,000 more than the amount included in the House version of the bill. It is under the amount of the Budget estimates by $105,941,000, and is under the amount of the 1956 appropriations for the same agencies by $62,266,500.

Mr. President, in connection with the conference report, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a table showing the conference committee's action on the bill, as contrasted with the Budget estimates, the amounts carried in the House version of the bill, and the amounts carried in the Senate version of the bill, for each of the agencies and objectives separately covered in the bill.

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

Department of Commerce and related agencies appropriation bill 1957 (H. R. 10899)

Appropriation (1)	Appropriations, 1956 [1] (2)	Budget estimates, 1957 (3)	House bill (4)	Senate bill (5)	Conference action (6)
TITLE I. DEPARTMENT OF COMMERCE					
GENERAL ADMINISTRATION					
Salaries and expenses	$2,312,500	$2,500,000	$2,425,000	$2,465,000	$2,450,000
CENSUS BUREAU					
Salaries and expenses	7,415,500	7,620,000	7,413,000	7,575,000	7,475,000
Census of governments		2,100,000	1,750,000	2,100,000	1,750,000
National housing inventory		1,800,000	1,000,000	650,000	1,000,000
1958 censuses of business, transportation, manufactures, and mineral industries		150,000	150,000	150,000	150,000
Censuses of business, manufactures, and mineral industries	4,304,000	(2)	(2)	(2)	(2)
Census of agriculture	5,412,500				
	17,132,000	11,670,000	10,313,000	10,475,000	10,375,000
CIVIL AERONAUTICS ADMINISTRATION					
Operation and regulation	112,640,000	128,500,000	125,000,000	128,608,000	126,804,000
Establishment of air-navigation facilities	16,000,000	40,000,000	37,500,000	40,000,000	40,000,000
Grants-in-aid for airports (liquidation of contract authorization)		30,000,000	30,000,000	30,000,000	30,000,000
Washington National Airport:					
Maintenance and operation	1,388,000	1,500,000	1,500,000	1,500,000	1,500,000
Construction	3,125,000				
Maintenance and operation, public airports, Territory of Alaska	617,500	618,000	618,000	618,000	618,000
Air navigation development	1,050,000	2,000,000	1,500,000	1,500,000	1,500,000
Establishment of air navigation facilities (liquidation of contract authorizations)	7,000,000				
Grants-in-aid for airports	20,000,000				
Federal-aid airport program (liquidation of contract authority)	7,500,000				
	169,320,500	202,618,000	196,118,000	202,226,000	200,422,000
CIVIL AERONAUTICS BOARD					
Salaries and expenses	4,390,000	4,700,000	4,550,000	4,700,000	4,625,000
Payments to air carriers	52,500,000	20,000,000	15,000,000	17,400,000	16,200,000
	56,890,000	24,700,000	19,550,000	22,100,000	20,825,000
COAST AND GEODETIC SURVEY					
Salaries and expenses	10,724,000	11,020,000	10,800,000	11,020,000	10,900,000
Construction of a surveying ship		3,700,000	3,400,000	3,700,000	3,700,000
	10,724,000	14,720,000	14,200,000	14,720,000	14,600,000

[1] Includes funds contained in the "Second Supplemental Appropriation Act, 1956."

[2] Transfer of not to exceed $900,000 from "Census of Agriculture, 1956."

Department of Commerce and related agencies appropriation bill 1957 (H. R. 10899)—Continued

Appropriation (1)	Appropriations, 1956 (2)	Budget estimates, 1957 (3)	House bill (4)	Senate bill (5)	Conference action (6)
TITLE I. DEPARTMENT OF COMMERCE—Continued					
BUSINESS AND DEFENSE SERVICES ADMINISTRATION					
Salaries and expenses	$6,600,000	$7,500,000	$7,200,000	$6,900,000	$6,900,000
BUREAU OF FOREIGN COMMERCE					
Salaries and expenses	2,130,500	2,450,000	2,400,000	2,400,000	2,400,000
Export control	2,836,000				
	4,966,500	2,450,000	2,400,000	2,400,000	2,400,000
OFFICE OF BUSINESS ECONOMICS					
Salaries and expenses	960,000	1,200,000	1,000,000	900,000	960,000
MARITIME ACTIVITIES					
Ship construction	86,450,000	[3] 151,600,000	54,800,000	108,880,000	82,700,000
Operating-differential subsidies	140,000,000	124,000,000	124,000,000	124,000,000	124,000,000
Salaries and expenses	14,875,500	15,500,000	15,187,000	15,500,000	15,350,000
Maritime training	2,185,000	2,200,000	2,200,000	2,200,000	2,200,000
State marine schools	660,000	660,000	660,000	660,000	660,000
Shipyard mobilization planning		1,000,000			
Vessel operations revolving fund	Language	Language	Language	Language	Language
Repair of reserve fleet vessels (liquidation of contract authorization)	6,000,000	[4] (156,000)	(150,000)	(150,000)	(150,000)
War Shipping Administration liquidation	([5])	([6])	([6])	([6])	([6])
	250,170,500	294,960,000	196,847,000	251,240,000	224,910,000
INLAND WATERWAYS CORPORATION					
Administrative expenses limitation	(14,000)	(14,000)		(14,000)	(14,000)
PATENT OFFICE					
Salaries and expenses	14,500,000	17,000,000	17,000,000	17,000,000	17,000,000
BUREAU OF PUBLIC ROADS					
Federal-aid highways	740,000,000	800,000,000	775,000,000	775,000,000	775,000,000
Forest highways	24,750,000	23,000,000	23,000,000	23,000,000	23,000,000
Public lands highways (liquidation of contract authorization)	2,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Inter-American highway	62,980,000				
	829,730,000	824,000,000	799,000,000	799,000,000	799,000,000
NATIONAL BUREAU OF STANDARDS					
Expenses	7,413,500	9,000,000	8,750,000	8,750,000	8,750,000
Plant and equipment	995,000	500,000	450,000	450,000	450,000
Construction of facilities		2,750,000		930,000	930,000
	8,408,500	12,250,000	9,200,000	10,130,000	10,130,000
WEATHER BUREAU					
Salaries and expenses	34,150,000	35,500,000	35,400,000	35,400,000	35,400,000
Establishment of meteorological facilities	7,500,000	2,500,000	2,500,000	2,500,000	2,500,000
	41,650,000	38,000,000	37,900,000	37,900,000	37,900,000
Total, title I	1,413,364,500	1,453,568,000	1,318,153,000	1,377,456,000	1,347,872,000
TITLE II. THE PANAMA CANAL					
CANAL ZONE GOVERNMENT					
Operating expenses	14,948,000	15,660,000	15,410,000	15,410,000	15,410,000
Capital outlay	1,800,000	([7])	([7])	([7])	([7])
	16,748,000	15,660,000	15,410,000	15,410,000	15,410,000
PANAMA CANAL COMPANY					
Administrative expense limitation	(3,789,000)	(3,679,000)	(3,562,100)	(3,679,000)	(3,679,000)
Total, title II	16,748,000	15,660,000	15,410,000	15,410,000	15,410,000
TITLE III. INDEPENDENT AGENCIES					
Advisory Committee on Weather Control	275,000	([8])	([8])	([8])	([8])
St. Lawrence Seaway Development Corporation:					
Administrative expense limitation	(280,000)	(325,000)	(315,000)	(325,000)	(325,000)
Small Business Administration:					
Salaries and expenses	2,128,000	[9] 1,890,000	1,890,000	1,900,000	1,900,000
Revolving fund	45,000,000	[9] 50,000,000	50,000,000	50,000,000	50,000,000
Total, Small Business Administration	47,128,000	51,890,000	51,890,000	51,900,000	51,900,000
Tariff Commission	1,483,000	1,555,000	1,550,000	1,550,000	1,550,000
Total, title III	48,886,000	53,445,000	53,440,000	53,450,000	53,450,000
Grand total, titles I, II, and III	1,478,998,500	1,522,673,000	1,382,003,000	1,446,316,000	1,416,732,000

[3] Includes reduction of $13,000,000 contained in H. Doc. 365.
[4] Contained in H. Doc. 365.
[5] Not to exceed $24,000,000 of unexpended balance continued available.
[6] Unexpended balance to be continued available as contained in H. Doc. 365.
[7] Language authorizing use of funds for purchase of passenger motor vehicles.
[8] Unobligated balance to be continued available through July 30, 1956.
[9] As amended by H. Doc. 379.

Mr. HOLLAND. Mr. President, by way of a brief reference to the principal changes to be found in the conference report on the bill, as compared with the form in which the bill was passed by the Senate, I wish to call attention to five items, which constitute the principal changes, although not the only ones.

In connection with the establishment of an air-navigation facilities program of the Civil Aeronautics Administration, the Senate will recall that it supported the full amount to begin carrying out the 5-year plan for modernizing our air-navigation facilities, the full amount being $40 million. The House had approved an amount slightly smaller than that. After discussion, the conferees were in unanimous accord that the full amount of $40 million should be made available, in order that there be no discouragement whatever to the completion on schedule of the badly needed im-

proved system of air-navigation facilities.

The second of the notable changes made in the Senate version had to do with the appropriation for payments to air carriers by the Civil Aeronautics Board. The House had allowed for this particular objective $15 million. The Senate had allowed $17,400,000. The conferees, in their judgment, split the difference evenly as between the two amounts, and the conference report carries for this item $16,200,000.

The third notable change comes under the Coast and Geodetic Survey. The Senate will recall that the new item for this Agency was for the construction of one of the two new surveying ships which have recently been authorized by the Congress. The conference committee approved the action of the Senate in providing the full amount needed, not only for the construction of the ship, but for the installation of the very complicated facilities which must be built into the ship in most cases, and therefore must be bought and made available at the time the ship is actually being constructed. That item, therefore, is the same as the amount allowed by the Senate, namely, $3,700,000.

The largest change in the conference report has to do with the ship construction item under Maritime Activities in the Department of Commerce. The House had allowed $54,800,000. The Senate had allowed $108,880,000 for this very important objective. After considerable discussion, the amount which was agreed upon by all the conferees, and which appears in the conference report, was $82,700,000 for ship construction.

The fifth principal change to which I call attention is that the action of the Senate was followed in providing for the purchase of a site for new headquarters for the National Bureau of Standards and the construction of facilities at such headquarters. Senators may recall that pursuant to a recommendation of the Senate committee a very modest beginning was made on that important objective by including in the Senate version of the bill $930,000, subject to certain conditions, which have been fully met.

The conferees were unanimously of the feeling that that item should stand in the bill, and that the important acquisition of land and construction of new facilities should get underway. So the item for construction of facilities for the National Bureau of Standards, in the amount of $930,000, remains in the bill.

There are, of course, other interesting items in the report. However, unless there are questions from my distinguished colleague, the ranking minority member of the subcommittee, the distinguished senior Senator from Maine [Mrs. SMITH], or from other Senators, I shall be very happy to submit the report at this time for action by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 10899, making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1957, and for other purposes, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.
June 14, 1956.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 22, 23, and 28 to the bill (H. R. 10899) entitled "An act making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1957, and for other purposes," and concur therein.

Mr. HOLLAND. Mr. President, I notice that my distinguished friend, the junior Senator from Alabama [Mr. SPARKMAN] is not present in the Chamber. He expected to be present, if possible, at the time of consideration of the conference report, but was detained in committee and was not sure he could be present. He asked me to request unanimous consent for the printing in the RECORD at this point of a statement he prepared with respect to certain items in the conference report. Attached to his statement are certain letters, as well as a copy of an editorial from the June 12 issue of the Journal of Commerce.

I ask unanimous consent that all those items be printed in the RECORD at this point.

There being no objection, the statement, letters, and editorial were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SPARKMAN

I regret that the conference committee on the Commerce appropriation did not find it possible to include funds for the improvement of construction statistics and the improvement of a number of important statistical series compiled by the Office of Business Economics, including data on manufactures, inventories and orders, new plant and equipment, and consumer expenditures for goods and services. Since the House-passed bill had provided modest amounts for both of these programs it was hoped that the conference would accept the House figure.

Senator PAYNE and Senator FLANDERS, who proposed amendments providing for these programs during the Senate debate, explained the urgent need for improving these basic statistical tools. Several members of the joint Economic Committee joined with Senator FLANDERS and me in supporting these amendments. The amendments were subsequently withdrawn in an effort to expediate passage of the bill. In response to the request of the chairman of the Appropriations Subcommittee, Senator HOLLAND, Senator FLANDERS, and I submitted letters to him giving further explanation of why the joint Economic Committee was particularly concerned about improving the statistics in these areas. In connection with possible future actions, I ask that these letters be included as part of the record. I also ask that there be included a copy of the letter which I sent to the Appropriations Subcommittee prior to their consideration of the bill, pointing out the need for assuring funds in this area.

I am sure it will be of interest to Members of the Senate also to know that the Journal of Commerce only day before yesterday pointed out the acute need for doing something to improve key data which are needed for economic decisionmaking. I ask that the editorial from this well-known business paper be included also in the RECORD.

These data are needed not only by private business, but by the Government—executive and legislative—in Government policymaking. I hope there will be another opportunity to provide these needed funds.

JUNE 4, 1956.

The Honorable SPESSARD L. HOLLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR HOLLAND: During the Senate debate on the Department of Commerce appropriation, you invited written statements for consideration by the conferees in reaching agreement on this appropriation.

I should like to express again my interest, and that of the Joint Committee on the Economic Report, in two items in the Commerce appropriation, and urge that the Senate conferees accept the higher amount passed by the House for each of these two items:

(1) Improvement in construction statistics, by the Business and Defense Services Administration.

(2) Improvement in economic statistics, by the Office of Business Economics.

The direct concern of the Joint Committee on the Economic Report in these two programs was indicated in my letter to you of May 9, printed on page 535 of the Senate Hearings on the Commerce appropriation. Needed improvements in these programs have been specific subjects of investigation by the Joint Economic Committee's Subcommittee on Economic Statistics, of which I am the Senate member.

On the construction statistics program, the committee supported the increase requested last year for the construction statistics program, and in Senate Report No. 1309, issued January 5, 1956, urged again that funds be provided this year to make possible the extensive improvements needed in this program. As pointed out by the committee, better data are needed in this area because of the importance of construction to our economy and the need for accurate information on the health of this industry in appraisal of the economic outlook.

Some confusion seems to have arisen, understandably, over the relationship of the construction statistics program in the Business and Defense Services Administration and the National Intercensal Housing Survey to be made by the Bureau of the Census. Although it appears that these two items are similar, actually they are quite distinct, each contributing separate information needed in appraising change and determining policy in the housing and construction areas. The Census Bureau's housing survey is planned as a one-time survey, approximately midway between the 1950 and 1960 Censuses of Housing, to provide national figures on the number of dwelling units and the changes which have taken place since the 1950 census. The construction statistics program in the Business and Defense Services Administration, on the other hand, is not a one-time survey of the census type, but a continuing program which supplies the current measures of construction activity used in economic analysis. The housing survey is concerned primarily with what has happened to houses already in existence, while the construction statistics are designed to provide more reliable information on dollar expenditures currently being made for all types of construction—nonresidential as well as housing, new construction as well as additions, alterations and repairs.

I hope that the Senate conferees will agree to the $350,000 allowed for this item by the House. This amount will not make possible all the improvements planned for next year, but will at least make a beginning on strengthening these series so that they may more adequately meet the important purposes for which they are used.

In the Office of Business Economics, most of the increases proposed for 1957 were for

specific improvements which had been recommended by the Joint Economic Committee. The House allowance of $1 million out of the $1,200,000 included in the budget estimate means an increase of only $40,000 out of $240,000 requested. I feel that it is important that provision be made at the earliest possible opportunity for the full amount of the increase requested for this agency. In the meantime, I sincerely hope that the Senate conferees will accept the House figure of $1 million in place of the Senate figures of $900,000, which would actually decrease funds available for these key economic series below the level available this year.

Sincerely yours,

JOHN SPARKMAN.

The Honorable SPESSARD L. HOLLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR HOLLAND: I should like to take this opportunity to comply with your kind request, in the Senate debate on the Commerce appropriation bill, to give you a written statement in support of increased funds for the Office of Business Economics.

The 1957 budget included an increase of $240,000 for this agency, to finance improvements needed in four areas:

(1) Consumer expenditures for goods and services ($55,000);

(2) Manufacturers' inventories and orders ($70,000);

(3) Anticipated expenditures by all business for new plant and equipment ($95,000); and

(4) Resumption of quarterly reports on businesses started and businesses discontinued ($20,000).

Late in 1954 the Joint Committee on the Economic Report asked the Federal Reserve Board to establish consultant committees of experts to appraise the adequacy of present statistics on consumer and business expectations, inventories, and savings. The reports of these committees were submitted to the joint committee during the summer and fall of 1955, and discussed in public hearings. Recommendations made by the expert consultants were reviewed by the Joint Committee's Subcommittee on Economic Statistics, and this subcommittee in turn made a number of recommendations on immediate needs in these areas. Each of the four increases requested for the Office of Business Economics is designed to meet the needs expressed in these studies made and sponsored by the Joint Economic Committee.

The $1 million allowed by the House for this agency provides for an increase of only $40,000. The $900,000 allowed by the Senate reduces the funds for this agency, which is responsible for many of our key economic indicators, below the level available for the present year.

As I stated on the floor of the Senate, I feel very strongly that the full amount asked for in the budget estimate for this agency is justified. The statistical series which it is proposed to strengthen are series which are essential to Government and business alike in appraising the condition of the economy, and it is important that they be as reliable as we can make them. At the earliest opportunity I believe the full amount of the increase should be made available for the purposes stated in the 1957 budget estimate.

I respectfully urge that you concur in the House figure of $1 million for the Office of Business Economics. This amount would protect the present level and allow for an increase of $40,000. With this small increase, the office would at least be able to utilize data now becoming available from the 1954 censuses of manufactures and trade to improve the estimates of consumer expenditures in our national accounts.

Sincerely yours,

RALPH E. FLANDERS.

MAY 9, 1956.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Department of Commerce and Related Agencies, Committee on Appropriations, United States Senate, Washington, D. C.

DEAR SENATOR HOLLAND: I am writing to express my interest and the interest of the Joint Committee on the Economic Report in certain statistical programs included in the budget request for the Department of Commerce for the fiscal year 1957.

Statistical data are essential in appraising the welfare of the economy and in determining economic policy. Because of this, the Joint Committee has been increasingly concerned with the adequacy and accuracy of the data upon which it must rely. Through hearings, studies and reports it has attempted to determine how adequate our present statistics are for the important purposes for which they are used, and many of the increases included for statistical programs in 1957 have resulted from the committee's studies and recommendations during the past 2 years.

In its report on the 1956 Economic Report of the President (S. Rept. No. 1606, p. 6) the Joint Economic Committee stated:

"We urge the Congress to give strong support to the proposals in the current budget for additional funds for improving our sources of economic intelligence. In the long run, such expenditures to enable early and correct diagnosis of imbalances will make a greater contribution to our economic stability and growth per dollar spent than the much larger sums needed to correct difficulties discovered only after they have become large and menacing."

We are pleased that many of the basic improvements needed have been passed by the House for the 1957 appropriations. I am concerned, however, that there are still a few places in the bill which the House passed that need strengthening if we are not to impair the statistical program proposed for 1957. Most of these instances are in programs to be conducted by the Department of Commerce, as follows:

(1) In the Office of Business Economics, the 1957 appropriation request was $1,200,000—an increase of $240,000 over the amount available in 1956. This increase was to provide for four projects of direct concern to the Joint Economic Committee—improving and remedying present inadequacies in (a) estimates of consumer expenditures in the national income and product accounts; (b) estimates of manufacturers' inventories; (c) estimates of expenditures for plant and equipment; and (d) estimates of changes in the business population. The House allowed only $40,000 of this $240,000 increase, which would be insufficient to bring about the immediate improvements which we have recommended in these areas.

(2) In the Business and Defense Services Administration, the 1957 request included an increase of $600,000 for construction statistics; and the House reduced this amount to $350,000. This is a great improvement over any previous bill but since the present data for measuring changes in this significant economic activity are particularly weak, I hope it will be possible to provide the full amount necessary to remedy the major existing inadequacies. The Joint Economic Committee was unanimous in its support of this last year when we stated in Senate Report No. 1309 (p. 2):

"One of the most important forces in our current prosperity has been the continued high level of construction. In any appraisal of the economic outlook it is essential to know as much as possible about the health of this industry."

(3) Of particular interest to the Joint Economic Committee, too, is the request in the item for the Bureau of the Census for $82,800 for monthly estimates of retail inventories, as recommended by the Subcommittee on Economic Statistics. The reduction of the request of the Census Bureau from $1,800,000 to $1 million for the National Housing Inventory would drastically curtail the amount of local area data which could be obtained from the survey, seriously limiting the usefulness of the information. The national data which could be obtained with the $1 million are greatly needed, but so also are indications of the variations in the housing supply in different areas, which would require additional funds.

On behalf of the Joint Committee on the Economic Report, and of its Subcommittee on Economic Statistics on which I have served since its founding 2 years ago, I sincerely hope that the Senate Committee on Appropriations may restore funds for as many of these programs as possible.

Sincerely yours,

JOHN SPARKMAN,
Subcommittee on Economic Statistics.

[From the Journal of Commerce of June 12, 1956]

TODAY ON CAPITOL HILL

Congress today holds public hearings on the Federal Reserve Board's decision to raise the rediscount rate at a time when top administration economic and fiscal authorities believed the economic situation did not require this further move of credit stringency.

Coming on the heels of widespread criticism of the Federal Reserve move, this inquiry will focus national attention on how authorities can coordinate strategic monetary and economic decisions where the responsibility for decisionmaking is divided as it now is.

But just as worthy of close study are the methods by which the economic and monetary authorities arrive at their decisions as to the timing of action to influence the overall direction of the economy. This involves the use they make of the key economic data which are at their command. That, in turn, raises the all-important question of whether they are getting the kind of information they must have and whether they are getting these data in time to use them in their decisions.

Obviously if key information comes limping along so late that it merely makes good reading in economic history, it may contribute little to the difficult decisions as to what to do at a given crucial moment. And if the information is so inadequate as to make guesswork necessary, the likelihood that the guesses will differ, leading to significant disagreements on economic policy, is vastly increased.

For actually, the Federal Reserve took the view that the monetary screws ought to be twisted further on the basis of the statistical information that it had available. And Economic Council Chairman Arthur Burns, Secretary of the Treasury Humphrey, Secretary of Commerce Weeks—and, indeed, the President—took the contrary position on the basis of the economic data that they had at hand.

And what were these key data? In the economic field, the data are made available to these authorities through the appropriation acts of Congress, so if we are concerned about the basis for arriving at the economic decision, that is all the more reason to improve the basic information and to reduce the area of guesswork where differences are most likely to breed.

It just so happens that extremely important decisions affecting the availability of key economic information will be made today in meetings which will take place in the Capitol at the same time that the Joint Economic Subcommittee is studying the administration-Federal Reserve conflict over the April rediscount rate increase.

At issue are precisely the kind of data which the administration ought to have at

hand if it is to make a clear case, for instance to FRB concerning the economic implications of a particular move in the credit field.

For the stunning fact is that this year, in the midst of a tremendous construction boom (one of the strong elements in our economy) and in the midst of a lag in residential housing (one of the elements of weakness), Congress is taking a most niggardly attitude in the voting of funds for essential data in these fields. Other vital essential data are also at issue. All are involved in the appropriations bill for the Commerce Department and related agencies, which Senate and House conferees are meeting to decide finally in sessions which begin today.

Here is the disappointing score:

The administration asked $600,000 to make good the grossly inadequate data now available on construction, especially nonresidential, including information on State and local activities, which are becoming more important all the time. Included were funds for burgeoning activities in the field of expenditures for alterations and repairs. These have a significant but unknown impact on overall housing demand and needs.

The House approved a meager $350,000 of the $600,000 asked to make a good data in these fields. The Senate approved a meager $350,000 of the $600,000 asked to improve data in these fields. It struck the whole amount of $1,800,000 asked for an intercensal housing inventory (we have not taken stock of our housing since 1950), and the House voted only $1 million. The Senate cut this to $650,000. What this means is a smaller sample, which is the poorest economy in the world, and greatly reduced local data.

Finally, the administration asked $240,000 for improved data on plant and equipment expenditures; on monthly estimates of manufacturers' inventories, sales and orders; consumers' expenditures; and business births and mortality. The House approved a mere $40,000 for the first three, leaving out provision for improved business vital statistics altogether. And the latter in the face of all of the howl about whether or not small business has participated in the Eisenhower prosperity.

The Senate, not content with the House slash of the $240,000 administration request to $40,000, not only struck this totally inadequate sum but cut existing funds by $60,000.

The economic subcommittee probe into the FRB rediscount action dramatizes the difficulty under which authorities operate today in determining actually what are the significant economic trends. All authorities and competent economists are agreed that the economic data, at stake in the Senate-House appropriations sessions, are essential to the interpretation of national economic developments.

Economy in dispensing such needed funds is the worst kind of extravagance.

SUMMARY OF ARGUMENTS FOR AND AGAINST FARM PRICE SUPPORTS

Mr. AIKEN. Mr. President, I have been absent from the floor attending a meeting of the Foreign Relations Committee, but I read on the ticker this item:

The Senate came to the aid of high school debaters throughout the country.

It voted to have the Library of Congress prepare a summary of arguments for and against farm-price supports. The summary will be printed as a Senate document.

Senator ALLEN J. ELLENDER, Democrat, of Louisiana, said the summary will be useful to school debate teams.

Mr. President, I wish to make it clear that although I am not undertaking to thwart the desires of the majority of the committee, I do not concur in the statement that the Senate came to the aid of high school debates throughout the country. In my opinion, from a general reading of it, it is very heavily loaded in favor of the Brannan plan, and any high school student reading it would naturally come to the conclusion that the Brannan plan might be the logical solution of all our farm problems. I do not concur in the material included in the document which the Senate has directed to have printed.

THE ADMINISTRATION'S CREDIT POLICY—CONFUSION CONFOUNDED

Mr. HUMPHREY. Mr. President, in the few moments I have today I should like to call to the attention of the Senate the apparent culmination of months of confusion and discouraging lack of foresight in the administration's credit policy. In Tuesday's testimony before the subcommittee of the Joint Committee on the Economic Report, the chairman of the Federal Reserve Board, William McChesney Martin, Jr., candidly admitted that he was "not at all sure that member banks reserve requirements are not too high." Treasury Secretary George M. Humphrey, in a forthright if amazing statement before this same subcommittee, reversed his recently declared opposition to the Federal Reserve Board's discount policies and once again flipflopped back into the traditional tight money camp of his party where he properly belongs. Mr. Humphrey confided that the policy of tight credit which he now readvocates is one of the causes for the present trouble in the auto industry. This industry has now laid off some 200,000 workers, a fact which worries some of us more than it does Secretary Humphrey. The Secretary claimed, however, that he was not apprehensive over tight money, implied that he no longer disagreed too strongly with the Federal Reserve Board's squeeze on credit, and concluded by saying with direct reference to our Nation's economy that "it is just as well to hesitate a little."

Mr. President, this type of hesitation or pause in our economy which the Secretary recommends sounds to me like the calm before the storm. I am not a pessimist, but it seems to me that the clouds preceding this storm have been increasingly ominous lately. One gets the impression that the Secretary with his gyrations and reversals has not yet had time to figure out just what a tight money policy means or could mean for many vital segments of our American economy. Typical of many recent articles estimating the present overall economic situation and the recent readjustments in it is a definitive editorial appearing in the June 11, 1956, issue of the Washington Post and Times Herald by Mr. Harold B. Dorsey, and entitled "Conflicting Factors Appear."

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD at this point in my remarks.

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

The Joint Economic Subcommittee on Monetary Policy is scheduled to hold hearings Tuesday on the controversy between the Federal Reserve and other Government agencies over the last move of the Federal Reserve to tighten credit.

Business analysts have an unusually keen interest in these hearings, not only because of the basic principles involved, but also because the credit authorities may divulge some of their most recent thinking about credit policies. By coincidence, it happens that a change in credit policy at this juncture, and the degree of such a change, might have an unusually important effect upon a delicately poised business situation.

Within the past 2 or 3 weeks, there has been an increasing tendency among business analysts to "run scared," because some of the evidence suggests a rather noticeable deterioration in the important confidence factor. The fast 10-percent decline in the stock market constitutes one piece of evidence. There is a rule of thumb that business confidence is not influenced very much by a 10-percent move in the market but, if it goes noticeably beyond that proportion, the market's behavior usually becomes a cause factor as well as a result of the many forces that usually dictate stock price trends.

Historical performance suggests that any further important weakness in the market may well cause business executives and individuals to reduce their forward commitments, because the market would be telling them that there might be something ominous in the business outlook. Such a psychological reaction would, of itself, tend to accelerate any business or stock market weakness.

Nor is the evidence of confidence deterioration confined to the stock market. Some of the more sensitive raw material commodity price indices, which sometimes anticipate business trends, have been behaving in a negative fashion in the last few weeks.

Furthermore, in the personal conversations which this writer and his staff have had with business executives recently, we hear more expressions of concern about the business outlook. This sentiment has not reached the state where expansion programs are being canceled. However, we hear about the cessation of inventory accumulation and some thoughts about stretching out expansion programs. There is a steadily expanding anticipation of some rather sour-looking figures for certain key industries within the next 6 weeks, and, if they materialize, their publication is not likely to enhance confidence.

All of this is quite different from the condition which encouraged the Federal Reserve to tighten credit again in April. At that time, businesses were very confident of the outlook and were sharply increasing their borrowing from banks to obtain funds to finance temporarily portions of their capital expansion programs and also to finance sharp inventory accumulation. Clearly, it was the function of the Federal Reserve to do what it could to retard this creation of a maladjustment that would have to be corrected subsequently in terms of lower business activity.

As it has turned out, the Federal Reserve was not entirely successful in reaching its objectives, even though it did tighten credit. Inventories of steel in the hands of consumers are now high, new automobiles in the hands of dealers are very high, and inventories of tires and some appliances are high. That is one reason why productive activity in these particular industries is going to be lower in the third quarter.

Then too, there is every indication that the tight credit policy is not going to prevent increased wages and prices in the steel industry, which is inflation per se. The pattern established in the important steel industry is likely to spread to other industries.

In addition, it might be contended that the sharply rising trend of business capital expenditures is temporarily inflationary, because new purchasing power is created while

these expenditures are made, without a commensurate increase in the supply of goods upon which this purchasing power can be spent. At this juncture, however, there would not seem to be any shortage of supply for most of the consumers' durable and nondurable goods lines.

It is obvious, however, that a mixture of inflationary and deflationary elements is present today, in contrast with the situation a couple of months ago when the inflationary pressures seemed to dominate the scene. The deflationary clues are still indecisive and it is too early to conclude that they will develop to a degree that would have an important adverse effect on the economy as a whole. And it must be remembered that the Federal Reserve is primarily interested in the economy as a whole. It cannot adjust the credit policies of the country to protect an individual industry that might seem to be threatened with a slump.

In spite of the emphasis that has been placed recently on slackening conditions of individual industries, it probably is a fact that the overall measurements of the status of the economy are not far below peak levels.

Nevertheless, the business analyst today—possibly overemphasizing the deflationary clues that he sees developing at the moment—is wondering if the Federal Reserve is going to do anything about it in terms of credit policy. And there is considerable logic in his curiosity about the thinking of the credit authorities now, because there is a rather marked difference between conditions today and those which justified a policy of further restraint 2 months ago.

Mr. HUMPHREY. Mr. President, it is elemental that the effects of our national credit policies are not evenly felt throughout our economy. The many varying effects of the administration's program are typically discussed on page 27 of the May 5, 1956 issue of Business Week, a magazine accepted nationwide by the business community as a most reliable and authoritative news source. Here the darkening picture of just how our tight money has been penalizing certain areas of our Nation's economy is dramatically set out. As this article succinctly puts it, results of a Business Week survey "showed that though many businesses are feeling the pinch, the squeeze is tighter in some sections than in others."

Mr. President, I ask unanimous consent to have this article, entitled "Squeeze Is Hurting Now," printed in the RECORD at this point in my remarks.

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

A Texas manufacturer says the Federal Reserve's tight-money policy has "dried up all the usual sources of credit." In Los Angeles a businessman complains that his bank not only cut down the amount he could borrow, but made him keep 20 percent of the loan on deposit. A capital-goods manufacturer in Minneapolis says tight money has forced him to review his expansion plans. And a small Virginia firm is finding it "rough" to pay 6 percent for a new loan, as compared to 4½ percent a year ago.

These comments reflect the views of businessmen who have been hit by the Federal Reserve's current squeeze on credit. This week Business Week reporters questioned a cross section of businessmen, State and local government officials, and bankers on how they have been affected by tight money. Their answers showed that though many businesses are feeling the pinch, the squeeze is tighter in some sections than in others.

Tougher than 1953: Some companies say they haven't been squeezed at all, aside from having to pay more for their loans. But even these are afraid of what might happen if the pinch gets any tighter. In fact, a good many businessmen and a number of State and local government officials say today's market is even tighter than in 1953.

The responses to this week's survey contrast sharply with those Business Week reporters collected last fall, just after the Federal Reserve raised the discount rate to 2½ percent (Business Week, Sept. 24, 1955, p. 26). That survey revealed most businesses were having no difficulty in borrowing, and only newly formed or marginal companies were feeling any pinch. There were no cases of capital expansion or inventory accumulation plans being stopped for lack of credit.

Who's getting hurt? But now, with the discount rate up to 2¾ percent in 10 Federal districts and at 3 percent in 2 others, the squeeze is much more apparent. This is today's picture:

All borrowers are paying more for their loans—anywhere from ¼ to 1½ percent more than they did a year ago.

Many businesses, particularly small- and medium-sized companies, cannot borrow all they need, whatever the rate. As a result, some are being forced to cut back on inventories, go slower on expansion plans.

Most companies that are being squeezed for credit prefer to cut down on inventories rather than postpone capital projects.

Most of the companies surveyed say their business customers are slower in paying bills. They fear they will be hurt by this.

Businesses that have not had to borrow fear that if credit stays tight, they'll be hurt by declining sales.

City and State governments are squeezed even harder than most businesses, primarily because they are vulnerable to higher interest rates.

By and large, businessmen are not bothered by rising interest rates. They complain about the higher cost of loans, but in almost all cases they are willing to pay the going rate. The scarcity of credit is the real stinger.

Sudden pinch: The squeeze on business seems to have begun hurting only recently. Most companies say they were not concerned until the last few weeks. But right after the March 15 tax date many discovered that they would have to borrow more than they anticipated they would need; and now they are finding it much more difficult to get as much as they want.

This upsurge of demand, of course, is one of the main reasons for the Federal Reserve's latest turn on the credit screw. The monetary managers were surprised by business's overwhelming demand for credit. They cut funds furnished to the banks in order to hold down the demand.

Big times touched: The bigger, longer established companies with good lines of credit are not having too much trouble, provided they are willing to pay the rate.

This confirms another survey made by Standard Factors Corp., which found that 82 percent of companies with a net worth of $5,000 to $25,000 could not get bank loans, and almost 50 percent in the $25,000 to $100,000 bracket have lost their lines of credit with the banks. But only 12 percent of the companies in the $100,000 to $500,000 class have been badly squeezed, and those in the upper brackets have been virtually unaffected.

This week though, Business Week reporters found that some big companies are feeling the pinch. One big Milwaukee hard-goods company revealed that it is being squeezed much more severely than in 1953, mainly because it has grown rapidly and needs much more credit. And a big California home appliance outfit also frankly admits that it is cutting back its expansion plans to the limit of available borrowing.

Small ones worst: The smaller companies, even long-established ones, are hurt the most. A Seattle plywood manufacturer who has just started a new plant found the banks unwilling to provide the term loan he needed at any price. A Chicago builder needing $800,000 to finance a new building is so far unable to raise more than $650,000, not enough to start the project.

Although the unavailability of credit is the first complaint among businessmen, many are also worried about higher rates. A Minneapolis tool maker says he will cut down on expansion if the cost of borrowing gets any higher. And a Dallas durable goods manufacturer definitely has cut back both inventory and capital spending.

Some on the fringe: Companies that say they haven't felt the pinch usually haven't been borrowing over the last few months. And those that feel sure they can get all the money they need may be whistling in the dark. A Boston company admits it has not asked for a loan for fear it will be turned down.

It is also clear that many companies don't realize how much rates have climbed. A New York soft-goods outfit borrowed $750,000 at 4½ percent, but had to keep $250,000 on deposit. Thus, it is really paying 6¾ percent for the money it can use.

Governments' troubles: The rise of interest rates has been more of a burden to States, municipalities, and local governments than to businessmen. All are paying more for what they borrow, but public bodies unlike corporations, can't charge part of the increase off to income tax. They must get more out of their tax revenues if they are to pay for their borrowings.

However, Business Week reporters found that no major public construction job has been stopped for lack of credit so far. Where the need is really critical, the public body is raising money even if it does cost more.

A number of public authorities are temporarily postponing borrowings, waiting to see if there's to be an end to tight money.

Others guess that waiting also has its hazards. For instance, Detroit figures that lower interest rates later on might easily be offset by higher costs for labor and materials. Its officials point out that the 1954 estimate for building a convention hall was $29.6 million; the latest estimate, taken last month, was $35.3 million.

Postponements: But for the most part, governmental bodies are deferring if they can. Ohio, for example, may decide against going into the market soon to borrow $500 million for a new turnpike. Last week, the State had only one bid, 3.09 percent, for $50 million of highway bonds. It had to take this offer, because it needed the money immediately. But the turnpike may be postponed.

In Los Angeles, the Board of Education is selling no bonds in June, as it normally would, instead it will wait until September in the hope of a return to easier money.

Some cities are handicapped by statutory limits on interest. Philadelphia, for example, couldn't take bids last week on a refunding issue and on a borrowing for the transit company because it can pay no more than 3 percent.

Mr. HUMPHREY. Mr. President, everyone knows that the economy of this country of ours is the most complex and extensive one in the world. Not all of the areas of our American economy are affected in like manner by policies pursued on a national level. It is difficult to understand all of the intricate facets and functions of our economy, but as this article in Business Week demonstrates, the administration seems either unaware or negligent of the effects of its credit policy on such areas as our great farm

population, our small independent businessmen, our young homeowners, and other important and identifiable groups.

A few facts and figures will illustrate what I have in mind. In my remarks on May 15 on the Senate floor, I reminded my colleagues of certain statements by bank officials from our great Midwest Farm Belt, telling how the already hard-hit farmers of our area were again being severely pinched by this drought of credit. Since 1952, when the tight money men entered office, the profits of small-business men with assets under $250,000 have gone down 28 percent, while the profits of big-business men with assets over $100 million have spiraled up by 61 percent. At the same time, let us never forget in these days of increasingly higher interest rates, that the cost for a newly married couple buying a small house and carrying a mortgage on it is increased approximately $225 a year by a 1½-percent increase in rates.

Mr. President, even a casual glance at newspaper headlines would show what the administration's vacillating credit policy has done to many of these sections of our economy. Here is an article from the May 22 New York Times entitled "Money Shortage Found Worsening: Head of Home Builders Group Says Scarcity of Mortgage Funds Is Now Severe." In the Wall Street Journal of April 24, 1956, we find an article headlined: "Tighter Credit Curbs Hurt Small Concerns." In the April 30, 1956, issue of the New York Times there is another which reads: "United States Credit Policy Held School Curb: Levitt Contends That Rise in Interest Rate Hinders Building in State."

Mr. President, I ask unanimous consent that the contents of these three articles describing the effects of the present credit squeeze be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Is there objection?

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of May 22, 1956]

MONEY SHORTAGE FOUND WORSENING—HEAD OF HOME BUILDERS GROUP SAYS SCARCITY OF MORTGAGE FUNDS IS NOW SEVERE

WASHINGTON, May 21.—The president of the National Association of Home Builders said today that mortgage money conditions now "are more severe than at any time since World War II—more severe than in the mortgage drought of 1953."

Joseph B. Haverstick, the official, said in an interview, that if the conditions persisted, housing starts this year would probably drop below 1 million. Last year they were slightly more than 1,300,000, and in the last 3 months they have been running at a rate of 1,100,000.

Mr. Haverstick laid the squeeze to the money-tightening moves of the Federal Reserve System. He said the industry was not being hurt badly yet, but that conditions are present that could hurt seriously. He said conditions in the mortgage market had worsened considerably in the last 30 days.

At the same time the Association of Home Builders made public a survey of 100 builders around the country. The builders mostly reported difficulties in getting financing for their houses, but they planned to start only 4 percent fewer houses than last year.

The survey showed that large builders—those who started more than 100 houses last year—would cut back this year much more than the smaller builders. Many of the latter are planning to start more houses this year than last.

These were some of the highlights of the survey:

The prices of houses are going up and builders are shifting into higher priced housing brackets. Starts in the price bracket below $12,500 will go down as much as 40 percent this year.

A third of the builders reported a slight improvement in sales in the last 30 days in the face of the money squeeze. No change was noted by 38 percent and 29 percent said sales were worse.

Half of the builders are starting their houses without firm financing commitments in hand. Half also reported more buyers than last year being rejected on the grounds of credit rating.

The builders reported relatively little effect on their own operations from the 2 percent increase in down payments imposed last summer by the Government, on the mortgages it insures. But 9 out of 10 said it was having some effect on the total market in their communities.

Land prices are up an average of 17 percent in the last year.

[From the Wall Street Journal of April 24, 1956]

TIGHTER CREDIT CURBS HURT SMALL CONCERNS, STANDARD FACTORS SAYS—STUDY INDICATES LARGER MANUFACTURERS HARDLY FEEL RESTRICTIONS ON BANK LOANS

NEW YORK.—Tightening credit restrictions over the past 12 months have hurt smaller and medium-sized manufacturers but have had little effect on larger corporations, according to a study by Standard Factors Corp.

The report, which covered 727 manufacturers in 33 major industries and 127 banks throughout the country, said the biggest borrowers were able to supplement their bank credit by selling commercial paper, or borrowing from insurance companies or the public. For the most part, this avenue was closed to the smaller and medium-sized manufacturers.

The study noted that prior to the first Federal Reserve Board increase in the rediscount rate last April, 53 percent of the companies with a net worth of $5,000 to $25,000 were regular borrowers from commercial banks. At the end of last month, only 18 percent of the companies in this group had credit lines with banks.

In the $25,000 to $100,000 class, the proportion of regular borrowers declined to 44 percent from 82 percent in March 1955. At the end of last month, 79 percent of the companies in the $100,000 to $500,000 group had bank credit lines against 94 percent a year earlier. Manufacturers in the $500,000 to $2,500,000 category were virtually unaffected, 98 percent having bank credit on March 31, or only 1 percent less than a year before.

Although many of the small- and medium-sized manufacturers sought credit from commerical finance companies, the report said the finance companies, which operate with their own capital plus bank credit, were also strapped by the tighter controls on loans. Only the larger commercial finance companies with access to public financing, insurance company loans and the commercial paper market were able to make any headway in meeting the need, the report said.

According to the study, while banks are anxious to help all customers, the pressure exerted by credit restrictions tends to work its way down to the smaller customer. This is so, the report explains, because it costs the bank almost as much in time and expense to administer a $10,000 line of credit as it does to administer a $100,000 line.

The report states, "Since lendable funds and bank personnel are at a premium, and since the risk on one $1 million account is less than the risk on a hundred $10,000 accounts, banks tend to hold on to their biggest and most stable customers."

The report suggests that in view of these circumstances the Federal Reserve System might reconsider whether the country can afford to maintain uniform credit controls which affect industry members so differently and which bankers themselves do not like.

[From the New York Times of April 30, 1956]

UNITED STATES CREDIT POLICY HELD SCHOOL CURB—LEVITT CONTENDS THAT RISE IN INTEREST RATE HINDERS BUILDING IN STATE

State Controller Arthur Levitt declared yesterday that Federal monetary policies were seriously threatening the State's school-construction program. It is virtually impossible, he said, for school districts to borrow money at interest rates that they can afford.

The State's chief fiscal officer called for a revision of Federal policies that would maintain guards against inflation but permit public construction to proceed.

Mr. Levitt attributed the tight credit situation partly to the recent decision of the Federal Reserve Board to increase the discount rate from 2½ to 2¾ percent. The discount rate is the interest that banks must pay to borrow from the Federal Reserve System. The increase was designed to curb inflationary trends by making borrowing less attractive.

"The impact of that policy on the State level," Mr. Levitt said, "has been to make it virtually impossible for school districts to borrow money to finance school construction."

He called it an alarming spectacle that the city of Philadelphia failed to get a single bid last week on a bond offer of $4,900,000 at 3 percent.

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

Mr. HUMPHREY. I am glad to yield to the Senator from Louisiana.

Mr. LONG. Has the Senator from Minnesota made reference to the fact that the Eisenhower policy of increasing interest rates will cost approximately an additional $800 million in payments on the national debt?

Mr. HUMPHREY. I have not referred to it yet. I wish to say to the Senator from Louisiana that the information he has supplied is certainly germane to my discussion, and is a very timely comment. I knew that the increase in interest rates would amount to a very great additional cost in the financing of the public debt. I recall that a few years ago the administration increased the cost of financing the public debt by about $475 million. With the increase of the public debt since that time and with this new increase in interest rates, the figure which the Senator has given is undoubtedly accurate. It is indicative of what we mean when we talk about the administration's credit and interest-rate policies.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. HUMPHREY. I do.

Mr. LONG. The Senator will recall that a year ago we were trying to give some tax relief to the average American family which had been ignored in the previous tax-reduction bill that had been enacted and under our proposal

the average American family would have received a reduction of about $80 in taxes. That proposed reduction was defeated because, the administration said, we could not afford to give tax relief to the average American family. Nevertheless, under the new interest-rate policy, it is going to cost as much money in additional payments on the national debt in the next year alone as the tax relief we wanted to give the average American family would have cost. Apparently, it is all right to give away $800 million a year to the banks, but when we want to give some tax relief to the average American family we are told it will cost too much.

Furthermore, when this administration gets through with refinancing the national debt at these new, high-interest rates, it will cost about $1,500,000,000 extra merely by way of interest payments on the national debt because of the new Republican high-interest rates.

Mr. HUMPHREY. I thank the Senator for his comment. He is recognized in the Senate as a student of this subject. I recall his very intelligent and enlightened participation in the debate on the tax bill. I wish to say to the Senator that that is exactly what I am protesting, as the Senator knows. This rise in interest rates not only places an increased burden upon the taxpayers, as such, but, as I shall indicate in my concluding comments today, it is acting as a squeeze upon independent business enterprises. The smaller firms are literally being choked out of existence.

Either today or in forthcoming comments on this subject—and I might say that I intend to make 2 or 3 more speeches on this particular subject, namely, the policy regarding interest rates which is being followed by the administration—I shall cite instances where lines of credit to independent business firms have been cut off. Because of the new interest rate and credit policy of the administration, independent small business enterprise has been choked out of existence and strangled, so to speak; it has been unable to obtain the necessary credit and to maintain its present operations and make expansions.

At the same time we have seen an increase in mergers and a stepping up in the growth of large economic combines and a reduction in the number of new small businesses that are coming into the economic field.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JOHNSTON of South Carolina. While the administration has been increasing the interest rates to everyone, is it not true that it has been cutting the interest rates on money belonging to the Federal employees in their retirement fund? Ever since the fund has been in existence the interest rate has been set at 4 percent. Now that interest rate has been cut down to 3 percent.

Mr. HUMPHREY. I thank the Senator for his observation. I had heard about it, but it had completely escaped my recollection during this discussion. It again demonstrates what I think is the attitude of the administration in its fiscal policies, as well as in connection with its legislative policies relating to human beings.

Mr. JOHNSTON of South Carolina. The Senator is a member of the Committee on Agriculture and Forestry, as I am also. Is it not correct to say that the administration has tried its best to raise the interest rates on rural electrification?

Mr. HUMPHREY. There have been several proposals made along that line. As the Senator knows, the interest rates on Commodity Credit Corporation loans have gone up. The Secretary of Agriculture tried to increase the interest rates on disaster loans, until the Senator from South Carolina introduced proposed legislation to compel the Secretary to restore these rates at 3 percent, instead of keeping them at 4 percent. The people affected had been literally rubbed out by disaster, and they had no place to go but to their Government, to get short-term loans to restore their economic productivity.

Mr. JOHNSTON of South Carolina. Is it not true also that the Government, in its attempt to balance the budget, has failed to put into the retirement fund approximately $1,200,000,000 to match what the employees have been putting into the fund during the past 3½ years?

Mr. HUMPHREY. I will accept that statement from the Senator, because there is no Member of the Senate who knows more about the civil-service retirement fund than the Senator from South Carolina. I know he has been conducting extensive hearings on the subject and his staff has been making a full-scale study of it. Again, I thank him for the contributions he has made to this discussion.

Mr. LONG. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LONG. The Senator from Minnesota has made some reference to the cost of buying a home under high interest rates. My impression has been that the amount the average veteran has to pay in buying a home now is approximately 1 percent higher than it was under a previous administration when we tried to make it possible for the veteran to buy his home at an interest rate of 4 percent.

Mr. HUMPHREY. And we can add to that the fact that when a veteran takes his paper into a bank in order to get a loan, the discount on the paper is so large that the cost of financing a home has increased appreciably.

Mr. LONG. The Senator is correct. If anyone cared to calculate the additional cost, he would find that if a veteran is buying a $10,000 home the increase in the interest rate makes it necessary for him to pay an extra $300 above what he had to pay before these high interest rates were put into effect. If it is a $15,000 home, he has to pay $500 more in interest under the Eisenhower and Humphrey policy.

Mr. HUMPHREY. That is, George Humphrey.

Mr. LONG. Yes. I know the Senator is for lower interest rates.

Mr. HUMPHREY. I am, indeed.

Mr. LONG. The Senator realizes that high interest rates are not good for the workingman, not good for the small-business man, and not good for the Nation.

Mr. HUMPHREY. What has happened is that under the Eisenhower-George Humphrey administration interest rate policy a man who buys a $10,000 home lost a bedroom out of that home because of the increase in the interest rate.

If he would spend no more money over the duration of the mortgage, he would have to chop off one bedroom. If he should buy a $15,000 home, he would have to chop off a bedroom and slice in half a bathroom. I do not know just what would be left.

Mr. President, let us take a brief look at some of the specific dislocations in our economy which are described in these articles and which are caused by the administration's tightening of the screws on credit.

The president of the National Association of Home Builders tells us that "housing starts this year would probably drop below 1 million. Last year they were slightly more than 1,300,000." And yet, Mr. President, only a few weeks ago, by passing the new housing bill, the Senate indicated its own determination that a dramatic and serious effort must be made at once to correct the critical housing shortage now facing this country.

The same gentlemen tells us that "conditions are present that could hurt seriously," and that the "mortgage market had worsened considerably in the last 30 days." The prices of houses are going up and builders are shifting into higher priced housing brackets. Mr. President, I wonder if this is consistent with the national policy embodied in the housing bill just passed by the Senate, with its emphasis on meeting the need for a rapid expansion in low-cost housing.

Half of the builders are starting their houses without firm financing commitments in hand. Half are also reporting that more buyers than last year are being rejected on the grounds of credit ratings. These factors too, Mr. President, fill in a picture of considerable discouragement judged from the perspective of our national housing policy.

Another aspect of the situation is the serious impact which the credit curb has had on States and municipalities. Arthur Levitt, State controller of New York, tells us that the rise in interest rates, and I quote: "makes it virtually impossible for school districts to borrow money to finance school construction."

Mr. President, our Nation, especially now, desperately needs the construction of new schools to handle adequately the increasingly large number of children that the experts expect soon to overcrowd our classrooms. Many of our present public-school facilities are not up to standards that the American people have a right to expect, and here, as Mr. Levitt indirectly tells us, the administration's money policy is placing definite roadblocks in the way of future progress in the education of our children.

The bare statistics for one of the areas which has suffered the most severe credit pressures are contained in the Wall Street Journal's story on small-business men. This article, quoting conclusions from a study on credit tightening says:

> Prior to the first Federal Reserve Board increase in the rediscount rate last April, 53 percent of the companies with a net worth of $5,000 to $25,000 were regular borrowers from commercial banks. At the end of last month, only 18 percent of the companies in this group had credit lines with banks.

Mr. President, behind these statistics lie the discouraging examples of small-business declines which are occurring daily in communities across the land.

Mr. President, the administration has both desired and promoted these interest policies, and inevitably they have led to these results.

With many other Americans, I am deeply concerned over these effects of our present credit and monetary policies. I am happy to see that the Secretary of the Treasury has quit wandering all over the economic lot, though I of course disagree with his present position and the stand of the Federal Reserve Board on this matter. While all of us respect the independence and inviolability of the Board, that fact should not render its policies immune from analysis and criticism. We need to be assured that the Federal Reserve authorities in formulating credit policies are considering the obligations imposed on the Government by law to prevent a sharp decline in business activity and widespread unemployment. I am not at all satisfied with the administration's complacency on what its credit squeeze has done or can do to the American economic picture. I warn those responsible that such policies may not just slow down our economic machine, but throw it into reverse.

Mr. President, to me there is increasing evidence that this whole field of credit policy should be comprehensively and authoritatively reviewed.

Mr. President, when we consider the fact that more than $40 billion of Government money in terms of defense contracts for our national security at home and our foreign aid abroad goes into the American industrial and economic system, we should not permit ourselves to be deluded as to the effects of credit policies if that kind of an expenditure were in any way reduced or curtailed. It is one thing to inject into an industrial and economic system a tremendous sum of Federal money through defense contracts and thereby be able to gloss over the weaknesses of the system, but once those contracts are reduced or cut back, then, indeed, will the credit policies and tax policies show themselves in full view.

This week we are particularly gratified over the initiative of the distinguished members of the Subcommittee of the Joint Committee on the Economic Report in the hearings which they held on Tuesday. I should like to suggest to the committee that these valuable hearings be continued, and broadened in scope to cover a review of the overall effects of our Federal Government's entire credit policy. If this proves impracticable, perhaps we should consider the establishment of a special commission to undertake a thorough examination. Several nonpartisan, economic experts, including Dean G. R. Collins and Dr. Nadler, of New York University, have urged such a study. If we are to meet adequately the new demands of our dynamic, ever-changing economy, we must constantly be reviewing and readjusting our economic thinking, our laws, and our regulations on which the activities of our system are based.

Attention should be specially directed to these definite symptoms and signs of hardship caused by credit policies in the particular areas which I have mentioned, and I shall mention them again: agriculture, small business, municipal building programs, and the mortgage market generally.

Mr. President, I should like to express my continuing interest and deep concern over all the aspects of this situation, and next week I should like to extend today's general, preliminary remarks into a more specific discussion of the situation which we face in the State of Minnesota as a consequence of the administration's tight money and tight credit policy.

I submit it is time for the administration to wake up and to take a frank and honest look at its misguided policies in the field of taxation and credit. A study of the total fiscal policy is long overdue. The American public is being compelled to pay and pay and pay because of these policies. Many areas of American business are suffering from either merger or the inability to expand; or they are suffering because they are being forced to the wall by the Government's fiscal and credit policies.

It is not good enough to equate American prosperity with big business. To be sure, big business is big. To be sure, it is getting bigger. But I think we ought to ask ourselves whether or not this is the kind of economic profile we want for America. I think we must ask ourselves whether the credit policies of this administration have not accelerated the pace of merger and of monopolistic growth; whether the credit policies of this administration are not aggravating, implementing, and encouraging the concentration of economic power at the expense of a free enterprise economy. A free enterprise economy requires that the Government's fiscal, tax, and credit policies be fair and equitable and, I may say, sound. The present policies are not fair, they are not equitable, and they are anything but sound and constructive.

COLUMBIA RIVER FLOODS AND THE HELLS CANYON DAM

Mr. NEUBERGER. Mr. President, the vast drainage of the Columbia River is presently experiencing one of its most serious floods on record. From the upper reaches of the Snake, from the Clearwater, Salmon, and Kootenai, the melting snow water of the mountainous Pacific Northwest boils into the main stream of the Columbia River. Already thousands of acres of land have been inundated, hundreds of families evacuated from their homes, and business and industry along the river banks idled by the rise of swirling floodwaters.

Even as I speak today, it is believed that the peak of the flood crest has been reached. Much snow remains in the upper elevations and only the most favorable weather conditions will prevent further havoc. The toll of the present flood—second to the disastrous flow which wiped out the city of Vanport in 1948—is not yet known. But it is safe to predict that it will aggregate many millions of dollars before the high water recedes and the task of repair and reconstruction can be undertaken.

The floods now suffered are a recurring burden of cost and heartbreak to the people of the vast Columbia River Basin. This is the third flood of major proportions to strike the region in the past 8 years. I am calling the attention of the Senate to our region's recurrent flood difficulty not only because it constitutes one of the Nation's unsolved major problems, but also elimination of the Columbia floods is possible.

The geography of the Columbia Basin lends itself to the construction of storage reservoirs which can harness the water of the 1,280-mile long stream and turn it to beneficial uses of power production, navigation, and irrigation. The Army's Corps of Engineers and the Bureau of Reclamation have developed plans to curb the fury of the Columbia's falling waters.

I am pleased that the Congress has taken steps to put this know-how of river control and development into action. Already such dams as Grand Coulee and Hungry Horse and many other smaller units have been built by the Federal Government to trim the crest from the river's floodtide. But much remains to be done. It will require far-sighted determination to achieve control of the Columbia's floods.

The present Congress has taken positive action to advance the solution of flood problems. At the last session, funds were provided for start of new flood-control dams at the Cougar site and Hills Creek site on tributaries of the Willamette River. Funds also were provided to advance the planning of flood-control units at John Day on the Columbia main stem, and at Green Peter on the Santiam River. It is my hope that further progress will be made at this session to assure the early construction of these dams as units in the Federal system.

In the development of an omnibus Rivers and Harbors Act of 1956, every effort should be made to include authorization of all those projects necessary to complete the plan for eventual control of the Columbia River floods, giving priority to those which do not conflict with other uses of natural resources. As the committees of the House and Senate consider the public works to be included in the scope of the 1956 flood control, the results of the present flood offer ample justification for an expanded river development program.

A few weeks ago, the Senate approved a Federal flood-insurance program which will give a measure of protection to homeowners, farmers, and businessmen who suffer from the ravages of floods and

other natural disasters. It is hoped that the House will add its endorsement to the insurance program, so that future flood victims will have an opportunity to minimize the financial losses now being suffered by those to whom no similar protection is available at present.

The present situation focuses attention sharply on the greatest need in control of Columbia floods. That is to end the stalemate which has prevented progress toward construction of storage dams which involve Columbia waters crossing the international boundary between the United States and Canada. It was my pleasure last fall to study, at the request of the chairman of the Interior and Insular Affairs Committee, the dispute which had arisen over apportioning benefits of the boundary waters. Hearings have been held by the Senate Interior Committee to determine the status of United States negotiations with Canada on this matter, and coincident with the conclusion of the hearings, the Governments of Canada and the United States announced a decision to engage in joint examination, at a high diplomatic level, of the issues arising from use and development of upstream portions of the Columbia.

Recommendation for the joint United States-Canadian discussions was one of the proposals advanced as the result of my study for the Interior Committee last fall. It is a cause for renewed hope in the Pacific Northwest that this recommendation has been accepted, because action on upper Columiba River storage dam construction had become completely stalemated in the International Joint Commission. I hope we may now look forward to early settlement of the differences which have stalemated dams with international complications. It is essential that American and Canadian projects go forward at the earliest possible date because it is in this area that a large amount of the flood-control storage must be obtained to tame the surging force of the Columbia.

The objective of flood control in the Columbia Basin cannot be achieved unless the maximum potential of each available site is fully utilized. The flood water cannot be kept from pouring over the dikes near Portland, Vancouver, St. Helens, or Longview—near the mouth of the river—unless the flow is contained in upstream storage dams. It cannot be achieved by following a policy of sacrificing the capacity of one storage dam on the mistaken and shortsighted theory that equivalent flood control can be gained elsewhere. Unfortunately, this is a theory which has prevailed in recent policymaking decisions affecting Columbia River development. It is not a sound or wise or economical theory because it is wasteful of one of our Nation's finest assets—a river capable of furnishing 40 percent of the Nation's hydroelectric energy, a river which can provide waterborne transportation through hundreds of miles of rich farming and industrial potential, a river capable of giving habitat to fish and wildlife and recreation to thousands of water-sport enthusiasts.

It is my hope that Congress will reverse the policy trend which has reduced the hopes of Northwest citizens to achieve control of a river which can become slave or master. The future of the region is dependent on the manner in which the Columbia's potentials are developed. I feel certain that the Senate will uphold its role of leadership in carrying out this responsibility.

I call to the attention of the Senate one very salient fact, which I feel certain will be considered by Senators when finally they vote on the question of the Hells Canyon Dam. The Oregonian, of Portland, on June 6, 1956, reported an address made by Brig. Gen, L. H. Foote, division engineer of the Corps of Army Engineers for the North Pacific Division. In that speech, which General Foote delivered in Spokane, Wash., in April, he said:

> The development of the Hells Canyon reach of the Snake River by the 5-dam plan of the private power companies would provide about 1,500,000 acre-feet of storage (Brownlee and Pleasant Valley Dams) as compared with 2,600,000 at Hells Canyon Dam.

In other words, if the plan of the private utilities for the Hells Canyon reach of the Snake River is allowed to be consummated, the Pacific Northwest will lose at least 1,100,000 acre-feet of beneficial storage for flood control. It is my opinion that Members of the Senate and, I feel certain, of the House of Representatives, should think very carefully before they deprive a great region of the United States of that amount of flood-control protection. This is particularly important during a year which has come after some of the most disastrous floods in American history, not only in the Pacific Northwest, but elsewhere in the Nation.

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

Mr. NEUBERGER. I yield.

Mr. DOUGLAS. Is it not true that one of the great advantages of constructing a high dam at Hells Canyon will be that such a dam can store the spring runoff of melting snow, and then release the water in the late summer and fall? The water will then go through successive spillways or successive penstocks in power-generating plants farther down the river, and hence will be used for power purposes again and again; whereas the construction of low dams will mean that the spring runoff will go over the spillways in the lower dams and will not generate the amount of power which the high dam would indirectly generate. Is not that correct?

Mr. NEUBERGER. The able Senator from Illinois is eminently correct. A high dam would fulfill a dual purpose. It would prevent the spring runoff from causing floods downstream in the lower valleys of the Columbia River. Second, it would store the water for the later period and thus would provide downstream benefits at hydroelectric projects such as Bonneville, McNary, The Dalles, John Day, Ice Harbor, and possibly elsewhere. The amount of water flowing through the penstocks could be increased in the low-water period.

To lose this great benefit for all time would be particularly disastrous now, because I read only last Sunday in the Washington Star that the Soviet Union is about to start an all-out dam building program on the great rivers of Russia. If I understand the article correctly, the Soviet Union has plans under way for the building of three dams, each of which will be larger than the Grand Coulee Dam, which at present has the greatest powerplant in the world. For the United States to sacrifice the Hells Canyon site the less than full advantage under these conditions, when the Nation which is so opposed to our free way of life is developing its vast rivers to the full, simply does not make good sense to me.

Mr. DOUGLAS. Am I correct in my understanding that the Senator from Oregon has made frequent trips into Hells Canyon by boat, by mule, on foot, and so forth?

Mr. NEUBERGER. The Senator is correct. I have gone into Hells Canyon by every possible method of transportation, I believe, except possibly by rickshaw; and I do not know whether that is feasible in Hells Canyon.

Mr. DOUGLAS. I have flown over Hells Canyon and have flown into Hells Canyon. Is it not true that that canyon is almost unique, in that it is deeper than Grand Canyon and its walls are almost perpendicular?

Mr. NEUBERGER. As the Geological Survey has pointed out in its surveys, Hells Canyon is the deepest chasm, certainly in the United States, and perhaps in North America.

Mr. DOUGLAS. If a high dam were erected, since the walls of the canyon are almost vertical, very little adjoining land would be flooded; is that correct?

Mr. NEUBERGER. That is correct.

Mr. DOUGLAS. Because the depth is so great and there is so very little width for a reservoir. Is not that true?

Mr. NEUBERGER. That is correct. There would be a reservoir of enormous depth. It is my understanding, and again I must rely on memory, that the property to be inundated behind Hells Canyon Dam would cost the Government approximately only three or four million dollars, whereas at some other great proposed dams, such as at Libby Dam, which is a marvelous proposed project, the cost of the property which would be flooded would be in the neighborhood of 80 or 90 million dollars. Hells Canyon is in a totally wild and relatively unpopulated area, so there are no railroads, utility lines, highways, or settled communities to be drowned out for the reservoir.

Mr. DOUGLAS. Is it not true that the annual flow of the Columbia at Portland is approximately 180 million acre-feet a year?

Mr. NEUBERGER. I think that is absolutely correct. It is either in Portland or a little below Portland, that the Columbia carries down to the sea about 180 million acre-feet a year.

Mr. DOUGLAS. In contrast with that, the Colorado River never carried much more than 18 million acre-feet, and I believe it is now averaging something less than 17 million acre-feet. Is that correct?

Mr. NEUBERGER. Again the Senator is substantially correct, if not absolutely correct. It is my recollection that the Columbia River carries down

to tidewater about 10 times the average flow of the Colorado. Yet this session of the Congress has authorized the ultimate expenditure of approximately $800 million on the Colorado River, and it has refused, thus far, to authorize an expenditure of approximately $300 million in the basin of the Columbia River, which carries 10 times as much water down to the ocean. I refer, of course, to Hells Canyon Dam.

Mr. DOUGLAS. As the Senator from Oregon knows, I was very much opposed to the development of the upper Colorado River. I am in favor of the development of the Columbia and the Hells Canyon Dam, because of their greater volume of water and much lower generating power costs. Is not it extraordinary that an administration which says it wants private enterprise should take upon itself developments on the upper Colorado which will be very costly and where the generating costs will be very high?

Mr. NEUBERGER. Of course; again the Senator is correct. This administration has a policy of proposing for public development only those power sites which the private companies spurn. In other words, the policy is one of skim milk for the public and whipped cream for the private utilities. The Senator from Illinois has never quite wholly agreed with the junior Senator from Oregon on the upper Colorado project, because while he opposed it, I voted for it.

Mr. DOUGLAS. I think the Senator from Oregon has a grave sin on his reputation for that, for which he should be sorry the rest of his life.

Mr. NEUBERGER. The Senator from Illinois knows the Senator from Oregon is committed to the development of the whole West, not merely a part of the West.

Mr. DOUGLAS. No matter how much it costs?

Mr. NEUBERGER. I believe our Government has had to make very substantial investments in many parts of the country. These investments are in the public interest. In some places that investment has taken the form of rivers and harbors, and in others the form of dikes and levees, such as on the Mississippi. I have supported all such improvements. But an inconsistency I have never understood—and I mention it only because I have seen it also mentioned in the Denver Post, that great newspaper of the Rocky Mountain area—is that some Senators from the Rocky Mountain region who promoted, supported, and sponsored the $800 million development on the Colorado River, which has only 10 percent of the flow of the Columbia River watershed, have taken a lead in opposing a $300 million expenditure in the Columbia Basin.

Mr. DOUGLAS. I do not want to criticize my colleagues on this matter, but is it not extraordinary that the administration should sponsor the measure?

Mr. NEUBERGER. I would say the inconsistency is strange in any event. I am perfectly willing to quote the Denver Post, the great newspaper of the Rocky Mountain area. I recently read an editorial in which that very eminent newspaper of the Rocky Mountain region wondered how it was possible for Senators from that area to support the upper Colorado project, and yet oppose projects like Hells Canyon and Niagara Falls. I try, within the limits of my ability, to be consistent. I supported the upper Colorado project, which is in another region, and I am supporting Hells Canyon and similar projects, which are in my own region. As I have said, I cannot understand an administration which says it wants public power on the upper Colorado, but is against public power in the basin of the Columbia.

Mr. DOUGLAS. Is it possible this administration believes in the socialization of losses?

Mr. NEUBERGER. That certainly is one possible conclusion.

I thank the Senator from Illinois for the very careful consideration he has given to the Hells Canyon project, which is the finest water power site left for full development in the United States. That site merits complete use in the public interest.

AMENDMENT OF ROBINSON-PATMAN ACT WITH REFERENCE TO EQUALITY OF OPPORTUNITY

Mr. SPARKMAN. Mr. President, on May 25, I pointed out to the Senate that Senate bill 11 had been pending since the first day of the 84th Congress, when it had been introduced jointly by 30 Senators.

At that time I predicted that favorable House action would be taken on the companion bill, which was H. R. 1840.

I have noted with considerable pleasure that, on Monday of this week, the House of Representatives passed a bill of vital significance to the small-business community. This measure is H. R. 1840, a companion measure to Senate bill 11, the well-known equality of opportunity bill. H. R. 11 was introduced by Representative WRIGHT PATMAN, chairman of the House Small Business Committee. The bill, H. R. 1840, was passed by an overwhelming vote of 393 to 3, thus demonstrating in dramatic fashion that the House is not only aware of, but is also ready to meet, the legislative needs of small business in this period of increasing economic concentration.

In the hierarchy of unfair trade practices injurious to small business, that of price discrimination ranks as the most descriptive. This is because price concessions critically affect the margin between the acquisition cost and the selling price of an article, the competitive area in which small business traditionally finds its greatest opportunity to demonstrate efficiency. To the extent that a price concession can and invariably does exceed whatever relative efficiency small business may possess, it represents a mortal threat to the small entrepreneur. Certainly, there can be no reasonable chance for the survival of small firms engaged in a competitive struggle where they must pay a higher price for their supplies than do their larger competitors. The handicap of subsidizing the price concessions enjoyed by their larger competitors is much too great for even the most efficient of small firms to overcome.

As is customary whenever Congress moves to consider legislation designed to protect small-business interests, dissenting voices are raised. These voices are now being heard as H. R. 1840 or S. 11 nears consideration by the Senate. Lest these shrill voices of protest create some confusion regarding the merits of H. R. 1840 or S. 11, I wish at this time to explain, first, why there exists a need for such legislation, and, second, what the measure is designed to achieve in terms of competitive equality and opportunity.

That legislation is necessary to deal effectively with anticompetitive price concessions stems from the inadequacy of the Robinson-Patman Act, as currently interpreted by the Supreme Court, to prevent price discriminations that may substantially lessen competition or tend toward monopoly. In the celebrated Standard Oil of Indiana case, it will be recalled, the crucial issue presented was whether the good faith proviso of section 2 (b) of the Robinson-Patman Act was merely a procedural or an absolute defense to a charge of price discrimination (*Standard Oil Co. (Indiana) v. Federal Trade Commission*, 340 U. S. 231 (1951)). The Federal Trade Commission contended that meeting a competitor's equally low price served only to rebut a prima facie case made—under section 2 (a) of the act—by showing sales at different prices, and that such rebuttal was offset by affirmative proof of competitive injury resulting from the challenged differential. In rejecting this contention, the Supreme Court, divided 5 to 4, stated:

> The proviso in 2 (b), as interpreted by the Commission, would not be available when there was or might be an injury to competition at resale level. So interpreted, the proviso would have little, if any, applicability as to be practically meaningless. We may, therefore, conclude that Congress meant to permit the natural consequences to follow the seller's action in meeting in good faith a lawful and equally low price of its competitor.

Thus, the Court held that the "good faith" proviso of section 2 (b) of the act afforded an "absolute" defense to a charge of price discrimination, even though such discrimination might produce substantial injury to competition or tend toward monopoly in any line of commerce.

With the ruling in the Standard Oil of Indiana case, the Supreme Court exposed the basic weakness in section 2 that had been warned against in the Senate report on the Robinson-Patman bill—Senate Report No. 1502, To Amend Antitrust Act, January 16, 1936, 74th Congress, 2d session. In the report a caveat was taken to section 2 on the grounds that "it permits discrimination to meet competition, and thus to substitute the remedies of retaliation for those of law, with destructive consequences to the central object of the bill. Liberty to meet competition which can be met only by price cuts at the expense of customers elsewhere is in its unmasked effect the liberty to destroy competition by selling locally below cost, a weapon progressively

the more destructive in the hands of the more powerful and most deadly to the competitor of limited resources, whatever his merit and efficiency." This remarkable insight into section 2's deficiency preceded the Standard Oil of Indiana case by 15 years.

Once the Supreme Court had held that section 2 (b) could operate to authorize price discrimination that produced substantial competitive injury or tended toward monopoly, remedial legislation was changed from an academic issue into an urgent duty. For the rule of law enunciated in the Standard Oil of Indiana case sharply conflicts with the basic policy and prime purpose of the Clayton Act and its Robinson-Patman amendment "to arrest in their incipiency those acts and practices which might ripen into a violation of the Sherman Act"—*Transamerica Corp.* v. *Board of Governors of Federal Reserve System* (C. A. 3, 1953, 206 F. 2d 163, certiorari denied, 346 U. S. 901). Nor could the decision be reconciled with the long-established antitrust policy that monopoly should be suppressed, whether efficient or not, and whether attained by practices in themselves not illegal.

Now let us turn directly to the "equality of opportunity" bill, H. R. 1840, or Senate bill 11. The bill is in the nature of an amendment to section 2 (b) of the Robinson-Patman Act. It seeks to limit the "meeting competition" proviso of section 2 (b) only to the extent that the "good faith" defense will be made unavailable in cases of price discrimination where the effect may be substantially to lessen competition or tend to create a monopoly in any line of commerce. In essence, this means that the bill makes the defense of meeting competition inoperative in a case of price discrimination where the reasonably probable effect of the discrimination is to injure competition substantially. However, enactment of the proposed amendment will not prevent the operation of "good faith" as a complete or "absolute" defense in cases of discrimination whose effects, while establishing a prima facie case under section 2 (a), nevertheless, fall short of substantially suppressing competition or tending toward monopoly. To illustrate, the "good faith" defense will remain available to parties charged with price discriminations which "injure, destroy, or prevent competition" with a particular person, but which fall short of substantially lessening competition or tending to create a monopoly in any line of commerce. Therefore, the impression held by some that H. R. 1840 or S. 11 will abolish the "meeting of competition" proviso as a defense in all cases of price discrimination is without substance. As stated before, the "good faith" defense will be denied a seller charged with price discrimination only where the effect of the discrimination may substantially lessen competition or tend to create a monopoly in any line of commerce.

The adoption of the amendment proposed in H. R. 1840 or in S. 11 will bring the Robinson-Patman Act into full harmony with other provisions of the Clayton Act. Under existing section 3 of the Clayton Act, for example, exclusive dealing arrangements and "tie-in" practices are prohibited where their use may substantially lessen competition or tend toward monopoly in any line of commerce. This proscription applies notwithstanding the beneficence of purpose for which exclusive dealing or the "tie-in" practice is established. So, too, under the Clayton Act's section 7, corporate mergers that may substantially lessen competition or tend toward monopoly are prohibited, no matter what may be the motives of the acquiring corporation. Consistency requires that the Clayton Act, while prohibiting exclusive dealing and "tie-in" practices, should as well interdict price discriminations that produce the same injurious effects upon competition in any line of commerce.

In the light of these considerations, I am hopeful that a full understanding of the motive and purpose of H. R. 1840 or S. 11 will be facilitated. I am also hopeful that the Senate may very soon be afforded an opportunity to express its sentiment on the merits of this proposed legislation. It is with great confidence that I predict that the support of H. R. 1840 or S. 11 in the Senate will be equally as enthusiastic as that evidenced by Members of the House.

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

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REINVESTMENT BY AIR CARRIERS OF THE PROCEEDS FROM THE SALE OF PROPERTY AND EQUIPMENT

Mr. BIBLE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2039, Senate bill 3449.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3449) relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 1, line 7, after the word "the", where it appears the second time, to strike out "losses resulting from the sale or other" and insert "net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the"; on page 2, line 2, after the word "such", to strike out "sale or other"; and in line 22, after the word "retained", to strike out "may" and insert "shall"; so as to make the bill read:

Be it enacted, etc., That section 406 (b) of the Civil Aeronautics Act of 1938, as amended, is hereby amended by adding at the end thereof the following new paragraph:

"In determining all other revenue of the air carrier, the Board shall not take into account the net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the disposition of any flight equipment of such carrier, or the gains derived from such disposition if (1) the carrier notifies the Board in writing that it intends to reinvest the proceeds derived from such sale or other disposition, and (2) within a reasonable period to be determined and fixed by the Board, such proceeds are actually reinvested by such carrier in other property which is similar to or related in service or use to the property so sold or disposed of. In any such case, an amount equal to the amount of such proceeds, less all applicable taxes, shall be placed in or credited to a reinvestment reserve immediately upon the receipt thereof. All amounts placed in or credited to such reserve shall be used for the purpose of reinvestment as herein specified and shall not be used for the payment of salaries, operating or nonoperating expenses, interest, dividends, or taxes. If the Board determines, after notice and opportunity for hearing, that such air carrier (1) has used all or any portion of such reserve for purposes other than such reinvestment, or (2) has retained all or any portion of such reserve for the purpose of such reinvestment for a longer period than that determined and fixed by the Board as herein provided, amount so used or retained shall then be taken into account by the Board in determining all other revenue of such air carrier."

SEC. 2. The amendment made by this act to such section 406 (b) shall be effective as to all gains or losses realized on or after January 1, 1956, with respect to the sale or disposition of flight equipment whether or not the Board shall have entered a final order taking account thereof in determining all other revenue of the air carrier.

Mr. BIBLE. Mr. President, the purpose of S. 3449 is to exclude capital gains realized by air carriers from the sale of flight equipment in the computation of "all other revenue" by the Civil Aeronautics Board when it is determining the amount of subsidy payments under section 406 (b) of the Civil Aeronautics Act. This exclusion would be effective only when the proceeds of such a sale, after the payment of all taxes, were to be reinvested in new flight equipment.

The Committee on Interstate and Foreign Commerce reports two amendments to the bill. The first amendment, on page 1, lines 7 and 8, would strike out the words "losses resulting from the sale or other" and substitute therefor the language "net gains (after any losses and expenses resulting from the disposition of flight equipment) derived from the."

The purpose of that amendment is very clear. It carries out a suggestion made by the staff of the Civil Aeronautics Board, which pointed out that the bill, in the form in which it was originally introduced, would have taken away from the Board the right to consider losses which might ensue from the sale of flight equipment in the determination of subsidy payments.

Mr. WILLIAMS. Mr. President, will the Senator yield at that point?

Mr. BIBLE. I am happy to yield to the distinguished Senator from Delaware.

Mr. WILLIAMS. As I understand the purpose of that amendment is to allow the air carriers to separate from the computation of the subsidy formula their gains, but when they lose, they can compute such losses in the formula. In other words, the Government reimburses them for losses, but their gains can be placed in a separate account, and they can keep them. Is that correct?

Mr. BIBLE. The theory was to consider losses sustained in the sale of equipment. Consider, for example, the sale of obsolete planes. It might be possible at a particular time that the market would not absorb such planes. The company should not be penalized by being deprived of the right to take advantage of the capital loss. I think that is a substantially correct statement. That is the existing law.

Mr. WILLIAMS. No. I believe that under the existing law, without the bill, the Board takes into consideration both gains and losses, whereas, if this bill were passed, it would take into consideration only losses, which means that the carriers would be reimbursed for their losses in the computation of the subsidy formula, but when they made money, they could put it in a separate account.

Mr. BIBLE. I do not think they would put it in a separate account. They would merely reinvest the net gain from the sale of equipment in other equipment within a reasonable time.

Mr. WILLIAMS. They would use a bookkeeping system which would set this aside to prevent any reduction in the subsidy.

Mr. BIBLE. That is substantially correct. We admit that the result would be to increase the subsidy. There is no question about that.

The second amendment is, on page 2, line 2, after the word "such", to strike out "sale or other"; and in line 22, after the word "retained", to strike out "may" and insert "shall."

Mr. President, I ask that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc.

Without objection——

Mr. WILLIAMS. Mr. President, there will be objection to the passage of the bill.

Mr. BIBLE. Mr. President, I am not calling for final passage of the bill at this time, because I realize the interest of the distinguished Senator from Delaware. I should like to make a further explanation of the bill. I am not asking for final passage at this time.

This particular bill was reported first from the Subcommittee on Aviation of the Committee on Interstate and Foreign Commerce unanimously to the full committee, and by the full committee unanimously to the Senate. I believe that a little background would be helpful in explanation of the bill.

Section 406 (b) of the Civil Aeronautics Act, which is the section involved in this particular bill, provides that the Civil Aeronautics Board, in computing subsidy rates, is authorized to consider "the need of each air carrier for compensation for the transportation of mail sufficient to insure the performance of such service."

I particularly emphasize these words: "and, together with all other revenue of the air carrier, to enable such aircraft under honest, economical, and efficient management, to maintain and continue the development of air transportation to the extent and of the character and quality required for the commerce of the United States, the postal service, and the national defense."

The Civil Aeronautics Board has interpreted the language "together with all other revenue" as including capital gains from the sales of aircraft or other property of the carrier. The Board has construed that language as applying to cases of so-called open-rate periods.

I think it is of value to the Senate to point out that in considering the amount of subsidy payments to airlines, the Civil Aeronautics Board endeavors to give the carrier approximately an 8-percent return on its capital investment if it is a national carrier, and a 9-percent return on its capital investment if it is an international carrier.

The so-called open-rate period in which this particular ruling applies is the period during which the Board has not yet set the new rate. The closed-rate period, conversely, is the period of time following the final determination by the Board of what the subsidy payment should be.

There is no fixed period during which these rates remain closed. A rate period becomes open upon the filing of a petition by the carrier or by the Postmaster General, requesting the Board to reconsider the payment. Likewise, a period becomes an open period upon an order from the Board to reconsider the payment.

The application of this particular language in the CAB act by the Board during the open-rate period has resulted in a treatment of capital gains which makes it impossible for various air carriers to apply the proceeds from the sale of the planes to the acquisition of new planes. I need not point out to my distinguished friend from Delaware that today the feeder airline services, particularly, are faced with a tremendous problem in replacing obsolete equipment, such as the DC-3's, which are almost the standard workhorse of the feeder-line services.

In order to meet the demands of the fast-expanding air age in which we live, the feeder lines have found it necessary to replace the DC-3's with more modern, faster, and more efficient equipment, at a tremendously increased cost.

One of the lowest priced planes which can be used as a replacement for the DC-3 costs between $1,500,000 and $1,800,000.

It was the thought of the committee that we should be greatly interested in strengthening our airlines by giving them the opportunity of offering to the people the very fastest and most modern and safest type of air transportation.

Admittedly, during the first year of the application of a capital gain under the bill which is now before the Senate the result would be an increased subsidy. The committee recognized that fact. The committee, however, felt that although there would be a temporary increase in subsidy—and there was testimony before the committee which made that clear—within the second, third, or fourth year the subsidy would be decreased, for the very simple reason that with modern and faster and safer equipment the cost of operation per revenue mile would decline.

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

Mr. BIBLE. I am happy to yield.

Mr. WILLIAMS. Can the Senator tell the Senate what is estimated will be the reduction in the subsidy that might be expected to go into effect if the bill is passed?

Mr. BIBLE. I have been furnished with an assumed table. I shall be very happy to make the table a part of the RECORD. We would have to assume so many factors in saying exactly what the amount of the reduction would be so far as the subsidy is concerned, that it would be difficult—and I am sure the Senator from Delaware understands this—to give a categorical answer to the question of the Senator. However, there would be some reduction in the subsidy in the year after the first year of operation.

Mr. WILLIAMS. If I understand correctly, the table which the Senator wishes to have printed in the RECORD was agreed upon by the airlines and the committee as being reasonably accurate. If I interpret the table correctly, it is estimated that in the second year there will be a reduction of between 40 to 50 percent in need for subsidy. That reduction supposedly will result from greater efficiency, as I understand.

Mr. BIBLE. I believe that is substantially correct percentagewise. That is the estimated reduction in the subsidy during the second period and fourth year.

Mr. WILLIAMS. In view of the fact that the industry feels, if Congress passes the bill in the form in which it is now before the Senate, that within the second year it would result in a 40 to 50 percent reduction in the subsidy need, would the Senator from Nevada be willing to accept an amendment to the bill which would provide that as of December 21, 1958, using the existing subsidy as a base, all subsidies would be reduced by 40 percent? That would be taking the minimum figure of 40 percent claimed by the industry as a projected saving.

Mr. BIBLE. No; I do not believe I could agree to accept an amendment like that. I say that because in computing subsidy payments, it is necessary to consider a great number of factors. First, there would be the sale of obsolete equipment. Then there would be the acquisition of new equipment. The delivery date on the new equipment might be some 2 or 3 years in the future. Therefore, it would be impossible to accept such an amendment as the Senator from Delaware suggests.

Mr. WILLIAMS. It is my understanding that in preparing the report, which the Senator intends to put into the RECORD—and which was agreed upon unanimously by the industry in supporting the bill—all those factors were taken into account. Presumably the committee considered all the factors and came up with an agreement to the effect that, as a result of greater efficiency because of the acquisition of new equipment, the subsidies could be reduced from 40 to 50 percent. I am asking the Senator to accept the minimum figure of 40 percent.

Mr. BIBLE. The Senator in charge of the bill is not willing to accept such an amendment. The Senator from Delaware characterized the table as an agreement. I do not believe it should be termed an agreement. The table I shall put into the RECORD is simply a calculation intending to show and to establish that after several years of operation——

Mr. WILLIAMS. It was after the second year of operation.

Mr. BIBLE. That after several years of operation the subsidy payments will decline. Of course it is impossible for me categorically to assure the Senator from Delaware that they will positively decline from 40 to 50 percent. That is impossible for me to do. Various uncertainties are involved. First there is the question, in repetition, of the sale of obsolete equipment and the purchase of new equipment. Then there is the differential in the price factors. Of course the table which I am putting in the RECORD, and which the Senator has already read, has been furnished simply as an example of what will be the ultimate result. It is not intended to be complete in any way.

Mr. WILLIAMS. Mr. President, will the Senator yield further?

Mr. BIBLE. I am happy to yield.

Mr. WILLIAMS. The Senator from Nevada knows that that is my main objection to the bill. It does not appear to me that it will now or in the future result in any reduction in the subsidy. Quite the contrary, as I interpret the bill, it will bring about a perpetual increase in the annual subsidy. As I understand, the Senator from Nevada and a majority of the committee and the airlines differ with those conclusions and feel sure that the bill would definitely result in a reduction in the subsidy from between 40 and 50 percent.

If so, I am perfectly willing to accept their statement that there would be a 40-percent saving, providing the sponsors of the bill are willing to accept the amendment I have suggested spelling out such reduction. If those who are backing the bill are not sure of their estimate, then it should not be offered. Surely the report was not prepared merely to get the bill passed. After all, it is not my report or estimate the Senator is offering to put into the RECORD. I had nothing to do with preparing it. If those who prepared the report have any faith in it at all, I should think they would be willing to accept their own minimum estimate in the form of an amendment.

Frankly I do not believe the estimate of savings is accurate. It is my opinion that the bill will substantially increase the subsidy, not lower it.

Mr. BIBLE. Mr. President, I ask unanimous consent that the table be printed in the RECORD at this point.

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

MEMORANDUM REGARDING S. 3449

S. 3449 is designed to make it possible for subsidized air carriers to finance the replacement of obsolete flight equipment with more modern and efficient equipment. A question has been raised as to whether the effect of the bill would not be simply to increase the amount of subsidy to be paid by the Government. It is believed that the effect of the bill would be exactly the reverse—that it would reduce subsidy requirements rather than increase them. In order to show why that is so, the following hypothetical example is offered.

Let us assume that a subsidized air carrier is operating a fleet of obsolete aircraft (which we will call Model A aircraft). A more modern type of aircraft which will operate at a lower direct cost (and which we will call Model B aircraft) becomes available. The carrier makes a comparison of the results which it could expect if it were able to replace its Model A aircraft with Model B aircraft without considering any increase in revenues or volume of service.

	Operation with—	
	Model A	Model B
1. Revenue ton-miles to be carried	50,000,000	50,000,000
2. Revenue yield per revenue ton-mile (from all sources other than mail) (cents)	50	50
3. Number of aircraft required	15	10
4. Cost of aircraft per unit	$700,000	$1,800,000
5. Total original cost of aircraft	$10,500,000	$18,000,000
6. Investment in other operating equipment and working capital	$4,000,000	$4,000,000
7. Aircraft operating expense per revenue ton-mile (cents)	30	24
8. Ground and indirect costs per revenue ton-mile (cents)	30	30

On this basis, the carrier's operating results and its mail-pay and subsidy requirements compare as follows:

	Operation with—	
	Model A	Model B
Total revenues from all sources other than mail	$25,000,000	$25,000,000
Expenses:		
Aircraft operating	15,000,000	12,000,000
Ground and indirect	15,000,000	15,000,000
Total expenses	30,000,000	27,000,000
Break-even need	5,000,000	2,000,000
Return on average investment [1] at 8 percent per annum including provision for income tax	1,663,000	2,317,000
Total mail pay required	6,663,000	4,317,000
Less service mail pay	1,000,000	1,000,000
Subsidy	5,663,000	3,317,000

[1] In order to make the comparison comparable, the average value of aircraft over a 7-year depreciable life has been used for investment purposes.

Thus it is apparent that if the carrier can finance the purchase of the more efficient Model "B" aircraft, it can reduce the amount of subsidy required annually from $5,663,000 to $3,317,000 without any increase in revenues.[1] Its problem, however, is whether it can finance the purchase of the new equipment.

Because of the tremendous inflationary increase in the price of new aircraft, the market price of its used aircraft has also been inflated, with the result that the carrier can, let us assume, realize a profit of $5 million on the sale of its old equipment. Under the present law as administered by the Civil Aeronautics Board, however, that $5 million profit would not be available to help finance the purchase of the new equipment. The Board has followed the practice of offsetting capital gains realized during open-rate periods against the subsidy payable for the period and has recently started a proceeding to determine whether such profits should not be applied to reduce subsidy even during closed-rate periods. Consequently, if the carrier sells its old equipment at a book profit of $5 million its subsidy will be reduced by a corresponding amount (after tax adjustments). The carrier, therefore, is faced with the problem of financing a reequipment program without having available to it the profit which it can realize on the sale of its old equipment. As a result, the amount of financing which it must arrange in order to place firm orders for the new equipment may well be beyond its financial capacity.

S. 2449 is designed to facilitate the financing of the new equipment by directing the Board not to offset profits on the sale of equipment against subsidy, provided the profit is, within a reasonable time, reinvested in new equipment. To be sure, that means that, in the period in which the sale takes place, the Government will pay a higher subsidy to the carrier than it would under the Board's present policy. But that additional subsidy will be recouped by the Government within a very short period by reason of the reduction in the carrier's subsidy requirements resulting from the lower operating costs of the new equipment. Thus, in our example, while the Board would not be permitted to reduce the $5,663,000 subsidy payable in the year in which old equipment was sold, it would be in a position, promptly after inauguration of operations with the new equipment, to reduce the carrier's subsidy by more than $2 million a year. And that reduction would, within a period of about 2 years, more than offset the saving which the Government might have realized by maintaining the present policy of offsetting the capital gain against the current subsidy payments.

It will be noted in the example given, that the carrier has assumed that its operating results would be affected only by a reduction in operating costs. That, of course, is not the history of air transportation. More modern and efficient aircraft attract additional revenues, as well as producing lower unit costs. The result, therefore, is that the reduction in subsidy requirements resulting from the acquisition of more modern and efficient equipment can be expected to exceed the reduction in operating costs.

While the above example is directed purely to the dollars-and-cents question whether S. 3449 will cost the Government more or less in the form of subsidy, it must be remembered that there are other tangible and intangible benefits accruing to the Government from the modernization of airline fleets. Not only does the Government benefit from the

[1] The saving in subsidy by reason of reduction in aircraft operating cost can be demonstrated by comparison of the operating cost of DC-6's with the manufacturer's estimated cost of operating the DC-8. The direct revenue-ton-mile cost for DC-6 aircraft in domestic operation for the year 1955 was 17.7 cents. This compares with manufacturer's estimated cost per revenue ton mile for the DC-8 of 14.5 cents (assuming the same load factor).

improved commercial and postal facilities made available, but every modern aircraft in the hands of United States-flag air carriers is a national-defense asset of incalculable value.

The air transport industry is faced today with the most enormous financing and modernization program in its history. The larger trunk carriers and the international carries are in the process of converting to turbine-powered aircraft. The local-service and the Alaskan carriers are faced with the necessity of replacing the old workhorse DC-3's with more modern equipment which is expected to become available within the next 2 or 3 years. The helicopter operators must likewise convert to more efficient and economical aircraft as rapidly as it becomes available, and some orders have already been placed. The amount of capital which must be raised to carry through this reequipment program is truly staggering for an industry the size of the present air-transport industry. The ability of many companies to carry through such a program may well depend on their ability to use the book profits realized from the sale of existing fleets for reinvestment in the new aircraft.

The carriers which receive no subsidy can, of course, retain those profits and use them for that purpose. The bill would place the subsidized carriers in a comparable position. With that assistance, those carriers can modernize their equipment and accelerate their progress toward a subsidy-free status. In the final analysis, the carriers, the taxpayers, the postal service, the commerce, and the national defense will all benefit.

Mr. BIBLE. I appreciate the views expressed by the distinguished Senator from Delaware. Again, in repetition, I should like to say that the hypothetical table illustrates what appeared to the committee to be clear, namely, that with an improvement in transportation and with a reduction in operating expenses for each revenue ton-mile, it was logical to assume that after a few years of operation the costs of the subsidy would certainly be reduced.

The committee, in considering and reporting the proposed legislation, had in mind not only the domestic value of the air industry, but also the 48-hour standby basis on which it is maintained as a strong reserve to defense. I believe some 300 aircraft are available for defense reserve duty on about a 48-hour notice.

It was felt by the committee that we were completely justified in giving this strong, adequate standby effect. The committee felt that even though the subsidy payments in the first few years might be increased, the possibility of decreasing the payment of subsidies in the future was greatly enhanced.

History has indicated and proved that we are getting closer and closer to the point where the airlines will not need subsidies. It is the feeling of the committee that this is a worthwhile bill and that it should be enacted.

The PRESIDING OFFICER (Mr. MARTIN of Iowa in the chair). The bill is open to amendment.

Mr. WILLIAMS. Mr. President, I dislike to disagree with my good friend from Nevada. The bill boils down to one simple point. The subsidized airlines are guaranteed 8 percent on invested capital on domestic operations and 9 percent on capital invested in foreign operations. In computing the subsidy the Government takes into consideration the cost of equipment plus all operating expenses. If this bill should pass, the companies could still charge off the cost of new equipment and all the expenses of operation, but the salvage value of the equipment when it is sold, could be set aside and not counted as a part of operational income. It would be considered extra from the 8 percent formula. It is an extra method of increasing the subsidy. The bill really is more or less in the nature of a private bill. It is not a general airline bill, because practically all the benefits will go to one airline.

Mr. President, I asked the Department of Commerce to compute what would have happened during the past 5 years had this bill been in effect, and I have the figures which I will later incorporate in the RECORD. They show that this bill would have increased the subsidy payments by $21,900,790 over and above that amount which was actually paid.

Furthermore it is estimated that if the bill should pass, the companies would in the future take advantage of this formula to a greater extent than they ever did before, and that the future cost would be many times more than shown in this report. That is true because, in the past, there was no advantage gained from such sales therefore they were not so numerous as would be the case after this bill is passed. Under this bill the salvage value of all the secondhand equipment will be set aside and counted as additional profit. It raises the subsidy formula substantially.

If the bill had been in effect 5 years ago, Pan American would have received $17,288,000. Trans World—International—would have received $1,295,000. Delta would have received $1,400,000. Braniff would have received $1,515,000. So that $21,498,000 out of $21,900,790 would have gone to 4 companies.

I am sure the Senator from Nevada will now agree with me that we are not talking about a bill which will benefit the small feeder airlines. They would have received very little, if any, benefits, as this bill would have been administered had it been in effect during the past 5 years.

Mr. President, I ask unanimous consent that the chart prepared by the Department of Commerce may be printed at this point in the RECORD.

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

Summary of capital gains used to reduce subsidy payments and capital losses underwritten with subsidy under final mail rate orders

	Calendar year					
	1951	1952	1953	1954	1955	Total
Braniff:						
Domestic	0	0	$1,373,000	$58,000	$84,000	$1,515,000
International	(1)	(1)	(1)	0	0	0
Capital	0	0	0	0	0	0
Chicago & Southern	0	0	(2)	(2)	(2)	(2)
Colonial	0	0	0	(3)	(1)	0
Continental	0	0	0	0	0	0
Delta	0	0	0	700,000	700,000	1,400,000
Inland	0	(4)	(4)	(4)	(4)	(4)
Mid-Continent	0	(5)	(5)	(5)	(5)	(5)
National	0	0	0	0	0	0
Northeast	$42,000	$254,000	0	0	0	296,000
Northwest	(1)	0	0	(1)	0	0
Western	0	0	0	0	0	0
Allegheny	0	0	0	0	(3)	0
Bonanza	170	0	0	0	(3)	170
Central	2,032	30	1,224	0	0	3,286
Empire	0	(6)	(6)	(6)	(6)	(6)
Frontier	0	0	0	0	0	0
Lake Central	43,604	28,242	450	0	0	72,296
Mid-West	0	(7)	(7)	(7)	(7)	(7)
Mohawk	0	0	0	0	(3)	0
North Central	24,037	0	0	0	0	24,037
Ozark	0	0	0	0	(3)	0
Piedmont	0	0	0	0	(3)	0
Pioneer	0	0	0	0	(5)	0
Southern	0	168	0	0	0	168
Southwest	0	$16,083	0	0	0	$16,083
Trans Texas	0	0	$2,150	$50	0	2,200
West Coast	0	0	(3)	(1)	(1)	0
Wiggins	0	0	(9)	(9)	(9)	(9)
Helicopter	−$4,872	0	0	0	0	−4,872
Los Angeles	0	364	533	335	0	1,232
New York	0	−199	−1,067	−3,022	0	−4,288
Alaska Airlines	(1)	(3)	0	0	−$2,231	−2,231
Alaska Coastal	−2,126	0	0	0	0	−2,126
Byers	2,242	724	0	0	0	2,966
Christensen	0	(10)	(10)	(10)	(10)	(10)
Cordova	−1,842	0	0	0	0	−1,842
Ellis	183	0	0	0	0	183
Northern Consolidated	−5,854	550	0	0	8,400	3,096
Pacific Northern	37	0	0	(3)	(1)	37
Reeve	215	1,410	0	0	0	1,625
Wien	−4,678	−1,769	0	0	0	−6,447
Hawaiian	2,071	0	−360	0	0	1,711
Trans-Pacific	0	0	−494	0	0	−494
Pan American	3,085,000	[11] 2,935,000	3,419,000	[12] 613,000	7,236,000	17,288,000
Trans World (International)	287,000	504,000	504,000	0	0	1,295,000
Caribbean	0	0	0	0	0	0
Panagra	0	0	0	0	(1)	0
Total	3,469,219	3,738,603	5,298,436	1,368,363	8,026,169	21,900,790

[1] Mail rate open for entire year.
[2] Merged into Delta May 1, 1953.
[3] Mail rate open for portion of year.
[4] Merged into Western Apr. 10, 1952.
[5] Merged into Braniff Aug. 16, 1952.
[6] Merged into West Coast Aug. 1, 1952.
[7] Ceased operations Apr. 15, 1952.
[8] Merged into Continental Apr. 1, 1955.
[9] Ceased operations Aug. 1, 1953.
[10] Ceased operations July 6, 1952.
[11] Mail rate for Latin American Division open for caldenar year 1952.
[12] Mail rate for Pacific Division open for calendar year 1954.

Mr. WILLIAMS. Mr. President, I point out that the major percentage of the airlines involved would have received absolutely nothing had this bill been in effect during the past 5 years.

Certainly there can be no possible justification for passing this bill. It is merely a private bill for the benefit of four major airlines which are already receiving a Government subsidy which guarantees them an 8-percent return on their invested capital.

If Congress wants to consider a change in the subsidy formula, let the committee bring in a bill over which Congress will have some control. If the present bill is passed Congress will have no control. The airlines can regulate their percentage of subsidy payments themselves. They can make it 10 percent or 12 percent or 15 percent or almost any percent they wish. That is wrong and Congress will later be greatly embarrassed at some of the high payments that are sure to follow.

All a company would have to do would be to sell some of its equipment and charge the new equipment at 100 percent to the company for depreciation purposes.

Certainly any amount salvaged from sale of second-hand equipment should be considered by a company when it computes its operations results.

That is a standard practice of operations for all business operations and most certainly should be the practice of companies that have one hand in the Federal Treasury.

This bill should be defeated.

Mr. BIBLE. Mr. President, it is very clear that any capital gain charged because of the sale of aircraft must, of course, be reinvested in other aircraft.

I cannot agree with my distinguished friend from Delaware that the bill would have the result he suggests. Those of us on the committee who heard the testimony—and there was considerable testimony—were firmly convinced that although there would be an increase in subsidies in the first couple of years, certainly, beyond that, there would be a decrease in subsidy.

I should like to point out to my distinguished friend from Delaware that the large airlines to which he has referred, by and large, are off the subsidy at the present time. My understanding is that the major part of the subsidy is still being paid to the feeder lines to the extent of some $25 million a year out of a total payment of some $40 million. As we continue to modernize our aircraft, the subsidies will be reduced.

Mr. WILLIAMS. Mr. President, the Senator from Nevada says he disagrees with the figures which I have placed in the RECORD. I am perfectly willing to accept his figures if he will amend the bill in accordance with his own claim. Since he estimates that the savings at the end of the second year would be from 40 to 50 percent, will the Senator accept an amendment providing that the subsidies shall be cut at the end of 1957, 25 percent? That is only half of the claimed savings.

Mr. BIBLE. I am unable to agree with the Senator's analysis, and I am unable to accept such an amendment.

Mr. WILLIAMS. Mr. President, I think that answer confirms my argument, because, in my opinion, it clearly shows that not even the author of the bill has any confidence that there will be future savings under the bill. The committee and industry claim that within 2 years, if the bill is passed, they will through greater efficiency of the new equipment be able to reduce their subsidy requirements by from 40 to 50 percent. I disagree with that claim, but I propose that if the sponsors of the bill will settle for an amendment requiring only one-half of their claim, then I will go along with the bill. That seems more than fair unless they too have no confidence in these claimed savings.

Mr. BIBLE. Mr. President, I have nothing further to say on the bill.

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

Mr. BIBLE. I yield.

Mr. LEHMAN. Do I understand correctly that the exemption applies only to those sums received by the companies and which are to be reinvested in new equipment?

Mr. BIBLE. That is correct. The capital gains received from the sale of obsolete equipment must be plowed back into the purchase of new equipment within a reasonable period of time.

There was some question, as the bill was first introduced, about broadening the coverage. It was limited to flight equipment.

Mr. LEHMAN. Am I to understand further that if the money is not reinvested within a reasonable time the capital gains tax will still apply?

Mr. BIBLE. That is correct. If it were not reinvested in new equipment, the amount received would have to be computed as capital gains.

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

Mr. LEHMAN. I yield.

Mr. WILLIAMS. I point out again that the capital gains tax formula is not in any way affected. That is now in the law. The bill merely provides that the companies can set aside the salvage value of their equipment which would represent capital gains and not count it in computing the amount of the subsidy of which the companies would be requiring. This is a subsidy bonus on an already high subsidy rate.

The bill as amended provides however that if the companies lose on the sale of capital equipment, they can charge that loss to the Government through greater subsidy requests. But if they sell the equipment over and above the figure to which it has been depreciated, they can keep the profit and not have it computed for subsidy formula purposes as a part of their operations.

It was claimed that this was to help the small airlines. But I placed in the RECORD figures prepared by the Department of Commerce showing that over the past 5 years, had the bill been in effect, it would have cost an additional $21,900,790, of which $17¼ million would have gone to Pan American and three other companies getting most of the remainder. Trans World International Airlines would have received $1,295,000; Braniff would have received $1,515,000; and Delta Airlines would have received $1,400,000.

In other words, all but about $400,000 of this total amount would have gone to four of the major airlines and would have increased their subsidies that much over and above the amount which they had already received. There are a lot of people who think they are already getting too much.

The point made by the chairman to the effect that the companies would have had to reinvest the money in new equipment means nothing, because it is not additional equipment they must buy. The bill merely provides that they must set aside the money they receive from the sale of equipment and use it in the payment of new equipment. They can by so doing merely spend less of their general funds and have that much more for their stockholders. The American taxpayer to that extent would be the sucker.

There is no dispute over the fact that by using this formula, a company can regulate its subsidy payments higher to most any extent. Under the existing law, they are guaranteed 8 percent on their domestic operations and 9 percent on international. Under this bill they could manipulate this rate to 10, 12, or 15 percent, depending on the amount of equipment the company wants to sell in any given year. Congress would have no control over the formula.

The chairman in charge of the bill presented a statement which had been agreed upon unanimously by the industry and the committee, in which it was claimed that the new equipment purchased would result in more efficient operations whereby at the end of 2 years, it would enable the companies involved to reduce their claims on the Government for a subsidy by a minimum of from 40 to 50 percent.

I said that if that were true, this was a good bill, and I would vote for it. But the proposal that this he spelled out as a requirement in the bill was for some reason rejected. I then asked the representatives of the committee if they would take half of estimate as a requirement for the bill and they said, "No." That rejection surely proves my contention, namely, that this will result in a perpetual increase in subsidy. The actual amount of the increase in the subsidy formula will then be solely at the discretion of the airlines. Congress in adopting this bill loses its control.

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

Mr. WILLIAMS. I yield.

Mr. AIKEN. Is the Senator trying to convey the impression that the provision to which he objects may not be an effort to help the common man?

Mr. WILLIAMS. I said this should really be classified as a private bill for the benefit of four major airline companies, and that the other companies were being mentioned in order to sell the bill to the public.

The only part the so-called common man will have in this bill will be to pay

taxes to underwrite its additional multi-million-dollar cost.

In reading down the long list of airlines affected we find that during the past 5 years many smaller companies would have received no benefits from this liberalized formula. That is true because the subsidy of most of the smaller lines is computed on a per mile basis rather than 8 percent of invested capital. It is very clear that this is nothing more than a private bill for the benefit of four major airlines.

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

Mr. WILLIAMS. I yield.

Mr. DWORSHAK. Does the Senator have the names of those four transport companies?

Mr. WILLIAMS. Yes; I placed them in the RECORD, along with the statement that in the future the cost would be proportionately higher. I ask the Department of Commerce to supply these figures for the past 5 years on the basis of what would have happened had this arrangement been in effect. The Department said that it would have cost the Government $21 million. Of that amount, Pan American would have received $17,288,000. Trans World International would have received $1,295,000. Braniff would have received $1,515,000. Delta would have been paid $1,400,000.

Mr. DWORSHAK. The bill does not apply, then, only to the international operators, does it?

Mr. WILLIAMS. Oh, no; it applies to all subsidized lines.

Mr. DWORSHAK. Is not the Senator from Delaware upsetting the calculations of some of the operators, particularly the leading international operators? I read recently that the stock of one airline operator had increased in value about 50 percent and was recommended as an outstanding investment because of the future possibilities for enhanced value. The Senator from Delaware should be commended for calling attention to this company expanding its operations and increasing its profits through subsidies from the Federal Government.

Mr. WILLIAMS. I should say that if the bill passes, the economist who made the prediction that some of the companies will have a great future ahead of them was 100 percent correct, because under the bill the managements of these companies, could at their own discretion, after they have fully depreciated their equipment sell the equipment on the side, put the proceeds into a separate account for their stockholders and then collect a subsidy computed as if nothing at all was received from the sale. There would be no limit to the height to which they could pyramid such increases, depending only on the amount of capital gains that wanted to absorb in 1 year. True they must reinvest these proceeds in new equipment, but that is merely a bookkeeping transaction. To the extent they use these funds they will have that much more in the general fund for other purposes. If this bill is to be passed, then every grocer and every farmer, when he buys a new delivery truck or a new tractor should be allowed not to count the salvage value of his old equipment in computing his income. Why should we allow only these subsidized airlines this special privilege?

Mr. DWORSHAK. The report indicates that the Department of Commerce and the General Accounting Office have indicated opposition to the bill.

Mr. WILLIAMS. That is correct. They all opposed the bill for good sound reasons.

Mr. DWORSHAK. Notwithstanding that opposition, the Committee on Interstate and Foreign Commerce has urged the passage of the bill at this time.

Mr. WILLIAMS. The bill is before the Senate for consideration. The Department recommended against its passage, and I think the Department is right. The rule is now that these airline companies can compute their formula at 8 percent of their total capital investment after allowing for all expenses but taking into consideration the salvage value of their equipment. This salvage value should go to reduce the cost of operation. In no other computation of a subsidy formula has such a proposal been made that this not be done.

I objected the other day to a shipping bill which was sponsored by the Senator from Michigan [Mr. POTTER]; but that bill did not go anywhere near so far as this bill goes.

This bill would adopt an entirely new formula for our subsidy programs. Rather than Congress working toward reduction or ultimate elimination of this expensive policy, it removes all limits and allows the companies to write their own ticket.

No one can challenge the statement that the airlines could under the provisions of this bill manipulate their formula and Congress could not stop it.

Certainly this is not a sound proposal for the Senate to agree to. I say again that if 8 percent formula is not high enough, let the committee examine the question, hold hearings, receive the testimony, then make a report to the Senate. Then if the amount is to be raised to 10 or 12 percent, at least Congress will have some control over the situation and be fully aware of what steps they are taking. As the bill now stands, Congress will have no control over the formula in the future.

I myself think 8 percent is high enough and we should be reducing rather than raising.

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

Mr. WILLIAMS. I yield.

Mr. AIKEN. Am I correct in my understanding that the administration opposes the enactment of the bill, particularly until such time as an explanation is made of the needs of these companies?

Mr. WILLIAMS. That is correct. The administration is against the bill, and it should be commended for its stand against it.

Mr. AIKEN. If this proposed legislation is enacted, the four big companies will have received their—what should we call it?—gratuities, perhaps, or handouts, before the public or Congress can be made aware of the actual earnings and the needs of the companies.

Mr. WILLIAMS. If the bill passes, these companies can, by regulating the sale of their equipment, raise or lower their subsidy benefits from the Government. They can increase the amounts of their subsidies to the extent that they sell old equipment.

It must be understood, however, that the secondhand equipment would have to be depreciated completely, or fairly low, in order that the sales price would be over and above the depreciated valuation.

However, they were careful enough to put a safety catch in the bill, so that if these companies sold a piece of equipment below the depreciated value, whereby there was a loss instead of a gain, then the loss, instead of being a capital loss, would be charged to the subsidy. The companies would include in the computation of the subsidy formula all losses, for which the Government would reimburse, but all the profits would be put on the other side and used for their own benefit. It is a one-way street with Uncle Sam at the dead end.

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

Mr. WILLIAMS. I yield.

Mr. DWORSHAK. Has the Civil Aeronautics Board made any recommendations concerning this proposed legislation?

Mr. WILLIAMS. The Civil Aeronautics Board has ruled that the salvage value of the equipment is to be considered a part of the operating expenses or income. To the extent that the company salvages a few million dollars in sale of its secondhand equipment, it reduces its expenses. I do not know of a business in the United States that does not operate in that way. The Government operates that way. The Government buys trucks, and there is a salvage value for the old trucks which goes into the same fund from which the new trucks are bought. Why should it not be so?

Mr. DWORSHAK. Are all the members of the CAB unanimous in their attitude as to the need for the proposed legislation?

Mr. BIBLE. Mr. President, if the Senator will yield, I can answer the question. The members of the Civil Aeronautics Board were evenly divided on the bill; 2 were for it, and 2 were against it.

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

Mr. WILLIAMS. I yield.

Mr. AIKEN. I notice from the report that the Comptroller General and also the Secretary of Commerce object to the enactment of the bill at this time. I should like to read the following from the report:

> The Department of the Treasury and the Office of Defense Mobilization expressed no opposition to enactment of the bill.

Did not the Department of the Treasury and the Office of Defense Mobilization take the position that the bill was outside their jurisdiction?

Mr. WILLIAMS. That is correct.

Mr. AIKEN. They did not advocate its passage?

Mr. WILLIAMS. No. To my knowledge, no agency of the Government advocated the passage of the bill. Some stated it was outside of their jurisdiction, and made no comment, but all those agencies which felt it was appropriate for them to comment expressed

their opposition. The General Accounting Office raised the same point I am raising, namely, that the bill would leave in the hands of management the power to regulate their own subsidies. This would be a dangerous precedent for us to establish and a most expensive one.

Mr. AIKEN. It looks as though the common man would get the short end of the bill if it should become law.

Mr. WILLIAMS. The common man is considered by Congress only to the extent that he pays the bill. He pays the bill for these increased benefits for about four companies.

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

Mr. WILLIAMS. I yield.

Mr. LEHMAN. I confess that I know very little, indeed, about the operational procedures of the aviation companies or their bookkeeping procedures. As I read the bill—my study of it has been quite hurried, of course—I understand the provision will not become effective unless the money which is obtained by the companies from the sale of obsolete equipment is reinvested in new equipment. Is that correct?

Mr. WILLIAMS. That is correct, but there is this catch: The companies do not reinvest that much in new equipment over and above what they would normally buy. A going company is always buying new equipment, the same as it is selling old equipment. That is automatic. This merely represents a reshuffling of funds. It was estimated that had the provisions of the bill been in effect a year ago, Pan American would have drawn an extra seven and a quarter million dollars. They could have taken that seven and a quarter million dollars and used it to buy new equipment, and have saved seven and a quarter million dollars in the general fund from which they would ordinarily buy such equipment, and have used that amount for other general purposes. As I pointed out before, it would be the same as if we said to a farmer who sold a secondhand tractor that he did not have to count it as income if he reinvested it, but that he could still deduct the full cost of his new equipment without regard to the fact that this salvage sale would reduce his new cost.

It would be a simple matter for the airlines to reinvest these funds and keep that much extra from other sources.

Mr. LEHMAN. Mr. President, will the Senator yield further?

Mr. WILLIAMS. I yield.

Mr. LEHMAN. Again I confess I have no knowledge as to the accounting practices or the basis on which subsidies are given. But is it not a fact that if the money received as the salvage value of obsolete planes is then used for the purchase of new planes, the cost of the new planes is reduced by that amount?

Mr. WILLIAMS. In the calculation of the formula?

Mr. LEHMAN. Yes.

Mr. WILLIAMS. No. If that were done, there would be no objection. However, if the salvage value of an old plane were $1 million, and the cost of a new plane were $3 million, the $3 million would be written on the books and depreciated as the 100-percent cost of the equipment. The salvage value which would be set aside as extra money would not be used in the calculation. If the depreciation value were taken into consideration, there would be no need to pass the bill. What the airline companies want is the right to use the cost of new equipment and depreciate it as an expense item but make no allowance for the salvage value of the old equipment. Since a subsidized line is involved, that expense is reimbursable from the Federal Treasury. So the Federal Government reimburses the depreciation of new planes. Then when the planes are depreciated and sold, the salvage value is put in another bracket. And Uncle Sam keeps on paying as though it were a complete loss. If by chance the company should be caught with a plane which goes bad before it is fully depreciated, and it has to be sold at a loss, the company would not pay for this loss out of its own pocket; it would be put on the books as an operational loss, and the Government would reimburse the company in the subsidy formula. The gains are kept in a separate fund for company use, but they still allow Uncle Sam to keep underwriting all their losses.

Mr. LEHMAN. Is not the sale of obsolete equipment given effect at all in the computation of subsidies?

Mr. WILLIAMS. Not at all. The depreciation is counted in the computation of the formula. But if the salvage value of it should be $1 million, for example, the figure of $1 million received as salvage would not be counted at all in the computation of the formula. Should the owner of a store who owned a number of delivery trucks, the cost of which, under the law, could be charged off—both operating cost and depreciation—be allowed when he sold the secondhand trucks, to set the salvage value aside and not include it as a part of his annual report on operating results? Uncle Sam does not allow anything like that. My colleagues know that is not the way business is run. To the extent anything is salvaged from secondhand equipment, it automatically goes to reduce the cost of operations.

Mr. LEHMAN. Mr. President, will the Senator yield for another question, because I am somewhat confused on the accounting arrangement?

Mr. WILLIAMS. I yield.

Mr. LEHMAN. Suppose a company has paid $2 million for a plane and it becomes obsolete or, for reasons best known to the company, the company wishes to dispose of it, and does dispose of the plane for $1 million, and receives $1 million. At the same time the company purchases a new plane for $3 million. Is the $1 million which has been received by the company from the sale of the first plane applied in whole or in part to the purchase of the $3 million plane, and is it given effect in the computation of the subsidies?

Mr. WILLIAMS. I repeat it is given no effect at all. The salvage value of the $1 million is set aside in a different account. The new plane which was purchased at $3 million is depreciated just as if it had been an outright purchase and no salvaged plane had been involved. The depreciation on the full $3 million would be charged off in the computation of the next year's formula. The salvage value would not be considered.

The chairman in charge of the bill was very fair about it when he presented his case and stated that the bill did have the effect of raising the subsidy formula; but instead of Congress raising it to X point, we are asked to confer on management the power to compute their own formula, depending on the extent to which they want to sell secondhand equipment. I think it is an unsound way to approach the solution of the problem.

Mr. BIBLE. Mr. President, will the Senator from Delaware yield for an observation?

Mr. WILLIAMS. I yield.

Mr. BIBLE. Although the Senator in charge of the bill said it would increase the subsidies during the first few years, he also pointed out that it was the feeling of the committee that over a period of 4 or 5 years the net result would be to decrease the subsidy, because of the improvement in the aircraft put into service.

I wish to make a comment, without particularly laboring the point or prolonging the debate: In connection with the 5-year period to which the Senator from Delaware his referred in commenting on the amount of increased subsidy, we must bear in mind that the past 5 years constitute a period of time during which the airlines were purchasing new equipment at tremendous cost, and that is reflected in the 5-year study. It is obvious that during that period of time no benefit is shown to the feeder lines, because I believe that almost without exception every feeder line in operation in the United States is still flying DC-3's, although I think they are doing their best to use better aircraft. So the mere fact that there is no increased subsidy payment to them is not of particular importance when we understand that during that period they did not sell old aircraft or place new aircraft into service.

We admit that the bill increases the subsidies; but we feel that it is a step in the right direction, in order to strengthen the airline industry.

Mr. WILLIAMS. But the Senator from Nevada will likewise admit, I am sure, that this increase in the subsidy will be more or less at the discretion of the management of the respective companies. In other words, it is impossible for anyone to say that the subsidy will be a certain amount, for the amount of the subsidy will more or less be dependent on the amount by which the management wishes to increase the subsidy, by means of the sale of old equipment and the purchase of new equipment.

Mr. BIBLE. It is difficult for me to imagine that an airline would spend time in manipulating the sale of obsolete aircraft, for the purchase of new aircraft, in order to show a profit. I think the companies are interested in getting away from the subsidy and in standing on their own feet and making themselves good, healthy, airline companies.

Mr. WILLIAMS. Mr. President, we must remember that in the case of domestic lines the companies are already guaranteed an 8 percent margin of profit on a $3 million investment, or whatever

such an airplane has cost. They are guaranteed a measured return on the total investment over a given period of time. Therefore, so long as Congress is that liberal, the companies will not have too much concern or worry as to whether they get away from the subsidy.

Mr. President, I shall conclude my remarks; I do not wish to detain the Senate any further. It is very clear that the pending bill provides an indirect method of raising or increasing the airline subsidy and gives the major benefit of the new formula to four airlines. If Congress wishes to do that, that is for Congress to decide. But I think the bill should go back to the committee for further study.

Therefore, Mr. President, I move that the bill be recommitted.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Delaware that Senate bill 3449 be recommitted. [Putting the question.] The Chair is in doubt.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE TRUMAN SCANDALS

Mr. WILLIAMS. Mr. President, today the United Press reported the conviction of two former officials of the Truman administration. I ask unanimous consent to have printed in the RECORD at this point the announcement referred to.

This is a part of the cleanup program begun back in 1951. In fact it was on May 7, 1951, over 5 years ago, that I first made the charge that tax cases in the St. Louis area were being improperly handled and asked for an investigation of that office. The collector, Mr. Finnegan, has long since been sent to the penitentiary, but the wheels of justice keep on rolling.

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

ST. LOUIS.—Two high Truman administration officials were convicted today of charges of conspiracy to defraud the Government in the handling of a tax case.

The jury of 8 men and 4 women deliberated 9 hours and 5 minutes before reaching its verdict.

Both Connelly and Caudle took the verdict calmly. Bond for Connelly was renewed pending motions for a new trial but Caudle had to furnish new bail of $5,000 because his bondsman died 2 days ago.

Maj. Gen. Ralph Truman, retired, a cousin of the former President, signed Caudle's new bond.

Hulen thanked the jury for its patience through the 6 weeks of hearing evidence. He told the jurors they should not discuss their verdict with anyone nor be photographed.

The announcement that the jury had reached a verdict after prolonged deliberations caught the court by surprise. Hulen had just overruled two motions by Caudle's attorney, Charles Margiotti, concerning the selection of evidence studied by the jury, and was leaving the courtroom when the marshal announced the jury was ready.

After some delay while court attachés gathered, Hulen warned spectators against any demonstration and told attorneys for both sides to remain seated.

After the verdict was read, Margiotti asked that the jury be polled. One by one they announced it was correct.

Hulen said he would rule on the motions for a new trial on the day set for sentencing.

Mr. WILLIAMS. Mr. President, these items call attention to the fact that two high Truman administration officials were today convicted in St. Louis on charges of conspiracy to defraud the Government in the handling of tax cases.

I next ask unanimous consent to have printed in the RECORD the article appearing in the St. Louis Post-Dispatch of December 1, 1954. The article points out that Messrs. Caudle, Connelly, and Schwimmer had been indicted by a Federal grand jury. The article includes the basis of the indictment upon which they were today convicted.

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

[From the St. Louis Post-Dispatch]

CAUDLE, MATT CONNELLY, SCHWIMMER INDICTED BY UNITED STATES—PLOT TO DEFRAUD THE GOVERNMENT ALLEGED IN TRUE BILL VOTED HERE—NAMED AS COCONSPIRATORS ARE ELLIS N. SLACK, SHOE BROKER IRVING SACHS AND FIRM HE HEADS

Matthew J. Connelly, who was appointments secretary to former President Truman, and Theron Lamar Caudle, former head of the Justice Department's Tax Division, were indicted here today on a charge of conspiracy to defraud the Government.

Harry I. Schwimmer, Kansas City attorney, named in a perjury indictment November 18, was indicted jointly with Caudle and Connelly today.

Named as coconspirators were Ellis N. Slack, former assistant attorney general in the Tax Division; Irving Sachs, head of Shu-Stiles, Inc., shoe brokerage firm, and the Shu-Stiles firm.

Slack has been relieved of duty as a trial attorney in the Justice Department, it was announced in Washington.

It was charged that Connelly was paid $1,650 in January 1952 by Schwimmer, who was defense counsel for Sachs. While there was no allegation that Caudle received cash, the indictment declared Caudle, "influenced by the hope of reward and personal gain, would recommend that prosecution (of Sachs) be declined."

The alleged conspiracy was in connection with delays in the prosecution of the Sachs income tax case.

BOND SET FOR ALL THREE

Bond for Schwimmer was fixed at $30,000, to cover both indictments against him. Bond for Caudle and Connelly was set at $5,000 each. To account for the higher bond for Schwimmer, it was explained he now lives in Puerto Rico, and "many persons have strong motives against his appearance in court."

The indictments, returned to United States District Judge George H. Moore, charged that Connelly, Caudle and Schwimmer "willfully, knowingly and unlawfully conspired and agreed with Irving Sachs to defraud the Government."

The defendants were charged with conspiring to commit five violations of the United States Code—bribery, perjury, making false statements and entries, and violations of the corrupt practices act and the internal revenues laws.

The charge is a single count indictment with a maximum penalty on conviction of 5 years in prison and a $10,000 fine.

By their actions, the indictment said, the defendants conspired to defraud the Government of its "function and right to administer the internal revenue laws of the United States and regulations duly issued and pertaining thereto, free from unlawful impairment and obstruction and free from corruption, improper influence, dishonesty and fraud."

Further, they denied the Government its right of administering the office of appointments secretary, which Connelly held, the Justice Department's Tax Division, which Caudle headed, the Internal Revenue Service and its predecessor, the Internal Revenue Bureau, "free from unlawful impairment and obstruction, and free from corruption, improper influence, dishonesty, and fraud." the indictment said.

FURTHER CHARGES

Actions of the defendants were a conspiracy to make it impossible for the Government to "fairly, honestly, and free of fraud, deceit, partiality, concealment, interference, obstruction, and corruption," make dispositions in business matters effecting Caudle's and Connelly's offices, the indictment alleged.

By virtue of the defendants' "personal and pecuniary interests in the successs of persons concerned and affected by the outcome" of Government decisions in matters pending before the Tax Division or the appointments secretary's office, the indictment said, they conspired to defraud the Government of its right to make "conscientious, faithful, disinterested, and unbiased judgments."

ANNOUNCED HERE AND IN CAPITAL

The indictments were announced simultaneously here and in Washington, where J. Fred Mullen, press officer for the Department of Justice, said this was not the end of the investigation.

"The grand jury will continue," he added.

In response to questions, Mullen said the St. Louis investigation was tied in with an earlier inquiry at Omaha, Nebr. He said nothing was going on in Omaha at this time but the present inactivity did not mean the Omaha phase would not be reopened.

Asked whether some individuals might be reindicted at Omaha, Mullen answered cryptically: "There might be others."

The St. Louis indictments were the result of evidence uncovered within recent weeks.

The indictment said that during the course of the conspiracy, which allegedy continued to the present time, there was pending in the Internal Revenue Service and in the Tax Division of the Department of Justice an income-tax fraud proceeding concerning alleged coconspirators Irving Sachs and Shu-Stiles, Inc.

REFERENCE TO SACHS

The indictment states that "it was an essential part of the conspiracy that Sachs, having willfully evaded large amounts of income tax over a period of years, should nevertheless escape indictment and, if indicted, should escape prosecution, and if convicted, should escape imprisonment."

It was charged that Caudle, without reference to the merits of the income tax fraud case pending before him in his official capacity, and "without making an honest and unbiased decision which it was his duty to do * * * but influenced by the hope of reward and personal gain, would persuade and coerce his subordinates in the Tax Division to recommend that prosecution be declined and, if persuasion and coercion were unsuccessful, to decline prosecution himself."

It was a further part of the conspiracy, the indictment continued, "that if indictment of Sachs could not be prevented, defendants would make and cause to be made false,

fictitious and misleading statements to the United States District Court for the Eastern District of Missouri in order to procure the dismissal of the indictment.

"If the conviction of Sachs could not be prevented, they would make false statements to the court and its probation service to attempt to influence the court with respect to the imposition of a sentence."

"It was a part of the conspiracy," the indictment said, "that Schwimmer and coconspirators Sachs and Shu-Stiles, Inc., would promise, offer and give money and other things of value to Connelly and Caudle and other persons unknown to the grand jury, with the intent to influence their official decisions and actions on proceedings pending in their offices, and with intent to influence them to commit and allow fraud on the United States and to induce them to act in violation of their lawful duties."

AMOUNTS NOT KNOWN

The grand jury noted in the indictment that the exact amount of money and the nature of the other things of value given to Connelly and Caudle were not known.

Also a part of the conspiracy, the indictment continued, was a plan under which Connelly "without reference to the merits of the income tax fraud investigation and influenced by the promise of reward and personal gain, would use all his power and influence and that of his office to persuade employees of the Internal Revenue Service to recommend against the criminal prosecution of Sachs and Shu-Stiles, Inc."

Connelly also was to use his power to persuade Caudle and other employees of the Tax Division to decline criminal prosecution, the indictment said.

It was charged that the defendants, aware that investigations of the subject matter of the conspiracy would be made by many agencies, made every effort to conceal the conspiracy and in doing so were guilty of furthering the original conspiracy.

The extensive grand-jury inquiry included an investigation of oil royalties purchased for Connelly and Caudle. Schwimmer paid for both royalties, the evidence showed.

PROFIT FOR CONNELLY REPORTED

Caudle said he returned dividend checks and the deed to oil property to Schwimmer, and reprimanded the attorney for buying the royalty. Connelly was reported to have kept his oil investment a year, then sold at a substantial profit.

In addition to the oil deal, Connelly is alleged to have received a check for $1,650 from Schwimmer several months after Sachs pleaded guilty and was fined, but escaped going to prison.

Government attorneys told reporters Slack and Sachs were designated coconspirators, and not defendants, because they "are part of a small agreement, which is part of a larger conspiracy." The attorneys indicated the investigation of the larger conspiracy would continue.

Following the hearing on bond for the defendants, Judge Moore disqualified himself from further connection with the indictment. It also was announced that the grand jury would recess for at least 10 days.

Special Assistant Attorney General Wyllys S. Newcomb informed the court that the evidence on which the indictment was returned was "part of a pattern."

"There was bribery in our Government close to the top," Newcomb stated. He asked that the case be set for trial as soon as is consistent with the rights of the defendants, and added that the grand jury would proceed "with full steam ahead."

"And damn the torpedoes," observed Judge Moore.

Warren Olney III, head of the Criminal Division of the Department of Justice and in overall charge of the investigation, was here when the indictment was returned. He came to St. Louis 3 days ago.

TWENTY-FOUR OVERT ACTS LISTED

The alleged conspiracy was outlined by the grand jury in the following 24 overt acts of the defendants and coconspirators.

1. On or about January 20, 1948, defendants Harry I. Schwimmer and Matthew J. Connelly conferred in Washington, D. C.

2. On or about January 20, 1948, defendant Matthew J. Connelly had a telephone conversation with one George J. Schoeneman, Commissioner of Internal Revenue, in Washington, D. C.

3. On or about August 10, 1948, defendants Schwimmer and Connelly conferred in Washington, D. C.

4. On or about August 10, 1948, defendant Connelly had a telephone conversation with one Charles Oliphant, chief counsel of the Internal Revenue Bureau, in Washington, D. C.

5. On or about October 12, 1949, in St. Louis, Mo., coconspirator Irving Sachs caused a check to be drawn in the amount of $10,000 payable to defendant Harry I. Schwimmer.

6. On or about October 26, 1949, defendants Harry I. Schwimmer and Matthew J. Connelly conferred in Washington, D. C.

7. On or about October 26, 1949, defendants Connelly and T. Lamar Caudle had a telephone conversation in Washington, D. C.

8. On or about October 26, 1949, defendants Caudle and Schwimmer conferred in Washington, D. C.

9. On or about December 30, 1949, in Kansas City, Mo., defendant Schwimmer drew a check in the amount of $3,600 payable to one Chris Rhodes.

10. Sometime between December 28, 1949, and January 19, 1950, in Washington. Defendant Connelly accepted as transferee an oil royalty interest in Logan County, Okla.

11. On or about January 12, 1950, in St. Louis, coconspirators Irving Sachs and Shu-Stiles, Inc. issued and caused to be issued to defendant Schwimmer a check in the amount of $10,000.

12. On or about July 15, 1950, in St. Louis, Mo., coconspirators Sachs and Shu-Stiles, Inc., issued and caused to be issued to defendant Schwimmer a check in the amount of $3,600.

13. On or about July 17, 1950, in Kansas City, Mo., defendant Schwimmer drew a check in the amount of $3,300 payable to one Chris Rhodes.

14. On or about January 11, 1951, at Washington, defendant T. Lamar Caudle directed one Arthur B. Cunningham, an attorney in the Tax Division, to prepare a letter addressed to one George J. Schoeneman, Commissioner of Internal Revenue.

15. On or about January 11, 1951, at Washington, defendant T. Lamar Caudle directed said Arthur B. Cunningham to prepare a letter addressed to defendant Harry I. Schwimmer.

16. On or about January 16, 1951, defendant Connelly had a telephone conversation with one Charles Oliphant, chief counsel, Internal Revenue Service, Washington.

17. On or about January 19, 1951, in St. Louis, coconspirators Irving Sachs and Shu-Stiles, Inc., issued and caused to be issued to defendant Harry I. Schwimmer a check in the amount of $2,000.

18. On or about September 13, 1951, in St. Louis, defendant Schwimmer had a conversation with one Milton Weiffenbach, chief United States probation officer, United States District Court, Eastern District of Missouri.

19. On or about September 21, 1951. Defendant T. Lamar Caudle telephoned the aforesaid Milton Weiffenbach at St. Louis.

20. On or about September 26, 1951, defendant Caudle caused a letter to be delivered in St. Louis to the aforesaid Milton Weiffenbach.

21. On or about November 2, 1951, defendant Harry I. Schwimmer appeared before the United States district court at St. Louis, Mo.

22. On or about November 7, 1951, in St. Louis, coconspirators Irving Sachs and Shu-Stiles, Inc., issued and caused to be issued to defendant Schwimmer a check in the amount of $3,000.

23. On or about January 14, 1952, defendant Schwimmer caused the sum of $1,650 to be paid to defendant Matthew J. Connelly in Washington, D. C.

24. On or about February 27, 1952, in St. Louis, coconspirators Sachs and Shu-Stiles issued and caused to be issued to defendant Schwimmer a check in the amount of $2,500.

NO COMMENT BY TRUMAN

Truman, who was in St. Louis today, declined to comment on the indictments. When reporters asked him if he had anything to say on the grand jury's action, he replied tersely: "No comment."

Slack was appointed to the Tax Division in 1934. After military leave he returned to the same position in 1946 and served until July 1948, when he was named an assistant to the attorney general in the Tax Division, one of the top jobs in the section. After the tax scandal revelations of 1952 and 1953 he became a trial attorney in the Tax Division.

It was Slack who reported back to Washington, concerning the complaint of Judge Moore of irregularities in the collector's office, that "there was some smoke but no fire."

The jury began its lengthy investigation with an inquiry into efforts by former high officials to whitewash the official conduct of former Collector of Internal Revenue James P. Finnegan here. More recently, the jury has been seeking to learn whether politically influential lawyers were able to block prosecution of income tax violators.

COMMENT BY CAUDLE'S EX-AIDE

Turner L. Smith, who was first assistant to Caudle in the Justice Department's Tax Division, told the Post-Dispatch today he would have withheld a recommendation in the Sachs case, had he known that Caudle had received an oil royalty from Sach's attorney.

"I had no knowledge of Caudle's oil royalty until I came here this week as a grand jury witness and read about the transaction in the newspapers," Smith, a Georgia attorney, told a reporter. He had recommended there be no prosecution of Sachs, who eventually pleaded guilty and was fined $40,000 in 1951.

Caudle told reporters he received a $750 oil royalty from Schwimmer in exchange for a stockmarket tip. He said the oil deal was made without his knowledge, in 1951, and was terminated by him as soon as he learned of it.

Smith, a grand jury witness yesterday, said he had originally recommended in 1950 that Sachs be prosecuted, after studying investigators' reports, but changed the recommendation "on the basis of medical reports." Sachs is an epileptic, and Schwimmer had argued that the excitement of a trial, that a trial or prison sentence, might prove fatal.

"I would not have made any recommendation if I had thought anything was wrong," Smith observed. "If I had heard about the oil royalty there would have been no recommendation."

Smith added that he "received nothing, and I told the grand jury that."

United States District Judge Roy W. Harper, who fined Sachs the maximum $10,000 on each of four counts of an indictment, was a grand-jury witness yesterday. When passing sentence on Sachs, president of Shu-Stiles, Inc., in November 1951, Judge Harper called the case "one of the most vicious ever brought to my attention." Sachs, charged with evading $128,721 in income taxes in the war years 1942–45, was spared a prison sentence because of his health.

Schwimmer, who was indicted on a charge of perjury November 18, following testimony

before the grand jury, yesterday filed suit for a restraining order to keep from the grand jury certain records of his and of Chris Rhodes, a Tulsa, Okla., attorney. The petition contends the records are protected by attorney-client privilege, and that he has not waived that privilege. His plea probably will be acted on today.

Rhodes, a grand-jury witness, is reported to have obtained oil royalties for Schwimmer about the time the Sachs case was dragging on. Records of Schwimmer, obtained from a Kansas City warehouse, have been studied by the jury.

The grand jury charged that Schwimmer's testimony relative to $10,000 given him by Sachs was false. He testified the money represented a legal fee, but the jury termed it a fund to bribe and corrupt public officials.

Mr. WILLIAMS. I also ask unanimous consent—lest we forget about the scandals that were going on in the Truman administration—that there be printed in the RECORD at this point as a part of my remarks an article appearing in Human Events for April 21, 1956. The article is a condensation from a recent book entitled "The Truman Scandals," written by Mr. Jules Abels.

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

THE TRUMAN SCANDALS

(By Jules Abels)

(This article is a 1,800-word extract from the sensational fully documented book, The Truman Scandals, by Jules Abels, distinguished attorney and economist.)

"Scandals in Government are not a new phenomena. What seems to be new about these scandals is the moral blindness or callousness which allows those in responsible positions to accept the practices which the facts reveal. It is bad enough for us to have corruption in our midst, but it is worse if it is to be condoned and accepted as inevitable."—Senator J. WILLIAM FULBRIGHT, Democrat from Arkansas, March 1951.

Prior to the Presidency of Harry Truman, there had been two administrations in which corruption had reached to the heart of the administration—that of Ulysses S. Grant and that of Warren G. Harding.

Both Grant and Harding reacted keenly to the disclosures of corruption in their administrations.

President Grant received a letter from a St. Louis banker which quoted revenue officials as saying Grant could not give them up for fear that their disclosures might hurt the administration. Grant at once referred it to Secretary of the Treasury Bristow, on July 29, 1875:

"I forward this for information and to the end that if it throws any light upon new parties to summon as witness, they may be brought out. Let no guilty man escape if it can be avoided. Be specially vigilant—or instruct those engaged in the prosecution of fraud to be—against all who insinuate that they have high influence to protect—or to protect them. No personal consideration should stand in the way of performing a public duty."

Teapot Dome killed President Harding. Prior to his last trip, his journey to Alaska, Harding had apparently learned the truth from his own sources. Samuel Hopkins Adams, in the Timely Death of President Harding, gives this vivid description of the last days aboard train:

"From Tacoma on, the President was in a state of chronic jitters. To escape from thinking, he organized a bridge game with Secretaries Wallace, Work, and Howe, Speaker Gillett and Admiral Rodman. The President played to exhaustion, 12, 14, or 15 hours a day.

"By the time the west coast was reached, his nervous demoralization was painfully apparent. He sought out Secretary Hoover. "Mr. Secretary," he said, "there's a bad scandal brewing in the administration."

Hoover, who had an inkling of what it was all about, urged the President to meet the scandals with public frankness, but the President's tension and anxiety were not assuaged. He died a few days later.

The new President was Calvin Coolidge. He appointed two special prosecutors, ousted Secretary of the Navy Denby, and fired Attorney General Daugherty without haggling when Daugherty refused to open up Justice Department files. In January 1924, Coolidge said:

"If there has been any crime, it must be prosecuted; no one will be shielded for any party, political, or other reason * * * if there is any guilt it will be punished; if there is any fraud, it will be revealed; and if there are any contracts which are illegal, they will be canceled."

All previous cases of corruption, serious as they were, are very small compared with those of the Truman administration. Never had there been so much corruption practiced by so many public officials in so many different places.

Corruption invaded almost every department of the Government, not only in Washington but all over the country. The tax collection machinery of the Nation was infested with graft from top to bottom.

The civil recovery in Teapot Dome amounted to $13 million. The amount lost through the wholesale tax frauds alone of the Truman administration, must have run into the billions.

The loss of the graft-ridden GI educational programs ran into the "hundreds of millions." In the section 608 swindles under FHA, profits of 20,000 percent in less than 2 years were not uncommon, as we have seen, and one financing company netted $26 million.

Teapot Dome and other cases of corruption were isolated transactions of individuals accomplished by stealth. The cases in the Truman era were a continuous band covering many agencies and localities.

Instead of taking effective action to wipe out corruption, Truman was, in some cases, protecting the wrongdoers; in other cases, he was indifferent, and in other cases, he blocked and thwarted the investigators of corruption.

TRUMAN'S ASSOCIATION WITH THE CORRUPTION

Boss Tom Pendergast gave Harry Truman his first political job as judge of the county court (that is, county commissioner) of Jackson County because he was recommended by his nephew Jim Pendergast. In his Memoirs, Truman says that Pendergast asked nothing of him. He did not have to ask anything of Judge Truman; there was only one concrete company, the Ready-Mixed Concrete Co., supplying the building projects voted by the county commission. It was owned by Pendergast.

In 1934 Pendergast was on the defensive because of bloody and shocking outrages in the March elections. Needing a candidate not too prominently identified with him, he chose Harry Truman for the Senate; in a three-way fight, Truman won the nomination. His statewide plurality was 41,000 votes; Jackson County and Kansas City gave him 138,423 votes to the combined votes of his two opponents of 10,437. That measures his debt to Pendergast who could dispose of up to 60,000 ghost votes.

In the same year, Roosevelt appointed Maurice Milligan, United States attorney for western Missouri. He broke the Pendergast machine, securing 259 convictions for frauds in the 1936 elections, and Tom Pendergast himself went to jail for income-tax evasion in 1939.

In February 1938 Senator Truman attacked Milligan violently on the floor of the Senate saying that "a Jackson County, Mo., Democrat has as much a chance of a fair trial in the Federal District Court of Western Missouri as a Jew would have in a Hitler court." A Republican Senator arose to ask Senator Truman if he wished to go on record as condoning vote frauds.

In 1945, when Pendergast died, the Vice President flew out to his funeral. A few weeks after Truman became President, he fired Maurice Milligan. In his place he appointed Sam Wear as United States attorney; Wear had been chairman of the Democratic State Committee of Missouri. He pardoned 15 of the Pendergast people who had been in prison for the vote fraud.

On December 7, 1945, the President wrote to Jim Pendergast, Tom Pendergast's nephew, who was the heir to the Pendergast machine: "Dear Jim: I am enclosing you a check for $6 in payment of my Jackson Democratic Club dues. I hope the outfit is still going good. Sincerely yours, Harry."

On July 18, 1946, President Truman announced that he opposed the renomination of Congressman Roger C. Slaughter from the Fifth District of Missouri, which included Kansas City. Slaughter had offended him by his vote in the House Committee on Rules to bottle up the FEPC bill which the President considered politically important for the 1946 congressional elections. The President favored Enos Axtell.

The President himself went to Kansas City on primary day to lend his prestige to his fight against Slaughter. Axtell won by 2,300 votes. He lost in November, but the President had purged Mr. Slaughter.

The primary was as crooked as any ever held even in Kansas City. In many precincts, Slaughter received no votes. In 4 wards, the vote was 6 to 1 in favor of Axtell. The Kansas City Star cried fraud. It sent around investigators to collect affidavits, and over 1,000 were collected.

In October the general clamor forced Attorney General Tom Clark (now on the U. S. Supreme Court) to permit an FBI investigation of the vote.

United States Attorney Sam Wear submitted a highly misleading synopsis of the FBI report to three Federal judges who concluded there was no basis for a grand jury investigation. These judges testified that on the basis of the full FBI report, their opinion would have been different. A Jackson County grand jury declared that evidence showed that "there had been a deliberate and calculated plan to miscount votes and otherwise steal the election." It said Slaughter had been deprived of the nomination by fraud. All ballots and records used by the jury in investigation were returned to the vaults of the Kansas City Board of Election Commissioners for safekeeping.

Attorney General Clark was called to testify about the FBI report before a Senate subcommittee. While he was on the witness stand, Senator Ferguson, the chairman, announced he had just received a wire from Kansas City: "Last night primary ballots were stolen from election commissioner vault."

The vault in Kansas City had been blown open with nitroglycerin and the ballots and other records needed for prosecution had been stolen.

The President had been sleeping in a hotel three blocks away when the theft was carried out.

Before the explosion, 71 persons had been indicted; but without the evidence, prosecution was fruitless.

The report of Senator Ferguson, chairman of the Senate Judiciary Subcommittee, condemned Clark: "The replies of the Attorney General indicate an intentional misrepresentation of facts to a Member of the United

States Senate in answer to an official inquiry." The report pointed out that in Clarks' own file, there were 28 memos with a summary of evidence showing that 159 persons were shown to vote who did not vote; 10 persons voted who were not on the election records and 14 persons could not vote because they had already been voted.

All in the Department of Justice who took part in the Kansas City vote fraud case were rewarded. Tom Clark was promoted to the United States Supreme Court. Peyton Ford built an administrative empire and went on to become Deputy Attorney General. Herbert Bergson moved ahead to become head of the Antitrust Division. The Chelf subcommittee pointed out that William Holloran, who did the leg work in the case, "got a coveted assignment in the overseas branch of the Antitrust Division"—far removed from the interrogations of congressional committees. T. Lamar Caudle, Assistant Attorney General, was given the choice plum of the management of the Tax Division of the Department of Justice.

The Truman years constitute the great plunder period in United States history. Tax revenues increased from under $10 billion to over $60 billion. Thousands of businesses could save untold amounts of money by getting a nod from the right Treasury official. One man's say so could mean the difference of a million dollars, and if an individual was in a 90-percent income bracket he would have to earn $10 million in income to get the equivalent of that $1 million nod.

There was gravy in Government loans, particularly in the huge loans being made by the RFC, in which decisions were made on purely arbitrary grounds. There was gravy in Government contracts. There was a huge Government surplus for sale.

There were permits worth a million dollars or more to be given out for radio-TV stations by the Federal Communications system, and equally valuable new routes for the embryonic airline industry.

These privileges could lay the foundations of fortunes for decades to come.

Mr. WILLIAMS. Mr. President, I think today's convictions once again remind the American people the extent to which corruption under the preceding administration had reached to the top echelon in the Government.

Several months ago I asked the Treasury Department to compile a report showing the record of the indictments and convictions since the first exposures of the tax scandals which began back in 1951, under the preceding administration. As of November 20, 1954, for the period between 1950 and 1954, there had been 214 indictments and 101 convictions in Federal courts. The remaining defendants were either awaiting trial, at that time, or in some instances, they had been exonerated by juries. But there were 214 indictments altogether of corrupt officials in the Treasury Department under the preceding administration. Eighty-eight had been indicted for accepting bribes for fixing tax cases. Some of them were involved in fixing tax cases of the biggest racketeers in the United States.

There were 40 indictments for embezzlement of Government funds, 51 indictments of Treasury officials for failure to pay their own income taxes; and 50 indictments for falsification of Government records or reports. Three were indicted for operating what, in effect constituted a blackmail ring, in that they admitted that their policy was to go to taxpayers, audit their accounts, and fake a large assessment, or threaten them with prison sentences, on the basis that they could shake them down on the side to settle what, in effect, was a nonexistent tax case.

Two were indicted for operating a bookmaking establishment in the second largest tax office in the United States.

Mr. Connelly, who was convicted in St. Louis today, was one of the top officials of the Truman administration. He was a White House assistant to the President of the United States. T. Lamar Caudle was Chief of the Tax Division, as Assistant Attorney General in the Department of Justice. Two more top officials of the Truman administration on their way to the penitentiary.

There has also been convicted a former Commissioner of Internal Revenue, Mr. Joseph Nunan. The Assistant Commissioner, Daniel A. Bolich, was convicted. One Alcohol Tax Commissioner was under indictment, and the trial was postponed because of his health.

There are only 64 tax offices in the United States, but 8 directors were indicted in Federal courts, and 5 ultimately were sent to the penitentiary. Eight out of 64, or 12½ percent of the top tax collectors in the United States, were indicted in the Federal courts for having accepted bribes or otherwise violated the law.

I point out those statistics to remind the American people once again of the extent to which corruption had obtained a strangle-hold in the preceding administration.

Furthermore, the damaging indictment against the Truman administration is that these scandals had to be exposed over the opposition of the administration rather than through their cooperation. The fact that so many high officials were involved explains this determined effort on the part of the preceding administration to cover up and protect these scoundrels.

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

Mr. WILLIAMS. I yield.

Mr. MUNDT. I express my appreciation, as one Member of the Senate, to the Senator from Delaware, who certainly has earned the title of watchdog of the Internal Revenue Service.

I recall that 4 or 5 years ago, when the Senator first started bringing to the attention of the country the scandalous conditions existing under the Truman administration in the Bureau of Internal Revenue, there were many skeptics who simply could not believe things were that deplorable. But with his typical bulldog tenacity the Senator from Delaware continued to compile the evidence and present it day after day on the floor of the Senate and to the country. He continued to insist on the right to obtain from the Bureau the facts and information to which he was entitled as a member of the Committee on Finance.

Certainly the startling atrocious conditions which were finally uncovered have amply vindicated the persistence of the Senator from Delaware.

At that time a great many of my friends over the country were writing me to point out that, with an utterly corrupt Internal Revenue Service—which we then had, as has now been demonstrated by the fact that one individual after another has gone to the Federal penitentiary—our whole tax-collection system was on the verge of breaking down.

I have said many times that if we were to take the element of integrity out of the tax-collection office, if we were to develop a general attitude that it is as appropriate to violate the tax laws as many people felt for a long time it was appropriate to violate the 18th amendment, for example, we would wreck democracy from within, without a single saboteur, a single Communist agent, or a single attack by any outside enemy. We simply could not collect the taxes necessary to operate the ordinary functions of Government. If we had to rely solely upon the people's fear of reprisal, fear of conviction, or fear of exposure as a device for collecting taxes, if the only people who would pay income taxes were those who were afraid that if they did not do so they would go to jail, we would pauperize this democracy.

We must have confidence in the Government. We must have integrity on the part of individual citizens. We must have the realization that when we pay our taxes they go to support Uncle Sam and not the tax collector.

One of the reasons why we had all that red ink during the New Deal and the Fair Deal was that so much of the money paid in by taxpayers never went into the Treasury. Instead, it went into the pockets of the tax collectors or went to those who were playing favorites with cronies in the tax-collecting agencies.

Now we have honesty in the tax-collecting agencies. Honesty has been restored. Now we have integrity. Now we have a tax-collection service which is operating impartially and objectively and honestly. So, of course the budget is back in balance. It is back in balance at least in part, because the money the taxpayers pay is going into the Federal Treasury, instead of into the pockets of some corrupt political cronies who serve in the office of the tax-collection agencies. Therefore, I certainly desire to congratulate the Senator from Delaware on the outstanding job he has done in exposing this tax-collection racket by political racketeers. It was one of the outstanding jobs that has been done in our Government, and President Eisenhower deserves our undying gratitude for restoring honesty in Government.

Mr. WILLIAMS. I thank the Senator for his kind remarks. The American people have a right to know that the tax laws are being administered impartially, without favoritism, without being based on the political affiliation of those who may benefit, and without any pull or influence. I believe it is one of the outstanding achievements of this administration that integrity and honesty has been insisted upon at all times. The confidence of the American people in the integrity of their Government has been restored.

Corruption can develop under any administration. But the answer lies in the manner in which the administration in power meets the challenge once the cor-

rupt conditions have been called to their attention.

I should like to make clear in the RECORD that even in spite of the deplorable conditions which developed in the preceding administration, even then the overwhelming majority of the employees under that administration, as under all other administrations, have been honest and have tried to do the best job they could. That applies likewise to the overwhelming majority of employees of the Treasury Department which agency was most severely criticized.

The fact is that there were a few scoundrels in those agencies. As in the case of a rotten apple, one rotten apple in a barrel can ruin all the apples. So it is in Government. A few crooks can break down the morale of the whole tax collection system. The American taxpayers will pay their taxes if they are convinced and know their taxes are being levied and collected on a basis of equality and without any favoritism.

Mr. MUNDT. I should like to associate myself with the Senator's remark. I, too, know that the vast majority of the employees of the Internal Revenue Service are honest and patriotic and career public servants. I happen to be a member of the Subcommittee on Investigations which went into these tax matters. From my own experience I can say that by far the vast majority of the career personnel were honest and that those who proved to be corrupt, or to be crooks, were not career employees at all, but were men appointed to their jobs or who got their jobs as a part of the political patronage system and as a part of the idea that public office gives the right to steal, instead of public office being a public trust.

I certainly wish to associate myself with the Senator's statement that the vast majority of the employees are faithful. However, I believe it should be apparent to even those who run and do not stop to read that if the chief tax collector of the Internal Revenue Service himself is convicted of dishonesty in office, it is difficult to get people in the body politic as a group freely to pay their taxes, particularly when there is, as has happened in the past, such little likelihood of the full amount of the tax payments going into the Treasury. Am I not correct in saying that the top tax collector of them all was indicted and found guilty of corruption?

Mr. WILLIAMS. A former Commissioner of Internal Revenue was indicted and convicted. He was the top official. The five top officials in the United States Government in the tax-collecting service are the Commissioner, the Deputy Commissioner, the Chief of Alcohol Tax Division, the Chief Counsel of the Treasury Department, and the Chief of the Tax Division in the Department of Justice. Of that group, three went to the Federal penitentiary and the other two resigned within a few weeks after the exposures started, for reasons of health. You will no doubt recall that there was quite an epidemic of heart failures and resignations during the early days of the exposures.

Mr. MUNDT. Am I to understand the Senator from Delaware to say that 60 percent of the top tax-collecting officials of the Truman administration were found guilty of dishonesty or corruption?

Mr. WILLIAMS. It was 60 percent of the five top officials.

Mr. MUNDT. That is what I asked.

Mr. WILLIAMS. Do not forget that those five men have more to say about how John Q. Public shall pay his taxes and how the tax laws shall be administered than any 5,000 other men in the service of the United States Government.

Mr. MUNDT. I find myself in the position where there is jumping through my mind a thousand and 57 other good reasons why this country should be grateful for the election of President Eisenhower.

However, if getting rid of that kind of racket, whereby three out of the top five tax-collecting officials of the country were stealing money from Uncle Sam and accepting bribes and using tax-collection money for their own purposes and using money to fatten their own fortunes, were the only reason that would be reason enough for the overwhelming victory I feel President Eisenhower will win at the polls next November.

Certainly, above all, we need honesty in the tax collecting machinery. No one likes to pay taxes. We pay taxes as patriotic citizens in the conviction that they constitute the rent we owe this Government for the right to live in this the greatest country in the world.

However, the rent ought to go to the landlord, whose name is Uncle Sam and who lives in Washington, D. C. We do not want the rent to be placed in the private and hidden safe deposit boxes which we heard so much about in the committee of which I am a member, in our investigation of this situation, and we do not want the rent to go into the safety deposit boxes of the political cronies of the occupant of the White House.

I salute the Senator from Delaware for the fact that he initiated this long and drawnout series of investigations and trials and convictions and imprisonments, which have done so much to clean up the situation. We can be sure that as long as we have men like President Eisenhower in Government it will never again happen.

Mr. WILLIAMS. The Senator from South Dakota mentioned the fact that some officials were using their powers to administer the tax laws in such a way as to fatten not only their own personal fortunes but the fortunes of their political party. I call attention to——

Mr. MUNDT. Will the Senator elaborate on that point? It is a startling thing that he is saying. I did not know anything about that. Does the Senator mean to say that the tax collectors were obtaining money from the American taxpayers and using the money in order to elect to office the party that had given them their jobs, so that they could continue to steal additional sums of money from the Government?

Mr. WILLIAMS. In 1948 it was pointed out, and it was admitted, that the Democratic Party was rather disturbed about the question of winning the election. They were desperate for funds in that election. On the eve of that election, for the first time in the history of the United States, and without any change in the law, but as the result of a conference downtown, there were issued five memorable rulings by the Treasury Department, the purpose of which was to allow large contributions to the Democratic Party to be written off as normal business expenses. In effect, they classified gifts to the Democratic Party in the same category as gifts to charitable organizations.

They collected over a half million dollars in that crooked manner. This meant to that extent they were financing the Democratic campaign of 1948 indirectly out of the Federal Treasury.

Never before or since has any political party in power attempted such a bold operation or stooped so low.

Large contributors to the Democratic Party were given special treatment by being permitted to write off their contributions to the Democratic Party, to the extent of about a half million dollars. I repeat, that was an indirect way of financing the Democratic campaign of 1948 out of the Federal Treasury, at the expense of the American taxpayers.

Mr. MUNDT. I know the Senator from Delaware is always meticulous in his facts and painstakingly accurate in what he is saying. What he has just said is so shocking and astounding, however, that I wonder if he is positive of his facts in the charge which he is now making. It is so preposterous that it staggers the imagination.

Mr. WILLIAMS. No one has challenged these facts. The courts have since upheld these charges. I agree with you, it is astounding. These charges were placed in the CONGRESSIONAL RECORD on April 29, 1952, and later it was admitted before the Finance Committee by the top Treasury officials.

It might be well to have the record of this case placed in the RECORD again since these convictions today were part of this whole corrupt conspiracy.

Mr. MUNDT. May I say that if the Senator is sure of his facts, the information should be placed in the RECORD so that those who desire to challenge it may do so. I assume that now that the trial in Missouri is over, President Truman will be returning to this country from his tour of Europe and may wish to take up the cudgels in defense of his late and unlamented administration.

Mr. WILLIAMS. The information was put into the RECORD on April 29, 1952. It goes unchallenged, but it is worthy of repetition.

Mr. President, I ask unanimous consent that my remarks on that day be reprinted in the RECORD at this point.

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

STATEMENT OF JOHN J. WILLIAMS IN THE UNITED STATES SENATE, APRIL 29, 1952

Mr. President, several months ago it was called to my attention that through favorable rulings by the Treasury Department

certain large contributors to the Democratic Party were being allowed to deduct their campaign contributions from their income taxes.

According to the information which I received this was being done by the contributors' classifying their donations as loans and taking notes signed by the treasurer of the Democratic Committee.

Then after the election, with the treasury of the political party exhausted by the campaign, the contributors agreed to accept a small token payment as full settlement of their claims. Then they appealed to the Bureau of Internal Revenue for permission to write off the unpaid balance as a loss incurred as a nonbusiness debt.

A loss classified as a nonbusiness debt is deductible from any outside income such as profits on stocks, bonds, real estate, etc.

At the same time they asked the Treasury Department to waive the enforcement of the normal gift tax on amounts in excess of the usual $3,000 exemption.

A check of the records substantiated this rumor, and it has been found that in three particular instances contributions aggregating more than $400,000 have been ruled as not being subject to gift tax, but would be recognized as legitimate tax deductions.

The first ruling found, dated December 30, 1948, and signed by Mr. E. I. McLarney, Deputy Commissioner of Internal Revenue, gave Mr. Richard J. Reynolds of Winston-Salem, N. C., a favorable decision on contributions (or loans as they were classified) made to the Democratic State Committee of New York.

It is interesting to note that in this instance the favorable ruling was issued less than 48 hours after the application was received in Washington.

It is also interesting to note that certain officials in the Bureau can recollect a conference having been held relative to this decision but so far they have been unable to find any minutes of such conference, nor can anyone remember who participated either in the decision or in the recommendations.

At this point I ask unanimous consent to have incorporated in the RECORD a copy of that ruling of December 30, 1948:

DECEMBER 30, 1948.

Mr. RICHARD J. REYNOLDS,
Winston-Salem, N. C.
(Attention of Mr. Stratton Coyner.)

DEAR MR. REYNOLDS: Reference is made to a letter written in your behalf by Mr. Stratton Coyner, attorney, dated December 28, 1948, in which it is stated that you have received a final settlement offer from the Democratic State Committee of New York of 10 percent of the aggregate face amount of unpaid demand notes issued by the committee, which you now hold for collection.

A ruling is requested as to whether (1) the acceptance of such offer would, for Federal income-tax purposes, constitute a gift, and (2) the loss representing the difference between the aggregate face value of the notes and the amount received in full settlement would be considered as a nonbusiness debt.

The letter states that you now hold the following notes of the Democratic State Committee of New York:

Note dated February 27, 1947, payable on demand, signed by Carl Sherman, treasurer, $75,000.

Note dated February 27, 1947, payable on demand, signed by Carl Sherman, treasurer, $100,000.

Note dated October 14, 1944, payable on demand with interest after demand at rate of 1 percent, signed by Carl Sherman, treasurer, $96,000.

Note of Democratic State Committee of New York dated February 27, 1947, payable on demand to Democratic State Committee of New Jersey, endorsed without recourse by the Democratic State Committee of New Jersey, by (not stated in letter), $39,110.45.

The notes presently held by you are represented to have been issued in consummation of a series of transactions involving advances to the Democratic State Committee of New York. In all transactions it is represented that the advances were in the nature of loans inasmuch as notes were received as evidence of the obligations incurred by the committee. The representations in respect of advances made over a period of years extending back to the year 1940, the notes issued in respect of the obligations, and the payments made on such notes are fully disclosed in the letter of your attorney.

It is stated in the letter that you were assured at the time the loans were negotiated that repayment of the loans, fully covered by demand notes, would be made on an annual basis. Subsequent events, however, precluded the committee from discharging, as contemplated, the several notes issued as evidence of its obligation to repay the advances made by you. It is stated further that demands have been made at various times for the payment of the notes which have resulted only in the receipt of renewal notes.

The possibility of instituting legal action against the committee, it is stated, was of no avail inasmuch as reducing the notes to judgment and throwing the committee into bankruptcy would have accomplished nothing toward the payment of the obligations. Furthermore, it is stated that the Democratic State Committee of New York has no assets of any consequence, and no uncollected enforcible pledges. A certified page from the official report of the Democratic State Committee of New York dated November 2, 1948, showing the outstanding loans payable by that committee has been submitted and, supplementary thereto, it is stated that the Democratic State Committee of New York has only a small bank balance of less than $5,000 and office furniture for four offices and a reception room in the Biltmore Hotel in New York City.

It appears that your demands for payment of the notes finally resulted in the submission of an offer on the part of the Democratic State Committee of New York to pay in full settlement, in cash, 10 percent of the aggregate face amount of the outstanding notes. The offer is contained in a letter addressed to you under date of December 23, 1948, and signed by Mr. Carl Sherman, treasurer, Democratic State Committee of New York.

In view of the representations and data submitted it is concluded that (1) the acceptance of the offer of the treasurer, Democratic State Committee of New York, would not, for Federal income-tax purposes, constitute a gift, and (2) any loss incurred resulting from such acceptance would be considered as a nonbusiness debt within the meaning of section 23 (k) (4) of the Internal Revenue Code.

Very truly yours,

E. I. MCLARNEY,
Deputy Commissioner.

I now ask unanimous consent to have incorporated in the RECORD 2 other rulings—the second dated May 18, 1949, signed by E. I. McLarney, deputy collector, covering a $50,000 contribution (or loan) given by Mr. Marshall Field to the Democratic State Committee of New York; the third represents a ruling under the same date, signed by Deputy Commissioner McLarney in favor of Mr. David A. Schulte of New York, covering a $50,000 contribution (or loan) which he made to the Democratic State Committee in 1944:

MAY 18, 1949.

Mr. MARSHALL FIELD,
Care of Mr. Howard A. Seitz, 61 Broadway, New York, N. Y.

DEAR MR FIELD: Reference is made to a letter written in your behalf by Mr. Howard Seitz, your attorney, dated April 15, 1949, in which it is stated that you have received an offer from the Democratic State Committee of New York, hereinafter referred to as committee, of 10 percent of the aggregate face amount of a note of the committee in full settlement thereof.

A ruling is requested as to (1) whether the acceptance of such offer would, for Federal income tax purposes, constitute a gift; and (2) whether the loss thus incurred by your acceptance of the offer of settlement would be considered a nonbusiness bad debt loss.

It is stated that in 1940 you were asked to lend to the committee the sum of $50,000. The loan was made and you accepted a promissory note. The matter of payment has been discussed with the committee, and the officers of the committee have informed you that they have insufficient funds to make payment. In December 1948, you were informed by the committee that it would be unable to make payment of the note to you or its other note holding creditors. You have decided to accept the offer of settlement of 10 cents on the dollar.

You have been informed that Mr. Richard J. Reynolds, the principal creditor of the committee, has already accepted a similar offer of the committee, and that Mr. David A. Schulte, another creditor, has consented to do likewise.

Based upon the information submitted it is the opinion of this office that acceptance of the offer of the committee will not, for Federal income tax purposes, constitute a gift, and that the loss resulting from such acceptance will be considered á nonbusiness bad debt within the meaning of section 23 (k) (4) of the Internal Revenue Code.

Very truly yours,

E. I. MCLARNEY,
Deputy Commissioner.

MAY 18, 1949.

Mr. DAVID A. SCHULTE,
Care of Gale, Bernays, Falk & Eisner, 40 Wall Street, New York, N. Y.

DEAR MR. SCHULTE: Reference is made to a letter written in your behalf by Gale, Bernays, Falk & Eisner dated April 26, 1949, in which it is stated that you have received an offer from the Democratic State Committee of New York, hereinafter referred to as committee, of 10 percent of the face amount of a note of the committee in full settlement thereof. The letter dated April 8, 1949, from Mr. Carl Sherman, treasurer of that committee making such offer was submitted with the letter of April 26, 1949. In the absence of a power of attorney authorizing Gale, Bernays, Falk & Eisner to represent you this letter is being addressed to you.

A ruling is requested as to (1) whether the acceptance of such offer would, for Federal income tax purposes, constitute a gift; and (2) whether the loss incurred by your acceptance of said offer would constitute a nonbusiness bad-debt loss.

It is stated that in 1944 you were asked to lend the committee $50,000; and that you were assured that after the campaign in 1944 the note would be gradually repaid as different finance programs made funds available. The $50,000 was loaned to the committee and you were given a promissory note in that amount. Such note has not been paid, and the committee has informed you that it would be unable to make payment on the note or to its other note-holding creditors, but that it has been promised sufficient money to offer in settlement 10 cents on the dollar to all of its creditors.

The committee has also informed you that its principal creditor, Mr. Richard J. Reynolds, has accepted its offer and received payment, and that Mr. Marshall Field, another noteholder, had also consented to accept the offer.

Based upon the information submitted it is the opinion of this office that acceptance of the offer of the committee will not, for Federal income-tax purposes, constitute a gift, and that the loss resulting from such acceptance will be considered as a nonbusiness bad debt within the meaning of section 23 (k) (4) of the Internal Revenue Code.

Very truly yours,

E. I. McLarney,
Deputy Commissioner.

In the absence of information as to the income tax bracket of the three aforementioned taxpayers, it is impossible to state the exact amount of loss to the Federal Treasury as a result of these rulings; however, it should be pointed out that the Treasury's loss was a gain to the Democratic Party.

Contributors of sums such as these unquestionably are from men whose incomes are in the high brackets and the percentage could run as high as 80 percent in the years in which they were allowed.

In another letter dated July 26, 1951, signed by George J. Schoeneman, Commissioner of Internal Revenue, and addressed to Mr. William Neale Roach, Assistant Treasurer of the Democratic National Committee in Washington, D. C., the Commissioner allowed as legitimate business deductions, contributions to the various Young Democratic Clubs of America provided such contributions were not made on a political basis but rather made with reasonable expectation of a financial return.

I do not understand just what they mean by this—it was always my understanding that any contribution to either the Young Democratic Club or the Young Republican Club would be political, and in the light of the recent disclosures of widespread political favoritism I am very suspicious of any political contribution made on the basis of a "reasonable expectation of a financial return."

I ask unanimous consent that the letter to Mr. Roach be incorporated in the Record a this point.

July 26, 1951.

Mr. William Neale Roach,
Assistant Treasurer, Democratic National Committee, Ring Building, 1200 18th Street NW., Washington, D. C.

Dear Mr. Roach: Reference is made to your letter of July 12, 1951, transmitting a letter from Mr. Wilson Gilmore, president of the Young Democratic Clubs of America requesting a ruling concerning the deductibility by corporations of contributions to the Young Democratic Clubs of America for their convention.

He has stated that such clubs will hold their national biennial convention at the Jefferson Hotel in St. Louis, Mo., on October 4–6, 1951. In order to defray the large amount of expenses that will be incurred by the convention program, they are seeking contributions. It is stated that it has been their idea to organize a convention corporation under the benevolent corporation laws of Missouri and to obtain a pro forma decree for this nonprofit corporation. Such corporation would be the recipient of all convention funds and would pay all expenses and attend to all other official business of the convention. After the convention such corporation would be dissolved. A ruling is requested as to (1) whether contributions from corporations would be deductible by them for Federal income tax purposes as business expenses if given to the Young Democratic Clubs of America, and in the alternative (2) whether such contributions would be deductible if given to the proposed convention corporation.

On the basis of the information submitted it is held that contributions for the purposes of the convention made to either the Young Democratic Clubs of America or in the alternative to the convention corporation when organized by corporations engaged in a trade or business in the city of St. Louis and its environs would constitute allowable deductions as ordinary and necessary business expenses under the provisions of section 23 (a) of the Internal Revenue Code in the Federal income returns provided that such donations are made with reasonable expectation of a financial return commensurate with the amount of donations.

Very truly yours,

Geo. J. Schoeneman,
Commissioner.

On April 19, 1950, another favorable and similar ruling was made by Commissioner George J. Schoeneman to Mr. Stuyvesant Peabody, Jr., of Chicago, Ill., in reference to contributions to the Chicago Host Committee for National Jefferson Jubilee scheduled to be held in Chicago in May 1950.

At this point I ask unanimous consent to have incorporated in the Record a copy of that favorable ruling.

April 19, 1950.

Mr. Stuyvesant Peabody, Jr.,
Morris Hotel, Chicago, Ill.

Dear Mr. Peabody: Reference is made to your inquiry as chairman of the Chicago Host Committee for National Jefferson Jubilee to be held in Chicago on May 13, 14, and 15, 1950, with respect to whether contributions made to the committee by corporate and individual taxpayers engaged in business in the city of Chicago would be deductible for Federal income-tax purposes.

You state that the Chicago Host Committee is playing host to thousands of guests who will participate in extensive panel discussions pertaining to the issues of the day. It is also intended to pay tribute to Thomas Jefferson through parades and pageants depicting his contributions to the welfare of our country. It is expected that the thousands of guests and visitors spending 3 days in the city of Chicago will bring new money into the community and will benefit the business of the community.

The contributions from local tradesmen are solely intended to defray the expenses to be incurred in playing host and running the above-mentioned functions. It is understood that the contributions referred to in your letter will not be used to defray the expenses of the political aspects of the event.

On the basis of the information submitted, it is held that contributions made to the Chicago Host Committee for National Jefferson Jubilee by corporate and individual taxpayers engaged in a trade or business in the city of Chicago would constitute allowable deductions as ordinary and necessary business expenses under the provisions of section 23 (a) of the Internal Revenue Code, in their Federal income-tax returns, provided that such donations are made with a reasonable expectation of a financial return commensurate with the amount of the donations.

Very truly yours,

Geo. J. Schoeneman,
Commissioner.

Four months later, Mr. Schoeneman, on September 12, 1950, wrote John J. Dickerson, chairman of the New Jersey Republican State committee, that "it is well established that political contributions are not deductible."

Mr. Dickerson had written to the Revenue Bureau, asking if purchasers of tickets to a dinner at Atlantic City, N. J., could deduct the cost from their income tax returns. Mr. Schoeneman pointed out to Mr. Dickerson the same ruling he had made in the Chicago case regarding contributions but added:

"If tickets are purchased to support the political aspects of the occasion in question (as distinguished from the business aspects attendant on obtaining new money and customers from the event) a deduction is not allowable.

"Since the occasion for which the tickets are to be purchased is apparently a political one, it cannot be assumed that the purchase of such tickets by a business concern will give rise to a deduction."

I ask unanimous consent to have a copy of that ruling incorporated in the Record at this point.

September 22, 1950.

Hon. John E. Manning,
Collector of Internal Revenue, Post Office and Courthouse, Newark, N. J.

My Dear Mr. Manning: Reference is made to your letter dated September 12, 1950, in which you request advice with respect to a letter from Mr. John J. Dickerson, chairman of the New Jersey Republican State Committee.

In his letter Mr. Dickerson states that the New Jersey Republican State committee is sponsoring a dinner in Atlantic City on September 30, 1950, and that a question has arisen as to whether or not the purchase of tickets would constitute a deduction for Federal income tax purposes. Mr. Dickerson further states that it is his "understanding of the State law that if the taxpayer can clearly show that the purchase of the ticket was in the ordinary course of business and if his business was benefited thereby, he is entitled to deduct the cost of the ticket as a business expense."

It appears that the view expressed by Mr. Dickerson is based upon his belief that the purchase of the tickets in question may be deducted under section 23 (a) (1) of the Internal Revenue Code as an ordinary and necessary business expense. The application of this provision of the law, however, depends upon the existence of facts which have not been given by Mr. Dickerson, such as the purpose in the purchase of such tickets and the use to which the money so expended will be put. It is well established that political contributions are not deductible. See section 29.23 (q)–1 of Regulations 111; *Textile Mills Securities Corporation* v. *Commissioner*, (1941) 314 U. S. 326, C. B. 1941–42, 201; I. T. 3276, C. B. 1939–1 (part I), 108. On the other hand, contributions made by local tradesmen to business or civic organizations for the purpose of attracting and playing host to conventions or similar gatherings which will draw sizable numbers of guests and visitors to the community, may be deducted provided that such contributions are made with a reasonable expectation of a financial return commensurate with the amount contributed. See section 29.23 (a)–13 of Regulations 111, and I. T. 3706, 1945, C. B. 87. Accordingly, if the tickets are purchased to support the political aspects of the occasion in question (as distinguished from the business aspects attendant on obtaining new money and customers from the event, regardless of its nature), a deduction is not allowable.

Since the occasion for which the tickets are to be purchased is apparently a political one, it cannot be assumed that the purchase of such tickets by a business concern will give rise to a deduction.

Mr. Dickerson also asked to be advised whether or not a corporation is permitted to purchase tickets. Since this question concerns matters not necessarily in the jurisdiction of the Bureau and detailed information is not furnished, it does not appear to be appropriate for comment by the Bureau.

Very truly yours,

Geo. J. Schoeneman,
Commissioner.

There was one minor ruling, however, in which I found that the Republican contributors did get an equal break with the Democrats.

On April 24, 1951, a Citizens Committee of Chicago, Ill., requested an opinion from the Bureau of Internal Revenue concerning the deductibility by corporations of contributions made to that committee which was being set up for the purpose of bringing

the Republican and Democratic National Conventions of 1952 to Chicago.

These donations were ruled legitimate business deductions provided that they were made with reasonable expectation of a financial return commensurate with the amount of the donations.

It is my understanding that this is the customary ruling which is given to any citizens group under such circumstances.

At this point I ask unanimous consent to have incorporated in the RECORD a copy of that ruling.

"APRIL 24, 1951.

"Mr. BARNET HODES,
Secretary of Citizens Committee to Bring the Republican and Democratic National Conventions to Chicago, 1952,
Care of Arvey, Hodes & Mantynband,
1 La Salle Street, Chicago, Ill.

"DEAR MR. HODES: Reference is made to your letter of April 11, 1951 requesting an opinion from the Bureau of Internal Revenue concerning the deductibility by corporations of contributions to the Citizen's Committee to Bring the Republican and Democratic National Conventions to Chicago—1952.

"You have stated that the Citizen's Committee is a nonpartisan committee which will play host to thousands of guests who will come to Chicago if the conventions are held there. New money will be brought into the community which will benefit business of the community. In the sample letter to be sent out to prospective contributors, it is stated that the tentative plan is to obtain, as soon as possible, the necessary subscriptions, one-half to be paid not later than December 1, 1951 and the remaining half not later than March 1, 1952. If only one convention is obtained then half of the subscription is to be canceled, and if neither convention is obtained then the entire subscription is to be canceled.

"On the basis of the information submitted it is held that contributions made to the Citizen's Committee to Bring the Republican and Democratic National Conventions to Chicago 1952 by corporate and individual taxpayers engaged in a trade or business in the city of Chicago and its environs would constitute allowable deductions as ordinary and necessary business expenses under the provisions of section 23 (a) of the Internal Revenue Code in their Federal income tax returns, provided that such donations are made with reasonable expectation of a financial return commensurate with the amount of the donations."

Mr. President, a summary of these decisions shows that the Democratic Party has through these favorable rulings been financing a part of their political campaign indirectly out of the Federal Treasury.

I am opposed to either political party financing its campaign either directly or indirectly out of the Federal Treasury; however, if the Treasury Department is going to allow large contributions to the Democratic Party to be classified as loans and thereby become legitimate income tax deductions, then I shall insist that the same consideration be given to the contributors of the Republican Party.

Likewise, if large contributors are to be given this special consideration, then every small contributor is entitled to equal consideration.

Unless this ruling is publicly reversed by the Commissioner of Internal Revenue, all contributors to the Republican Party and all contributors to the Democratic Party who have not been recipients of this favorable treatment, should make their 1952 campaign contributions in the form of loans and after November 1952, call for the payment of such loans, take what they can get, and deduct the rest from their income taxes.

On the other hand, if the present Commissioner reverses these obviously questionable rulings, as I think he should, then the Commissioner should collect the taxes from the contributors mentioned here today.

Mr. WILLIAMS. Mr. President, I will mention another example to illustrate the low state of morals which developed under the preceding administration. There was a gentleman in New York who had a large tax case which he was having difficulty in settling. He approached the then chief counsel of the Democratic National Committee, Mr. Welburn Mayock, and offered him $65,000 if he could get a favorable ruling from the Treasury Department. The record is very clear on this. Mr. Mayock approached officials of the Treasury Department on the basis that it was a political matter, and one upon which the Democratic Party could receive some funds. They promptly obtained a favorable ruling. As a result of that ruling Mr. Mayock received $65,000, putting $35,000 in his own pocket and turning over to the Democratic National Committee $30,000. But, recognizing that the law provided that no one could give over $5,000, under the Hatch Act, he used the names of 7 individuals who had nothing to do with the contributions. The contributions were registered in the names of those individuals but each admitted they put up no money.

Mr. President, I ask unanimous consent that this statement, which was called to the attention of the Senate on February 8, 1955, be printed at this point in my remarks.

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

STATEMENT OF JOHN J. WILLIAMS

Mr. President, on August 4, 1953, Mr. Welburn Mayock, an attorney in Washington, D. C., was testifying before the Kean subcommittee. At that time the Kean committee was investigating the scandal-ridden Bureau of Internal Revenue.

In his testimony of that date Mr. Mayock explained how in 1948, while serving as the chief counsel of the Democratic National Committee, he had entered into an agreement with Mr. William S. Lasdon, Katonah, N. Y., whereby he was to obtain for Mr. Lasdon a favorable ruling from the Treasury Department on his then pending tax case.

In return for obtaining this favorable ruling, which would save nearly $7 million for Mr. Lasdon, Mr. Mayock was to receive a $65,000 cash fee with the understanding that $30,000 of this amount was to go to the Democratic National Committee.

Mr. Mayock without any power of attorney to represent this taxpayer but solely in his capacity as chief counsel of the Democratic National Committee then contacted Mr. John W. Snyder, the Secretary of the Treasury, and promptly obtained the favorable ruling on Mr. Lasdon's tax question.

Mr. Lasdon previously had been denied a favorable decision upon this same question by the Treasury Department.

After this tax-fix scheme had been arranged and after Mr. Mayock had collected his $65,000 fee, he was confronted with the problem of how to get the $30,000 into the Democratic campaign fund without obviously violating the Hatch Act. (The Hatch Act prohibits contributions to a political campaign in excess of $5,000 by any one individual.)

However, once having agreed to fix a tax case for $65,000 the question of violating the Hatch Act apparently was not bothersome to Mr. Mayock and his associates.

Accordingly, as Mr. Mayock explained it, he merely arranged to have some of his friends write their personal checks payable to the Democratic National Committee in exchange for an equivalent amount of cash. In this manner he siphoned the $30,000 of "hot money" into the treasury of the Democratic National Committee.

While freely admitting all of the above transactions during his testimony before the Kean subcommittee under date of August 4, 1953, Mr. Mayock flatly refused to tell that committee the names of the individuals who cooperated in this underhanded method of financing a political campaign. Each time the committee pressed him for the names of these individuals Mr. Mayock replied, "That I am going to refuse to answer."

Since Mr. Mayock was reluctant to publish the names of the individuals who exchanged their personal checks payable to the national committee for an equivalent amount of this "tax-fix fee," I shall read that list to the Senate along with a breakdown of the amount handled by each individual plus the dates of the transactions:

Oct. 13, 1948: Democratic county central committee, William H. Malone, chairman, 955 Mills Tower, San Francisco	$10,000
Oct. 14, 1948: Harold A. Berliner, 10 Crown Terrace, San Francisco	5,000
Oct. 14, 1948: William J. Mahaney, 2412 Russ Bldg., San Francisco	5,000
Oct. 18, 1948: Roy G. Owens, 1204 South Hill St., Los Angeles	2,500
Oct. 18, 1948: Willis Allen, 634 North Cherokee Ave., Los Angeles	2,500
Oct. 18, 1948: William B. Peeler, 7133 Sunset Blvd., Hollywood	2,500
Oct. 18, 1948: Lawrence W. Allen, 2104 North Highland Ave., Hollywood	2,500
Total	30,000

This was not the only time that the Treasury Department, under the New Deal administration resorted to the issuance of questionable rulings for the purpose of financing the 1948 political campaign.

On April 29, 1952, I incorporated in the CONGRESSIONAL RECORD copies of a series of political rulings which had been issued by the Treasury Department while Mr. John W. Snyder was Secretary of the Treasury, wherein Mr. Richard J. Reynolds, Winston-Salem, N. C., Mr. Marshall Field, and Mr. David A. Schulte, both of New York City, were permitted to charge off as bad business debts their approximately $400,000 contributions to the 1948 Democratic campaign.

Since incorporating those rulings in the CONGRESSIONAL RECORD I have discovered that this same Mr. Welburn Mayock was one of the prime factors behind those rulings.

On December 27, 1948, Mr. Mayock, without any power of attorney to represent Mr. Reynolds or the others involved but solely in his official capacity as chief counsel of the Democratic National Committee, held a conference with Mr. Edward H. Foley, Under Secretary of the Treasury, and Mr. Thomas J. Lynch, General Counsel of the Treasury Department. At that meeting they discussed the Richard W. Reynolds case, which involved a $300,000 contribution to the Democratic Party, as a party case and arranged for the issuance of a favorable ruling allowing him to write off this contribution as a bad business loan.

As further evidence of the callousness of the political regime then in power we find that the Treasury Department even permitted Mr. Mayock to get away with reporting on his 1948 Federal income tax returns only $17,500 of this $65,000 fee collected from Mr. Lasdon. Before computing his taxes he was permitted to deduct from the fee the $30,000 which he set aside for the Demo-

cratic National Committee. He deducted from the gross fee another $17,500 solely upon his claim that he paid $8,750 each to Mr. William Solomon, 275 Central Park West, New York City, and Mr. Louis Markus, 9445 86th Road, Woodhaven, Long Island, as their share of the tax-fix payoff.

This latter deduction was allowed notwithstanding the fact that when both Mr. Markus and Mr. Solomon testified under oath (August 5, 1953) before the Kean subcommittee, they emphatically denied that they had received any of this fee, and accordingly they had paid no taxes on their alleged share.

But the mere fact that no one was paying any tax on this $17,500 in controversy did not in the least bother the Treasury Department. They merely placed it in the same category as the $30,000 contribution to the Democratic National Committee and allowed everybody to write it off their tax returns.

This procedure of issuing favorable Treasury rulings in exchange for contributions to a political party was extremely costly to the American taxpayers from two angles:

First, the granting of these favorable rulings which apparently would not otherwise have been extended resulted in a substantial loss in revenue.

Second, the issuance of these rulings had the indirect effect of financing a part of the 1948 Democratic campaign out of the Federal Treasury.

The disclosure of these transactions was a shock to the American people and the overwhelming majority of the members of the Democratic Party were just as indignant as were the members of the Republican Party to find that certain high officials in that administration had stooped to such low tactics for the purpose of financing a political campaign.

Even after publishing the additional list of names of those involved in this deal there are still many questions left unanswered in this case, and I suggest that both the Department of Justice and the Treasury Department reexamine the conflicting testimony given before the Kean subcommittee in August 1953.

For instance, the conflict of testimony wherein Mr. Mayock under oath told the committee that he paid $8,750 each to Mr. William Solomon and Mr. Louis Marcus and their testimony of the following day emphatically denying this statement obviously is the basis of a perjury charge.

The statute of limitations may have expired on violations of the Corrupt Practices Act in 1948, but it has not expired on any possible perjury charges resulting from testimony given before the Kean subcommittee in 1953, nor has it expired upon the ability of the Treasury Department to collect back taxes due on the erroneous deduction of the $30,000 fee to the Democratic National Committee as well as the controversial $17,500 referred to above.

Grand juries are now in session at both Omaha and St. Louis, and their work should shed additional light upon the scandal-ridden Tax Bureau of that era.

Mr. WILLIAMS. Mr. President, that report gives the history of the case, along with the manner in which the money was ultimately siphoned into the Democratic National Committee. In other words, the chief counsel of the Democratic committee thought he had the right to fix a tax case and get a favorable ruling for a taxpayer in return for $65,000, of which he would keep $35,000 and turn over the balance of the "hot money" to his political party.

The American people can be thankful that that corrupt gang has been thrown out, and that we now have an administration in Washington under the leadership of President Eisenhower who will condone no such crooked work.

I think the Department of Justice also should be commended for the job they have done in St. Louis.

Mr. MUNDT. Mr. President, I am sure that a number of my good Republican friends in South Dakota will not be happy to learn that their tax money was, in turn, turned over to the Democratic National Committee to help elect a candidate to whom they were opposed. I imagine that there are quite a few good Democrats south of the Mason-Dixon line also who are not too happy to learn about it. That is really taxation without representation.

I am glad the Senator from Delaware has placed the information in the RECORD, and I think time should be made available for any Democratic Senator who desires to reply. Mr. Truman will undoubtedly read this RECORD, and he may wish to comment on it himself. We want fair play. We want those who are accused to answer the accusations—if they can—and, Mr. President, we would like their answers to be as carefully documented as Senator WILLIAMS' charges.

The Senator from Delaware mentioned a book a little earlier in his remarks.

Mr. WILLIAMS. The book is entitled "Truman Scandals." I simply put into the RECORD a summary of that book.

Mr. MUNDT. Does the writer of it have all these facts in his book?

Mr. WILLIAMS. He has many of them. No one book can hold them all. To paraphrase the recent quotations of a great world leader it could be said that "Never in such a short time have so many been found to have been so crooked."

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

Mr. WILLIAMS. I yield.

Mr. FULBRIGHT. I should like to inquire how much time the Senator from Delaware will occupy, because I wish to have action on a bill. I thought the Senator was about through, and I wondered how much longer the Senator will require.

Mr. WILLIAMS. I do not think we shall take very much longer. I have to stop somewhere. Of course, I could talk all night on this question of scandals of the previous administration, but I certainly shall not do that. I shall finish in a few moments.

Mr. FULBRIGHT. The Senator has been talking about things that happened as far back as 20 years ago. I wondered if he would continue indefinitely on matters which were long ago disposed of, anywhere from 2 to 10 years ago.

Mr. WILLIAMS. No doubt there are many who wish these events took place 40 years ago but I remind the Senator that only today two of the highest officials in the Truman administration were convicted in the St. Louis courts.

Let no man attempt to brush off lightly the scandalous condition found to exist in our Government only a few short years ago.

Mr. MUNDT. Mr. President, will the Senator from Delaware yield further?

Mr. WILLIAMS. I yield.

Mr. MUNDT. There was a case disposed of only yesterday or today. That is not really very long ago. We will have to discuss them as they are disposed of, I presume.

Could the Senator supply us with the name of the publisher of the book to which he has referred?

Mr. WILLIAMS. That information is in the report which I placed in the RECORD earlier today.

Mr. MUNDT. Certainly, if it is in this book "The Truman Scandals," and not said on the Senate floor, those accused have access to the courts to sue for libel or slander. Certainly anyone who is not guilty of that of which he is charged has recourse to the courts.

I recommend that they use the courts for that purpose, although my own experience would not be too encouraging, because I remember conducting a hearing with reference to a man named Alger Hiss, who was accused of being a Communist. He said, "If any man makes that statement without immunity I will sue him in court." Members of the press asked Mr. Chambers if Alger Hiss was a Communist, and he said he was. Mr. Hiss did not get around to suing Mr. Chambers that day, or even the next month. He was repeatedly asked, "Why do you not sue this fellow who has said you are a Communist?" So he was forced to sue, but in the suit it was disclosed that there was documentary evidence proving Hiss to be a Communist agent, and he went to the Federal penitentiary, where he belonged.

So, if there are accusations in this book it would be a friendly suggestion to make to those accused that they sue in court—provided only if the accusations are false.

Mr. WILLIAMS. I may say to the Senator from South Dakota that the cases placed in the RECORD again today have been presented to the courts, there have been indictments and convictions. The courts have upheld the position which I took at that time. In conclusion I repeat again that the damaging indictment against the Truman administration is not that these scandals developed during those years but that even after it was called to their attention by Congress they refused to act.

The successful exposure of the crooked officials was accomplished in spite of and not as a result of any cooperation received from the administration then in power.

REINVESTMENT BY AIR CARRIERS OF THE PROCEEDS FROM THE SALE OF PROPERTY AND EQUIPMENT

Mr. BIBLE. Mr. President, I ask unanimous consent that Calendar No. 2039, S. 3449, relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment be temporarily laid aside. I may state in that connection that it is the hope of the acting majority leader that this bill may be called up on Monday.

It is very obvious that it would be impossible to reach a sufficient number of Senators at this late hour in the afternoon in order to dispose of the bill. A very important conference is in progress

on the highway bill, requiring the attendance of a large number of Senators. Likewise, practically the entire membership of the Committee on Foreign Relations is occupied in a hearing.

It is hoped that S. 3449 may be called up sometime on Monday; but at this time I ask unanimous consent that it be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

REGULATION OF EXPORTS

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar 2170, H. R. 9052.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9052) to amend the Export Control Act of 1949 to continue for an additional period of 2 years the authority provided thereunder for the regulation of exports.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments: on page 1, line 8, after the numeral "2", to strike out "The Secretary of Commerce" and insert "The Bureau of Mines", and on page 2, line 3, after the numerals "1957", to strike out "Such survey shall be made by full time employees of the Department of Commerce without limiting, however, the Department of Commerce from calling upon other departments of the Government to make available to the Department of Commerce such information as is available to them," and, in lieu thereof, to insert "The Bureau of Mines is authorized to make use of such assistance in making this survey as the Director of that Bureau deems desirable: *Provided, however*, That the survey shall be made under the authority and direction of the Bureau of Mines."

Mr. FULBRIGHT. Mr. President, the bill (H. R. 9052) would extend the Export Control Act of 1949 for a period of 2 years.

I ask unanimous consent that a statement I have prepared in explanation of the bill be printed at this point in the RECORD as a part of my remarks.

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

STATEMENT BY SENATOR FULBRIGHT

The Export Control Act of 1949 which we are considering today authorizes the President to reduce or prohibit exports of any articles, materials or supplies, including technical data. These controls may, under the act, be exercised to the extent necessary (a) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand; (b) to further the foreign policy of the United States and to aid in fulfilling its international responsibilities; and (c) to exercise the necessary vigilance over exports from the standpoint of their signficance to the national security.

The President has delegated this authority to the Secretary of Commerce, subject to the statutory requirement that no short supply controls may be exercised over any agricultural commodity if the Secretary of Agriculture has determined that the supply of the commodity is in excess of the requirements of the domestic economy.

Extension of the act is recommended by the administration, and I believe there can be no question that the world situation requires this extension. The House has already passed H. R. 9052, which is before the Senate with a favorable recommendation from the Banking and Currency Committee.

I do not believe it is necessary to go into the details of the activities of the Department of Commerce and other agencies administering this act. They have been set forth in detail in the quarterly reports which have been filed by the Secretary of Commerce with the Congress. In general, it may be noted that the powers are used to embargo all shipments from the United States to Communist China and North Korea; that rigorous security controls are exercised over shipments to the European Soviet bloc; and that care is exercised to prevent transshipments and diversions to the Soviet bloc of strategic materials exported to friendly foreign nations. The committee was impressed with the efforts made by the Department of Commerce and other agencies administering the act to carry out the security requirements of the act, and urges that these efforts be maintained and intensified. The job is a difficult one, and I believe the Appropriations Committee should view with a friendly eye any requests for additional staff for enforcement purposes.

The short supply controls exercised under the act are much more limited at the present time. Only 8 commodity groups are under short supply controls, and most of the items involved are of considerable strategic importance.

During the course of the hearings, it became evident that a serious problem existed in the fields of iron and steel scrap over which a limited degree of control is now being exercised by the Commerce Department. The committee went into this question at considerable length and heard from the representatives of the Department of Commerce and also representatives of the scrap-consuming industries—the steel industry, and particularly, the foundries—and also from representatives of the scrap industry.

The basic facts are clear. The conclusions, however, to be drawn from these facts are not so clear.

During 1955 a record production of steel ingots was achieved by the steel industry—100,174,434 gross or long tons, and a record consumption of scrap was required to achieve this production—72,654,925 gross or long tons. Generally speaking, the scrap required was supplied, though there was indication that occasional instances occurred where scrap supplies were extremely low. Scrap exports also attained a record height—4,537,372 gross or long tons (including exports to Canada). This figure is also stated as 4,955,000 short tons. This figure is far in excess of the shipments of scrap in recent years and is even larger than the highest figure reached in the thirties. Exports during the first 4 months of 1956 are running slightly over the rate of the same months in 1955.

The price of scrap has also increased sharply—in fact, has almost doubled since the low point reached in 1954. The price of scrap fluctuates rapidly. In April of 1956, the composite price of No. 1 heavy melting scrap at Pittsburgh, Philadelphia, and Chicago reached a high of $55.50. The price has, however, declined since that date to $44.83 on June 12, 1956, according to Iron Age figures.

The Department of Commerce, recognizing the problem, has kept scrap exports under very close scrutiny. It has also imposed controls in the sense of limiting exports to scrap available to the exporter within 90 days, on a cargo-by-cargo basis, in order to prevent speculation in export licenses, and does not grant a second license to an exporter until the scrap previously licensed has already been exported. The Commerce Department has not, however, imposed any quantitative limits on exports of scrap. It should be noted also that there has been no suggestion that any of the scrap exported was going behind the Iron Curtain.

The high prices of scrap and the great demand for it have had a particular impact on semi-integrated steel mills and foundries which have no captive source of pig iron and are largely dependent on purchased scrap.

The committee was concerned about these scrap exports for two reasons. First, because excessive exports of scrap might reduce the supply of scrap in this country to a point where the steel industry might be prevented from supplying the needs of national defense in an emergency, and second, because shortages of scrap and undue increases in the price of scrap might create severe hardships on firms dependent on scrap and might have an inflationary effect.

The committee, however, on the basis of the information made available to it, was not satisfied that either of these situations had reached a point where exports of scrap must be reduced.

The committee noted that the information and statistics available on certain aspects of the scrap business were less than complete. Accordingly, it agreed that it was desirable and necessary to have a survey made of the scrap business. The bill, as reported contains this requirement.

The proposal to make a survey has raised a number of questions which were considered by the committee. The survey required by the House bill was to be made by the Secretary of Commerce, subject to the requirement that the survey must be made by full-time employees of the Commerce Department. This requirement would have prevented the use of private research organizations, without compensation employees, or employees of other Government agencies in making the survey. The committee was advised by the Secretary of Commerce that this requirement of using full-time employees was undesirable, that a more effective survey could be made at less expense if private research organizations were to be used.

The committee took this recommendation into account and also took into consideration the fact that the Bureau of Mines has for some time been collecting certain information on scrap from scrap consumers. On this basis the committee amended the provision so as to have the survey made by the Bureau of Mines, without limitation on the method of making the survey.

I should call to the attention of the Senate the fact that I have now received a letter from the Secretary of Commerce dated June 11, 1956, opposing the requirement that the survey should be made by the Bureau of Mines. His arguments may be summarized as follows: The generation, collection, and use of ferrous scrap is part of the industrial operations for which Commerce is responsible, both as a general proposition and under the delegations of authority under the Defense Production Act. The Bureau of Mines' activities relating to consumers of scrap do not cover the generators of scrap which the survey is designed to study. The Department of Commerce has already undertaken studies in the field of home scrap and prompt industrial scrap and is working up plans to accomplish the third study—relating to obsolete scrap. The Commerce Department, before this requirement was in-

serted in the House bill, had started proceedings to obtain an appropriation to pay for the survey, and hearings have been held before the Commerce Subcommittee of the House Appropriations Committee.

While I consider it appropriate, as chairman of the committee, to call this letter from Secretary Weeks to the attention of the Senate in order that the Senate may have full information on this matter, I do not feel that the arguments made by Secretary Weeks are conclusive. If a survey is to have real value, it must be completely reliable and objective. Otherwise, any money spent on it is wasted or worse than wasted. The Business and Defense Services Administration in the Department of Commerce, which would ordinarily be responsible for the survey, is manned largely, in the top positions, by employees of the steel companies which are the principal scrap consumers. These are the firms which have been arguing vigorously for limitations on exports of scrap. I do not question the right or privilege of these firms to argue for limitations on exports of scrap. However, it does not seem to me appropriate to place these steel company representatives in charge of the survey of ferrous scrap, with power to say what the scope of the survey shall be, with power to influence the way in which it is carried out, and with power to influence the conclusions to be drawn from the survey. In my judgment, a more objective survey would be conducted by the Bureau of Mines.

In conclusion, I urge that the Senate approve the extension of the Export Control Act.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in explanation of the attitude of the committee toward an amendment submitted by the senior Senator from Arkansas [Mr. McCLELLAN].

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

STATEMENT BY SENATOR FULBRIGHT CONCERNING AMENDMENT SUBMITTED BY SENATOR McCLELLAN

The committee considered Senator McCLELLAN's amendment and decided that the subject was of such a broad scope and involved such an important constitutional principle that it would be inappropriate to include the provision as an amendment to the Export Control Act. The committee, of course, wanted to make it clear that the omission of the amendment from the bill, as reported, was not intended as any indication whatever of the committee's view on the subject of the amendment. The committee did not want the omission of the provision to be interpreted as an indication of disagreement with the proposal, or as indicating its conclusion that the Commerce Department letter opposing the amendment is correct.

On the contrary, the committee's omission of the provision from the bill, as reported, should be considered only as an indication that the committee feels the subject should be explored more fully in the appropriate committee.

It is my understanding that the Subcommittee on Constitutional Rights of the Judiciary Committee is conducting a study on this subject. I believe this is a more appropriate group to consider this proposal than is the Committee on Banking and Currency.

Mr. FULBRIGHT. Mr. President, I have received three letters, two from the Secretary of Commerce and one from the Secretary of the Interior, commenting upon a provision of the bill requiring the Bureau of Mines to make a survey of the situation with regard to scrap iron. I ask unanimous consent that the letters may be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, May 29, 1956.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: We understand that your committee is currently considering H. R. 9052 as passed by the House on May 21, 1956. Section 2 of the bill provides as follows:

"SEC. 2. The Secretary of Commerce is hereby directed to immediately make a complete survey of the iron and steel scrap available and potentially available and to file with the Congress an interim report within 3 months and a final report not later than January 31, 1957. Such survey shall be made by full-time employees of the Department of Commerce without limiting, however, the Department of Commerce from calling upon other departments of the Government to make available to the Department of Commerce such information as is available to them."

We believe that it is unnecessary to enact into law a direction that the Secretary of Commerce make the desired survey of iron and steel scrap availability. We are fully aware of the recommendation of the House Committee on Banking and Currency in House Report No. 1998 and are in full agreement as to the desirability of such a survey. Officials of this Department have testified in support of a request for a supplemental appropriation of $75,000 for this purpose which is currently being considered by an appropriations subcommittee of the House of Representatives. In addition, we feel that we have ample authority without need for additional legislation.

As a matter of fact, the Department of Commerce is already engaged in preparing studies on three broad aspects of iron and steel scrap availability. Two of these aspects, that is, those relating to home scrap and prompt industrial scrap, would be carried out directly by the Department of Commerce since, in essence, they involve collecting and compiling data from those industries which generate those types of scrap and with whom we are in regular contact.

A study of the third broad aspect, namely, that of obsolete scrap, presents problems of much greater complexity since the generation of scrap of this type is diffused through many areas of our economy and indeed the public generally. We have discussed these problems at length with technical personnel representing both the scrap-consuming and scrap-collecting industries and have generally received assurances of cooperation in a survey of obsolete scrap by a private qualified industrial research organization selected by the Department. We are convinced that from the standpoint of the Government it would be highly preferable to have such a study made by a private organization. The language of section 2, quoted above, would not permit this to be done, and we think that in any event the bill should be amended in this respect.

To perform a complex study of the availability of obsolete scrap requires highly specialized research skills and experience which are not to be found within the ranks of persons presently within the Department of Commerce. To assemble the requisite group of specially qualified persons as Government employees would be prohibitive both in terms of cost and time. The importance of the time factor was emphasized in the debates in the House of Representatives and is expressed in the time limits set out in section 2 as it now stands. Recruitment would be rendered difficult by the temporary character of the work.

On the other hand, private research organizations, and it is believed that there are a number of such firms qualified to do this study, have readily available to them permanent staffs of specialists in the fields of metallurgy, engineering, and economic and marketing research. These individuals are already generally familiar with the technical and economic problems involved in an analysis of obsolete scrap supply. Such organizations therefore would require a minimum of outside help, and would be prepared to undertake such a study with a minimum of delay. They would offer reasonable assurance of completion within the time allowed.

Were the Department of Commerce forced to perform this phase of the survey it seems quite clear that the cost would substantially exceed the charge made by a private organization, and in addition there appears no possibility that it could meet the deadlines imposed in section 2 as it now stands.

I hope that the foregoing serves to make clear the position of this Department in this matter and will be of assistance to the committee in its deliberations.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

THE SECRETARY OF COMMERCE,
Washington, June 11, 1956.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: We note that section 2 of H. R. 9052 (to amend the Export Control Act of 1949, etc.) as reported out by your committee (Rept. No. 2147) provides that the Bureau of Mines shall make a complete survey of the iron and steel scrap available and potentially available and report thereon to Congress. H. R. 9052 as passed by the House of Representatives would provide that this survey is to be made by the Department of Commerce.

We are of the opinion that this shift of responsibility from the Department of Commerce to the Bureau of Mines is not in the interest of efficiency nor consonant with the respective areas of responsibility of the two agencies concerned. Our reasons are as follows:

(1) The generation, collection, and utilization of ferrous scrap is essentially a part of the industrial operations which fall within the basic responsibility of the Department of Commerce. Scrap is a secondary material. It is not a raw material in the same sense as metal ores which are mined and processed, which operations do properly fall within the assigned area of the Bureau of Mines. The Department of Commerce has long been concerned with ferrous scrap under the Defense Production Act. It has also had full responsibility for ferrous scrap under the Export Control Act.

(2) Within the executive branch of Government the defense production and mobilization responsibilities with respect to ferrous scrap have been assigned to the Department of Commerce by the President and the Director of the Office of Defense Mobilization.

(a) Executive Order 10480, as amended (18 F. R. 4939), particularly section 201. (Delegation of functions under the Defense Production Act, as amended.)

(b) Executive Order 9630 (10 F. R. 12245); Executive Order 9919 (13 F. R. 59); (sec. 11 of Export Control Act; 50 U. S. C. App. 2031). (Delegation of export control functions.)

(c) Defense mobilization order I-7 (18 F. R. 6736). (Delegation of functions under the Defense Production Act, as amended.)

(d) Defense mobilization order I-8 (19 F. R. 875). (Assignment of defense mobilization responsibilities to the Department of Commerce.)

(e) Defense mobilization order VII-5, as amended (18 F. R. 6408; 19 F. R. 7349). (Designation of supply and requirements agencies.)

(3) The Bureau of Mines activities in this area relate only to the collection of data on consumption of scrap by users and inventories in the hands of such users. They do not go to the generators of scrap, and it is information in this area which lies at the heart of the proposed survey. Scrap is generated in large part by industrial activities which lie within the assigned responsibility of the Department of Commerce.

(4) It is illogical, particularly as a matter of administration, to provide that an agency without direct responsibility in a particular area shall nevertheless perform a survey the results of which are to be acted upon by another agency bearing responsibility in that area.

(5) The Department of Commerce is already in process of preparing studies on all aspects of the ferrous scrap situation. Two of these studies, those relating to home scrap and prompt industrial scrap, are underway. The Department is working up plans for accomplishing the third and remaining study, namely, that of obsolete scrap. It is in regular contact with both the scrap-consuming segments of industry and the scrap collectors and dealers. It has discussed the proposed scrap survey at length with these elements of industry, has their general concurrence and has had expression of their views as to the type of survey required as well as assurances of cooperation on their part.

(6) The Department had, prior to the passage of the bill by the House, submitted to the Bureau of the Budget a request for a supplemental appropriation for the purpose of having the Department undertake a survey and study of obsolete scrap resources. This request was approved by the Bureau of the Budget, transmitted to the Congress, and hearings have been held on the request before the Commerce Subcommittee of the House Appropriations Committee. As of this date the subcommittee has not reported.

Accordingly, we strongly urge that appropriate action be taken to substitute the "Secretary of Commerce" for the "Bureau of Mines" in section 2 of H. R. 9052 as reported out by your committee.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 14, 1956.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, United States Senate, Washington, D. C.

My DEAR SENATOR FULBRIGHT: This refers to the action taken on H. R. 9052 (to extend the Export Control Act) by the Senate Committee on Banking and Currency (Rept. No. 2147). The bill as passed by the House of Representatives would have required the Secretary of Commerce to make a complete survey of the iron and steel scrap available and potentially available. Your committee amended the bill to transfer this responsibility to the Bureau of Mines. We understand that this is to be a single survey rather than a continuing statistical study.

It is my view that this particular single survey should be made by the Department of Commerce rather than the Bureau of Mines. I have been informed that that Department has already initiated studies of the home scrap and prompt and industrial scrap phases of the iron and steel scrap problem and that it is making preparation for a study of so-called obsolescent scrap. In view of the time and effort which have already been put into these studies, I believe it would be desirable that responsibility for this survey be assigned to the Department of Commerce.

In expressing this view, I am mindful of the statistical data relating to iron and steel scrap consumption and inventory which the Bureau of Mines compiles, and has been collecting since before World War II, as an integral part of its authorized responsibilities of compiling and disseminating pertinent information affecting the minerals-producing industries and for guiding its technical research program. It is our understanding that the authorization of the particular single survey provided for in section 2 of the bill is not intended to supplant or duplicate this continuing program of the Bureau of Mines.

Sincerely yours,

FELIX E. WORMSER,
Assistant Secretary of the Interior.

Mr. FULBRIGHT. Mr. President, I conferred a few moments ago with the senior Senator from Indiana [Mr. CAPEHART] with regard to the bill. He informed me that he has no objection to the passage of the bill, but that he had to be away from the floor at this moment.

I do not believe there is any objection at all to the bill. It is a routine bill, similar to bills which have been under consideration before, extending the Export Control Act for 2 years.

The only provision in the bill which occasioned any serious discussion was the provision relating to the survey of the scrap iron situation. The question was not as to whether there should be such a survey, but as to who should make the survey. The committee decided that the survey should be made by the Bureau of Mines, because it was felt that if it were made by the Bureau of Mines confidence in the result of the survey would be assumed. The Bureau of Mines, we believe, is an agency which will conduct an impartial survey. So I do not believe there is any controversy with regard to the extension of the law.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE OF PORTION OF FORMER PRISONER-OF-WAR CAMP TO THE STATE OF WYOMING

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2217, H. R. 8404. I particularly invite the attention of the senior Senator from Wyoming to the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8404) 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 PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Nevada?

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. BARRETT. Mr. President, the purpose of the bill is to transfer to the State of Wyoming 39 acres of land formerly held as a prisoner-of-war camp at Douglas, Wyo. The land will be used, according to the bill, for the activities of the Wyoming National Guard.

The bill was reported unanimously by the committee. The Bureau of the Budget, the Secretary of Defense, and the General Services Administration have submitted reports approving transfer of the property to the State of Wyoming for the benefit of the National Guard.

The usual reservations are contained in the bill.

An identical bill was introduced by myself and my colleague, the distinguished junior Senator from Wyoming [Mr. O'MAHONEY], in the early part of the year.

The pending bill was passed unanimously by the House. So far as I know, there is no objection whatsoever to the bill from any source.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

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

LOSS OR DAMAGE TO MILITARY MATERIAL IN TRANSIT

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2113, H. R. 8102.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8102) to provide for the disposition of moneys arising from deductions made from carriers on account of the loss of or damage to military material in transit.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the bill would create a uniform procedure among the military departments in the handling of moneys recovered from common carriers because of loss or damage to military or naval material in transit.

The Army and the Air Force now are permitted to utilize such recoveries for the replacement of the material damaged or lost, while the Navy is required to cover such moneys into the Treasury under miscellaneous receipts.

Under the bill, all three military departments would be allowed to use these recoveries to replace the material lost or damaged. The bill would permit the accomplishment of the purposes for which the appropriation was initially granted, rather than require new appropriations for the same purpose, as is the case with the Navy today.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

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

REFUND OF REENLISTMENT BONUSES

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2114, House bill 8693.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 8693) to amend the Career Compensation Act of 1949, in relation to the refund of reenlistment bonuses.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, this measure would repeal a requirement of existing law that disbursing officers who collect an unearned reenlistment bonus from a member of the uniformed services who does not complete the term of enlistment for which the bonus was paid must subtract from the amount recovered any amounts paid in Federal or State income taxes on the refundable part.

There are two sections of the Career Compensation Act dealing with reenlistment bonuses. Both of these sections provide that when a person does not complete a term of enlistment for which he received a reenlistment bonus, he must refund the unearned part of the bonus. One of the sections, section 207 (a), provides that there will be subtracted from the amount the member must refund any amounts paid in Federal or State income taxes on such refundable part. Section 208 does not contain the same requirement.

The effect of this requirement is to cause disbursing officers troublesome computations, in that they must secure copies of the tax returns involved and recompute the taxes to determine how much is attributable to the refundable amount. Even then, the original returns could be amended, or the Internal Revenue Service could make a future adjustment of the tax due.

If the bill is enacted, disbursing officers collecting unearned portions of reenlistment bonuses would furnish the member concerned a certificate of the amount collected that would serve as the basis for a tax refund claim initiated by the member, if this action is appropriate.

Since most enlistments are now being entered into under section 208, rather than section 207 (a), it is believed that this bill will not work any undue hardship on the members of the services who may be affected by it.

The bill was reported unanimously from the Committee on Armed Services.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 8693) was ordered to a third reading, read the third time, and passed.

REPLY BY SENATOR FLANDERS TO REMARKS BY SENATOR McNAMARA ON YESTERDAY

Mr. FLANDERS. Mr. President, yesterday the CONGRESSIONAL RECORD reported the remarks of the junior Senator from Michigan, in the course of which remarks it was said:

> Mr. President, each time I think the Eisenhower administration has gone about as far as it can go in its cold-blooded attitude toward human problems, I get a new surprise.
>
> The latest example of this callous approach to suffering is the news story that Secretary of the Treasury Humphrey depicts our economy as enjoying a refreshing pause.

Now, this speech of the junior Senator from Michigan disturbed me very much. So I have been examining the record to see just what it was that the Secretary of the Treasury said.

In the first place, I wish to put into the RECORD the fact that he never said anything about a "refreshing pause." Those words were in the headline which the headline writer placed over the report of the Secretary's remarks, but they were no part at all of the Secretary's testimony, and were not used by him.

I should like to go on a little further with the Secretary's testimony and with the remarks of the junior Senator from Michigan to see what warrant there was, if any, for the use of that headline.

The junior Senator from Michigan said:

> As he was quoted in press reports this morning, Mr. Humphrey told a congressional subcommittee that it is "just as well to hesitate a little."

I have gotten hold of the records of the hearing at which those words were said, and wish to put the context of that remark into the RECORD, so that those words will not be taken out of context and given a meaning which they do not have. So, going through the records of the Joint Committee on the Economic Report, I find, on page 4 of those records a statement by the Secretary referring to the big inventories, particularly in the automobile field. He said:

> So that when you get up to a very high level and you have got your head against the ceiling, it is well to just have it hesitate a little bit.

An entirely different turn of meaning is given to those words when they are taken in context than appears in the remarks of the junior Senator from Michigan.

Then Secretary Humphrey said:

> And that is what is going on, and I think it is very good and very wholesome."

I would say the whole trend of the Secretary's remarks was that when one had gotten into trouble, it was a good idea to get out of it and not get into deeper trouble.

A further reference in the remarks of the junior Senator from Michigan was this quotation from the Secretary's testimony:

> Conditions are now proceeding in a very satisfactory manner.

Again, we have to refer to the transcript of the remarks to see what he meant by that. Speaking of the layoffs in the automotive industry the Secretary said:

> Well, I think their difficulties arise from a number of things. * * *
>
> On the other hand, I think that as you look at it now, conditions are proceeding in a very satisfactory way, and I believe that over a relatively short time some of these inventory difficulties will be behind us, and we can forget them.

Mr. President, to these two quotations from the text in which the Secretary's words are put in their context, I wish to add two observations of my own. The first observation I wish to make is that I myself feel that the automotive industry itself is not blameless in the recession which it is suffering and which its workmen are suffering at the present moment. There seemed last year to be an insane desire to push as many automobiles as possible on to the market. The manufacturers pushed them on to the dealers, and the dealers did the best they could to get them into the hands of the public. In my judgment, that process was bad for the automotive industry, bad for its employees, and bad for the country as a whole. I sincerely hope this incident of indisposable, or slowly disposable, inventories and a decrease in employment will be taken to heart by the leaders of the automotive industry, and that they will do their selling with such wisdom and restraint as will tend to keep a constant market for automobiles and a constant high level of employment for those engaged in the automotive industry.

The next point I wish to make, Mr. President, in connection with this incident is this: I have the very strong conviction that the two principal political parties, which in fact are practically the only parties on the United States political scene, have different functions to perform. I shall not take it upon myself to assign any functions to the party represented by our distinguished friends on the other side of the aisle. But I have a very clear and distinct idea of what is the function of the Republican Party, to which I am glad to belong. It is our particular function—because it is in large measure left to us—to see to it, insofar as we can, and insofar as it can be obtained by Government action, where action is required, or by inaction, where action is not required, that the level of business production and the level of business employment remain high. If at times that has the aspect of appearing to support business, whether big or little, that aspect is a true reflection of the situation. We do try so to support the business of this country that there will be high production and high employment. I, for one, Mr. President, expect to pursue that responsibility as a member of the Republican Party, without being disturbed by any criticisms which would attribute such action and such

policies to an endeavor to maintain profits for the well-to-do. What we are maintaining is production and employment.

In accordance with this same idea of party responsibility, it is my judgment that Secretary Humphrey has spoken and acted, and is now speaking and acting, in the way which best serves to maintain production and employment in this country.

COL. JOHN A. O'KEEFE

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives with respect to Senate bill 2984.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2984) for the relief of Col. John A. O'Keefe, which were, on page 1, line 4, strike out all after "pay," over through "appropriated," in line 5, and insert "out of the funds of the District of Columbia,", and on page 1, line 7, strike out "United States" and insert "District of Columbia."

Mr. BIBLE. Mr. President, I desire to make a brief explanation. On April 30, 1956, Senate bill 2984, for the relief of Col. John A. O'Keefe, was passed by the Senate. The bill has now been passed by the House of Representatives with an amendment providing for the payment out of the funds of the District of Columbia, rather than out of money in the Treasury not otherwise appropriated. A study of the House amendment discloses that a subsequent report was received by the House committee from the District of Columbia, which recommended that this amendment be included, pursuant to a recommendation of the Bureau of the Budget.

Accordingly, Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

ERNEST B. SANDERS

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives regarding Senate bill 415.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 415) for the relief of Ernest B. Sanders, which was on page 2, line 2, after "act", insert "in excess of 10 percent thereof."

Mr. BIBLE. Mr. President, a brief explanation of the amendment is that on June 30, 1955, the Senate passed Senate bill 415, for the relief of Ernest B. Sanders. The bill has now been passed by the House, with an amendment which provides for the payment of an attorney's fee not to exceed 10 percent.

A study of the House amendment discloses that services of an attorney were actually rendered in connection with this claim.

Accordingly, Mr. President, I move that the Senate concur in the amendment of the House of Representatives to Senate bill 415.

The motion was agreed to.

CONVEYANCE OF CERTAIN PROPERTY TO THE CITY OF ROSEBURG, OREG.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2223, Senate bill 3316; and I invite the attention of the junior Senator from Oregon [Mr. NEUBERGER] to this measure.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3316) authorizing the Administrator of General Services to convey certain property which has been declared surplus to the needs of the United States to the city of Roseburg, Oreg.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3316), which had been reported from the Committee on Government Operations with amendments, on page 1, at the beginning of line 4, to strike out "and directed"; in the same line, after the word "deed", to strike out the comma and "without consideration"; and on page 2 after line 7, to insert:

Any such conveyance shall be conditioned upon—

(1) the payment by the city of Roseburg, Oreg., to the United States of a sum equal to 50 percent of the fair market value of all such property, including the dwelling structure situated upon such land and the contents of such dwelling, based upon the highest and best use of such property at the time of such conveyance;

(2) the use of the land so conveyed by such city for public park or public recreational purposes for a period of not less than 20 years after such conveyance, and the reversion of all or any part of such land to the United States, in its then existing condition, at the option of the United States in the event that the Secretary of the Interior determines at any time during such period that such land has ceased to be used or maintained by such city for any such purpose; and

(3) an undertaking by such city that the dwelling structure situated upon such land and the contents thereof will be disposed of by such city only to the Douglas County Historical Society.

So as to make the bill read:

Be it enacted etc., That the Administrator of General Services is authorized to convey by quitclaim deed to the city of Roseburg, Oreg., all right, title, and interest of the United States in and to (1) that parcel of land, together with any improvements thereon, which comprises a part of the property commonly known as the Lillie Lela Moore estate, and which is described as lots 5, 6, and 7, block 29, Douglas County, Roseburg, Oreg., and (2) that part of such estate consisting of furniture, personal effects, and jewelry which has been designated by the said Administrator as lot A personalty, such property having been devised to the United States by Lillie Lela Moore under the provisions of her will probated in 1940, and which has since been declared surplus to the needs of the United States.

Any such conveyance shall be conditioned upon—

(1) the payment by the city of Roseburg, Oreg., to the United States of a sum equal to 50 percent of the fair market value of all such property, including the dwelling structure situated upon such land and the contents of such dwelling, based upon the highest and best use of such property at the time of such conveyance;

(2) the use of the land so conveyed by such city for public park or public recreational purposes for a period of not less than 20 years after such conveyance, and the reversion of all or any part of such land to the United States, in its then existing condition, at the option of the United States in the event that the Secretary of the Interior determines at any time during such period that such land has ceased to be used or maintained by such city for any such purpose; and

(3) an undertaking by such city that the dwelling structure situated upon such land and the contents thereof will be disposed of by such city only to the Douglas County Historical Society.

Mr. NEUBERGER. Mr. President, the bill can be explained very briefly.

The purpose of the bill is to authorize and direct the Administrator of General Services to convey all right, title, and interest of the United States in and to three lots and improvements thereon, including furniture and other personal property, to the city of Roseburg, Oreg., for public park and historical museum purposes.

Public-spirited people of the city of Roseburg, Mr. President, have taken the lead in urging that this building and site be reserved for historical and public purposes, rather than be surrendered to commercialism. That is why I have introduced this proposed legislation, and why I hope the Senate will pass the bill today.

The bill has been reported to the Senate with several amendments which have been recommended by the General Services Administration. The amendments provide that the city must pay 50 percent of the fair market value of the property at issue, and restrict use of the property to the purposes I have described, namely, either for public park purposes or for museum purposes.

The bill also—and very properly, in my opinion—provides that the building thereon and the contents may be disposed of by the city of Roseburg only to the Douglas County Historical Society.

Mr. President, the bill is a very worthy one, and it will perpetuate a very valuable and strategically located property in the city of Roseburg, to be used for public purposes, and to assure that all the property—both the land and the building thereon—will be used for these public purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3316) was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN MEMBERS OF THE UNIFORMED SERVICES

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 2115, House bill 8922.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8922) to provide for the relief of certain members of the uniformed services.

The PRESIDING OFFICER. Is there objection to the request for the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. BIBLE. Mr. President, this bill will validate overpayments of reenlistment allowances aggregating more than $6 million. The number of persons who have received these payments is 18,365. The payments were made in accordance with Department of Defense regulations, and were received by the members in good faith.

The Comptroller General took exception to the payments, as he was required to do under a strict construction of the law; but the Comptroller has advised the committee that he has no objection to the enactment of this bill.

An understanding of the overpayments that this bill would validate necessarily involves consideration of the history of reenlistment allowances.

Prior to the Career Compensation Act of 1949, members reenlisting received an enlistment allowance computed on the basis of past service, that is, the number of years served by a member in his prior enlistment. The basic concept of an enlistment allowance was changed by the Career Compensation Act, which provides in section 207 thereof for a reenlistment bonus based on future service, that is, the number of years for which the member reenlists. The Career Compensation Act also had a savings provision that members who reenlisted within 3 months after discharge from an enlistment entered into prior to the effective date of the Career Compensation Act, October 1, 1949, would be entitled to receive either—First, the enlistment allowance in effect prior to October 1, 1949; or second, the reenlistment bonus authorized under the Career Compensation Act, whichever was greater. Department of Defense regulations provided that enlisted members entitled to the benefit of the savings provision would get the greater amount, without any election on their part.

The act of July 16, 1954, provided an alternative system of reenlistment bonuses, with a relatively large bonus for first enlistments and decreasing bonuses for the second, third, and fourth reenlistments. The 1954 act also provided that any reenlistment when a bonus was not authorized would not be counted in determining whether the new reenlistment was the first, second, third, or fourth enlistment. In decision B-121690, dated March 30, 1955, the Comptroller General ruled that those persons who had the benefit of the savings provision mentioned above, under which they received an enlistment allowance, as distinguished from a reenlistment bonus, because the former was larger, had nonetheless reenlisted "when a bonus was authorized." Consequently, a reenlistment after the 1954 act for these members was treated by the Comptroller as a second, third, or fourth reenlistment, rather than the first, second, or third one, with the result that the members received more bonus than they were entitled to under a strict construction of the law.

This bill was approved by the Armed Services Committee in the realization that the amount of the bonus to which these members apparently were entitled was a consideration affecting their decision whether to remain in the military service, and because the payments were made in accordance with Department of Defense regulations.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 8922) was ordered to a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BIBLE. Will the Chair advise the acting majority leader what is the unfinished business?

The PRESIDING OFFICER. The Chair is informed that the unfinished business is Senate bill 3982, a bill to provide for the maintenance of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories and possessions, and for other purposes.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE PORT OF PORT TOWNSEND, WASH.

Mr. BIBLE. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2193, Senate bill 3388.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3388) to provide for the conveyance of certain real property of the United States of America to the port of Port Townsend, Wash.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment, on page 2, after line 3, to strike out:

SEC. 2. (a) The Administrator shall determine, in accordance with the provisions of subsection (b) of this section, the fair market value of the real property subject to conveyance under this act and if the port of Port Townsend fails to tender to the Administrator an amount equal to such fair market value on or before the 120th day after the date such fair market value is made known to the port of Port Townsend by the Administrator, this act shall cease to be in effect after such 120th day.

(b) Fair market value as used in this section means an amount equal to the average of the two appraisals of such land which were made July 1954 and October 1955 at the request of the Administrator.

And, in lieu thereof, to insert:

SEC. 2. The Administrator shall determine the fair market value of the real property subject to conveyance under this act and if the port of Port Townsend fails to tender to the Administrator an amount equal to such fair market value on or before the 120th day after the date such fair market value is made known to the port of Port Townsend by the Administrator, this act shall cease to be in effect after such 120th day.

So as to make the bill read:

Be it enacted etc., That the Administrator of General Services (herein referred to as the "Administrator") is authorized and directed to convey to the port of Port Townsend, Wash., subject to the provisions of sections 2 and 3 of this act, all of the right, title, and interest of the United States in and to certain real property consisting of 30.62 acres, more or less, located in Jefferson County, Wash., comprising a part of the real property commonly known as Hudson Point, formerly used by the Department of the Army for amphibious training purposes, the exact legal description of which shall be determined by the Administrator.

SEC. 2. The Administrator shall determine the fair market value of the real property subject to conveyance under this act and if the port of Port Townsend fails to tender to the Administrator an amount equal to such fair market value on or before the 120th day after the date such fair market value is made known to the port of Port Townsend by the Administrator, this act shall cease to be in effect after such 120th day.

SEC. 3. There shall be reserved to the United States all minerals including oil and gas, in the real property authorized to be conveyed by the first section of this act, and the deed of conveyance shall contain such additional terms, conditions, reservations, and restrictions as the Administrator determines to be necessary to protect the interest of the United States.

SEC. 4. The Administrator shall cover into the Treasury as miscellaneous receipts all proceeds under this act.

The amendment was agreed to.

Mr. BIBLE. Mr. President, I should like to make a brief explanation of the bill.

The purpose of this bill is to authorize and direct the Administrator of General Services to convey to the port of Port Townsend all right, title, and interest of the United States in 30.62 acres of land of which 28.44 acres was originally donated by the town of Port Townsend to the United States. This property has been declared excess to the needs of the Department of Defense and referred to the General Services Administration for disposal as surplus property. The bill, as amended, further provides that, if the port of Port Townsend agrees to pay the fair market value of the property, such payment must be tendered to the Administrator on or before the 120th day after receiving notice of the fair market value, to be determined by the Administrator. The United States reserves all minerals including oil and gas; and the imposition of such additional terms as the Administrator determines to be necessary to protect the interests of the United States.

Since the property covered by this bill, originally donated for patriotic reasons by the citizens of Port Townsend, Wash., to the Federal Government, has now been abandoned by the United States and the property declared surplus to the needs of the Government, it is the view of the committee that the approval of

S. 3338 is a matter of equity, and in the public interest.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

CONVEYANCE OF CERTAIN LANDS TO THE TOWN OF NORTH KINGSTOWN, R. I.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2214, Senate bill 3195.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3195) to authorize the Administrator of General Services to convey certain lands in the State of Rhode Island to the town of North Kingstown, R. I.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the purpose of this bill is to authorize and direct the Administrator of General Services to convey by quitclaim deed all right, title, and interest of the United States to approximately 3.4 acres of land, including improvements thereon, to the town of North Kingstown, R. I. Such land is part of a tract formerly held by the Department of the Navy and declared surplus to the needs of the Navy. The town of North Kingstown, R. I., agrees to pay to the Administrator of General Services as consideration for the land conveyed an amount equal to 50 percent of its fair market value as determined by the Administrator after appraisal of said land. The bill further provides if the land conveyed is not used for public purposes all right, title, and interest shall revert to the United States.

The committee of taxpayers appointed by the city have made a thorough study of the present facilities, and recommended building a new combined fire and police department on higher grounds to avoid damage from future floods and hurricanes. The site approved by the committee as most suitable is described in detail in S. 3195.

The Quonset Naval Air Station and the Davisville Supply Depot are located in North Kingstown. The taxpayer committee reports that the servicemen and families and the civilian employees and their families will benefit by a true fire and police protection if S. 3195 is approved. The committee further states that North Kingstown is unable financially to complete necessary improvements to the existing buildings, or to enter into competitive bidding for the land needed for the proposed site for the new building to house the fire and police departments.

The bill comes from the Committee on Government Operations with unanimous approval.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey by quitclaim deed to the town of North Kingstown, R. I., all right, title, and interest of the United States in and to approximately 3 1/10 acres of land, including improvements thereon, in such town. Such land, which is part of a tract formerly held by the Department of the Navy and declared surplus to the needs of such Department, is more particularly described as follows: Beginning at a point in the easterly line of Post Road which point is 100 feet northerly from a concrete bound at the northwest corner of land now or formerly of Dot Seafood Company; thence the line runs in a northerly direction 500 feet bounded westerly by said Post Road; thence turning an interior angle of 90 degrees, 5 minutes, 20 seconds, the line runs in an easterly direction 262.74 feet; thence turning an interior angle of 96 degrees, 32 minutes, 1 second, the line runs in a southern direction 503.27 feet; thence turning an interior angle of 83 degrees, 27 minutes, 59 seconds, the line runs in a westerly direction 320.0 feet to the point of beginning; said line being 100 feet from and parallel to the northerly line of land now or formerly of the Dot Seafood Company and making an interior angle of 89 degrees, 54 minutes, 40 seconds with the first described line; the last three courses being bounded northerly, easterly, and southerly by land of the United States of America. The above-described tract contains three and four-tenths acres more or less.

SEC. 2. The conveyance authorized by this act shall be subject to the conditions (1) that the town of North Kingstown, R. I., pay to the Administrator of General Services as consideration for the land conveyed an amount equal to 50 percent of its fair market value as determined by the Administrator after appraisal of such land, and (2) that in the event the land conveyed pursuant to this act ceases to be used for public purposes all right, title, and interest so conveyed shall revert to the United States.

AMENDMENT OF SECTION 158 OF THE REVISED STATUTES OF THE UNITED STATES

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2215, Senate bill 3768.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3768) to amend section 158 of the Revised Statutes of the United States, as amended, so as to include the Department of Health, Education, and Welfare among the executive departments there listed, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the purpose of this bill, introduced in the Senate at the request of the Secretary of Health, Education, and Welfare, is to add the Department, established by Reorganization Plan No. 1 of 1953, to the list of executive departments in section 158 of the Revised Statutes, title 5, United States Code, section 1. Plan No. 1 of 1953 failed to provide for the inclusion of the Department in section 158 of the Revised Statutes. Approval of S. 3768 would give the Department full statutory parity with other executive departments. The bill makes adequate provision to assure that nothing therein would be inconsistent with Reorganization Plan No. 1 of 1953, or with various other statutes applicable to the Department, or with laws which are antiquated and not generally applicable to other departments.

Section 2 provides for the appointment by the President of a General Counsel, with Senate confirmation, who shall be the chief legal officer of the Department, and act as Secretary during the absence or disability, or in the event of a vacancy in the office, of the Secretary and of the Under Secretary and the Assistant Secretaries. The Secretary of Health, Education, and Welfare states that this provision is desirable to conform the status of this position with that of the chief legal officers of other executive departments having comparable functions and responsibilities.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) section 158 of the Revised Statutes of the United States, as amended (5 U. S. C. 1), is amended to read as follows:

"SEC. 158. The provisions of this title shall apply to the following executive departments:

"First. The Department of State.
"Second. The Department of Defense.
"Third. The Department of the Treasury.
"Fourth. The Department of Justice.
"Fifth. The Post Office Department.
"Sixth. The Department of the Interior.
"Seventh. The Department of Agriculture.
"Eighth. The Department of Commerce.
"Ninth. The Department of Labor.
"Tenth. The Department of Health, Education, and Welfare."

(b) The amendment made by subsection (a) of this section shall not be construed to make applicable to the Department of Health, Education, and Welfare any provision of law inconsistent with Reorganization Plan No. 1 of 1953 or Public Law 13, 83d Congress, or to supersede or limit any function or authority of the Department of Health, Education, and Welfare, or any officer thereof, under any law in effect prior to the enactment of this act, or prevent or limit the expenditure of funds for any such function or authority.

SEC. 2. (a) There shall be in the Department of Health, Education, and Welfare a General Counsel who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter provided by law for assistant secretaries of executive departments. The General Counsel shall be the chief legal officer of the Department and shall perform such functions as the Secretary of Health, Education, and Welfare may prescribe.

(b) The General Counsel shall act as Secretary during the absence or disability, or in the event of a vacancy in the office, of the

Secretary of Health, Education, and Welfare and of the Under Secretary and the Assistant Secretaries of Health, Education, and Welfare.

LEASE-PURCHASE AGREEMENTS

Mr. BIBLE. Mr. President, I ask unanimous censent that the Senate proceed to the consideration of Calendar No. 2194, S. 3866.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3866) to facilitate the making of lease-purchase agreements by the Administrator of General Services under the Public Building Act of 1949, as amended, and by the Postmaster General under the Post Office Department Property Act of 1954, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the bill proposes to amend the provisions of the Lease-Purchase Act of 1954, relating to approval of lease-purchase agreements by the Bureau of the Budget.

Under present law the Bureau must approve a proposed lease-purchase agreement for the General Services Administration or the Post Office Department, before the agreement can be sanctioned by Congress; and after congressional authorization, the Bureau must again review the agreement as to its specific terms and provisions.

This double review results, it is believed, in unnecessary duplication and expense. The bill would obviate the requirement that the Bureau make the second review of the agreement. The Bureau would still be required to approve the general desirability of the proposed agreement.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (e) of section 411 of the Public Buildings Act of 1949, as added by section 101 of the Public Buildings Contract Act of 1954 (68 Stat. 518), is further amended—

(1) by repealing so much of said subsection (e) as reads: "No proposed purchase contract agreement shall be executed under this section unless such agreement has been approved by the Director of the Bureau of the Budget, as evidenced by a written statement of such officer to the effect that the execution of such agreement is necessary and is in conformity with the policy of the President."; and

(2) by adding at the end of subparagraph 8 of said subsection (e) the following: "Such statement by the Director shall be based on budgetary and related considerations and shall not be deemed to constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor."

SEC. 2. Subsection (g) of section 202 of the Post Office Department Property Act of of 1954, 68 Stat. 521, is amended—

(1) by repealing so much of said subsection (g) as reads: "No proposed lease-purchase agreement shall be executed under this section unless such agreement has been approved by the Director of the Bureau of the Budget, as evidenced by a written statement of such officer to the effect that the execution of such agreement is necessary and is in conformity with the policy of the President."; and

(2) by adding at the end of subparagraph 8 of said subsection (g) the following: "Such statement by the Director shall be based on budgetary and related considerations and shall not be deemed to constitute approval by the Director of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor."

CONVEYANCE OF CERTAIN LAND TO THE CITY OF HOGANSVILLE, GA.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2216, H. R. 7896.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7896) to provide for the conveyance of certain land in the city of Hogansville, Ga., to the city of Hogansville.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the bill would authorize the Administrator of General Services to convey to the city of Hogansville, Ga., all right, title, and interest of the United States in and to certain surplus Government land, upon payment by the city of the sum of $3,000 in consideration thereof. The bill provides for the reversion of title to the United States in the event that use of the land for public purposes should be discontinued at any time within 20 years after conveyance.

The bill has the unanimous approval of the Committee on Government Operations.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the third reading of the bill.

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

SALE OF CERTAIN REAL PROPERTY TO THE EAGLE ROCK YOUNG MEN'S CHRISTIAN ASSOCIATION, LOS ANGELES COUNTY, CALIF.

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2218, H. R. 9377.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9377) to provide for the sale to the Eagle Rock Young Men's Christian Association of certain real property located in Los Angeles County, Calif.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. Mr. President, the bill would authorize and direct the Administrator of General Services to sell to the Eagle Rock Young Men's Christian Association certain surplus Government realty situated in Los Angeles County, Calif., upon payment to the Government of an amount equal to the fair market value of such property at its highest and best use as determined by the Administrator.

The bill has the unanimous approval of the Committee on Government Operations.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

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

NOTICE IN THE FEDERAL REGISTER OF PROCLAMATIONS, ORDERS, ETC., FOLLOWING AN ATTACK UPON THE UNITED STATES

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2219, H. R. 10417.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 10417) to amend the Federal Register Act, as amended, so as to provide for the effectiveness and notice to the public of proclamations, orders, regulations, and other documents in a period following an attack or threatened attack upon the continental United States.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. BIBLE. The purpose of the bill is to provide statutory authority for the promulgation, filing, or publication of certain official documents, now required by law to be filed with the Federal Register Division of the National Archives Establishment and published in the Federal Register, in the event of a determination by the President that an attack or threatened attack on the continental United States, by air or otherwise would make compliance impracticable or would fail to give the public appropriate notice of the contents of such documents.

The bill seeks to accomplish this objective by authorizing the President, after making such determination, to, first, suspend all or part of the legal requirements for promulgating, filing, or publishing such documents; and second, establish such alternate systems for promulgating, filing, or publishing such documents, including requirements relating to their effectiveness or validity, as may be deemed practicable to provide

public notice of the issuance and contents of such documents.

The bill has the unanimous approval of the Committee on Government Operations.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

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

PREMISES LEASED FOR GOVERNMENT PURPOSES

Mr. BIBLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2221, S. 3843.

The PRESIDING OFFICER. The Secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3843) to adjust the application of section 322 of the so-called Economy Act of 1932 to premises leased for Government purposes.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with an amendment, after line 7, to strike out:

SEC. 2. The act of April 28, 1942 (56 Stat. 247, as amended; 40 U. S. C. 278b), is hereby amended by inserting, immediately after the words "Secretary of the Navy", the words "or the Administrator of General Services."

So as to make the bill read:

Be it enacted, etc., That section 322 of the act of June 30, 1932 (47 Stat. 412), as amended by section 15 of the act of March 3, 1933 (47 Stat. 1517, 40 U. S. C. 278a), is hereby amended by striking "$2,000" in the final proviso and substituting "$5,000."

The amendment was agreed to.

Mr. BIBLE. Mr. President, the purpose of this bill, which was introduced at the request of the Administrator of General Services, is to simplify the making and administration of leases for the rental of premises for Government purposes in the light of changes in circumstances which have occurred since 1933, when certain effected provisions of law were enacted.

The act of June 30, 1932, prohibited the Government from paying a rental for leased premises in excess of 15 percent of the fair market value of such rental premises, and limited the expenditure for alterations, improvements, or repair thereof to no more than 25 percent of the amount of the rent for the first year of the rental term. Subsequently, the act of March 3, 1933, exempted annual rentals amounting to $2,000 or less from the 15 percent rental limitation in order to avoid the disproportionate expense and difficulty involved in appraising and determining the fair market value of small properties for this purpose. This bill would raise this exemption from $2,000 to $5,000, which the Administrator of General Services reports is necessary in order to continue to avoid unnecessary appraisal expenses since statistics indicate that $5,000 today will rent approximately the same amount of space as did $2,000 in 1933.

The bill has the unanimous approval of the Committee on Government Operations.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to announce for the information of the Senate that, following morning business on Monday, there will be a call of the calendar. It is the intention of the leadership to proceed with the legislative appropriation bill which has been reported by the committee today, and the report will be available to Members.

Following consideration of the legislative appropriation bill it is planned to consider Calendar No. 2169, Senate bill 3982, to provide for the maintenance of production of tungsten, asbestos, fluorspar, and columbium-tantalum in the United States, its Territories and possessions, and for other purposes, and Calendar No. 2139 relating to the reinvestment by air carriers of the proceeds from the sale or other disposition of certain operating property and equipment, together with any bills which may have been objected to on the call of the calendar.

I hope, Mr. President, that on Monday the committee may be able to work up the defense appropriation bill. Hearings were concluded on that bill on Monday of this week, but we have been delayed in marking up the bill because of the absence from the city of certain Members and because of some very important conferences which have been taking place. It is an extremely important appropriation bill, and, with the exception of the foreign aid bill, it is the last appropriation bill.

It is the hope of the leadership that the Senate may be able to consider the bill as soon as it is reported, perhaps on Tuesday, or, at the latest, on Wednesday. We are also working diligently to report the foreign aid bill. The road bill is in conference, and it may be that we shall have a report on it early in the week.

I give this advance notice, Mr. President, so that all Senators may know of the plans of the leadership.

The PRESIDING OFFICER. What is the pleasure of the Senate?

ADJOURNMENT TO MONDAY

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who care to address the Senate, I move that, in accordance with the order previously entered, the Senate stand in adjournment until next Monday at noon.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Monday, June 18, 1956, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 14 (legislative day of June 11) 1956:

FEDERAL POWER COMMISSION

Arthur Kline, of Wyoming, to be a member of the Federal Power Commission, for a term of 5 years, expiring June 22, 1961.

DIPLOMATIC AND FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

To be consuls general

Edward Page, Jr., of the District of Columbia.
Henry H. Ford, of Florida.
Frederick C. Oechsner, of Louisiana.
Robert P. Chalker, of Florida.

To be Foreign Service officers of class 2, consuls, and secretaries

Ralph J. Burton, of Illinois.
Basil Capella, of Maryland.
Loren Carroll, of Illinois.
Arch K. Jean, of Pennsylvania.
Arthur G. Jones, of Virginia.
Robert N. Magill, of Maryland.
George H. Owen, of New York.
David H. Popper, of New York.
Walter A. Radius, of Virginia.
Donovan Q. Zook, of Ohio.

To be Foreign Service officers of class 3, consuls, and secretaries

Kenneth W. Calloway, of Illinois.
Mary Mulloy Carmichael, of Montana.
Daniel H. Clare, Jr., of Virginia.
Robert A. Conrads, of the District of Columbia.
William E. Fee, Jr., of New York.
Bernard J. Humes, of Virginia.
Albert E. Irving, of Maryland.
Robert H. Kranich, of Maryland.
Richard S. Leach, of Connecticut.
Albert P. Mayio, of Michigan.
George T. Moody, of Maryland.
George S. Newman, of New York.
George A. Pope, of Idaho.
Ralph Scarritt, of Illinois.
Leslie C. Tihany, of Illinois.
Harold N. Waddell, of Georgia.
Findley Weaver, of Oklahoma.

To be Foreign Service officers of class 4, consuls, and secretaries.

Edward S. Benet, of Texas.
Waldemar B. Campbell, of Washington.
John Warner Foley, Jr., of New Hampshire.
Alvaro F. Galván, of New York.
Lawrence E. Gruza, of Connecticut.
Paul M. Kattenburg, of Virginia.
Stanley R. Kidder, of Oregon.
Oris F. Kolb, of Virginia.
Glenwood B. Matthews, of California.
Saul Moskowitz, of New York.
John P. Reddington, of New York.
Everett W. Schoening, of Illinois.
Miss Eulalia L. Wall, of Texas.
Robert L. Ware, Jr., of New Jersey.
Samuel H. Young, of Florida.

To be consul

George R. Phelan, Jr., of Missouri.

To be Foreign Service officers of class 5, vice consuls of career, and secretaries

Charles W. Brown, of California.
Edward H. Brown, of Pennsylvania.
Joseph F. Christiano, of New York.
Thomas W. Fina, of Florida.
Wayne R. Gilchrist, of Missouri.
Walter T. Kamprad, of California.
George R. Kaplan, of Massachusetts.
Earl A. Kessler II, of Oregon.
Mrs. Elvira L. Lawyer, of the District of Columbia.
Miss Margaret McDonald, of South Dakota.
Miss Alice C. Mahoney, of Arizona.
Miss Colette Meyer, of California.
Miss Helen J. Mullen, of New York.
John G. Panos, of Illinois.
Miss Wilma C. Patterson, of Indiana.
Edward M. Peach, of Virginia.
Miss M. Adelaide Roberts, of Pennsylvania.
Miss Margaret A. Stanturf, of Missouri.
Robert G. Sturgill, of Utah.
Abraham Vigil, of Colorado.
Daroslav S. Vlahovich, of New Jersey.
Henry C. Wechsler, of Ohio.
Miss Hertha C. Wegener, of New York.
Mrs. Margaret P. A. Welsh, of Louisiana.
Miss Helen B. Wilson, of California.
Miss Jane B. Young, of the District of Columbia.

To be Foreign Service officers of class 6, vice consuls of career, and secretaries

Thomas A. Bartlett, of Oregon.
Carlton Brower, of California.
Davis S. Chamberlain, of New Jersey.
Edward M. Cohen, of New York.
John G. Dean, of New York.
Miss Sharon E. Erdkamp, of Nebraska.
Donald C. Ferguson, of California.
Lewis P. Fickett, Jr., of Maine.
Miss Catherine M. Frank, of Connecticut.
Roderick N. Grant, of California.
Charles W. Grover, of New York.
Mrs. Winifred T. Hall, of New Jersey.
Robert M. Immerman, of New York.
Donald A. Johnston, of New York.
Ernest B. Johnston, Jr., of Alabama.
Gordon A. Klett, of California.
Gerald Lamberty, of Wisconsin.
Jay H. Long, of California.
David R. McClurg, of Illinois.
Edward R. O'Connor, of New York.
Robert K. Olson, of Minnesota.
Miss Mary Hoxton Pierce, of Florida.
William B. Pounds, Jr., of Ohio.
Ernest G. Reeves, of North Carolina.
J. Harden Rose, of Illinois.
Edward M. Rowell, of California.
Miss Edith M. Scott, of the District of Columbia.
Peter Semler, of New York.
William Slany, of the District of Columbia.
John T. Tinny, of Florida.
Julius W. Walker, Jr., of Texas.

To be consuls

Robert W. Ades, of Oregon.
Jay Castillo, of Nevada.
Gordon P. Hagberg, of California.
James Moceri, of Washington.
Miss Barbara M. White, of Illinois.
Louis C. Bosetti, of Conecticut.

To be consuls and secretaries

Douglas S. Blaufarb, of Maryland.
George F. Wilson, of California.

To be secretaries

Paul Garbler, of North Carolina.
Lloyd A. Harnage, of Florida.
Robinson McIlvaine, of Pennsylvania.

To be vice consuls

William P. Boteler, of the District of Columbia.
James P. Hurley, of New York.
Theodore L. Lewis, of New York.
Jean M. Nater, of Virginia.
Richard H. Snowdon, of the District of Columbia.

COAST AND GEODETIC SURVEY

To be Assistant Director of the Coast and Geodetic Survey, with the rank of rear admiral, for a term of 4 years, effective August 10, 1956

Robert W. Knox

The following persons for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be lieutenants

Donald L. Campbell
Robert C. Munson
Gerard E. Haraden

To be lieutenant (junior grade)

James P. Randall

To be ensigns

Vastine C. Ahlrich
Jordan S. Baker
Ronald D. Bernard
Merlyn D. Christensen
Larry H. Clark
Arthur M. Cook
Robert D. Frost
Charles E. Fuller
Lawrence C. Haverkamp
Robert A. Hoyt
William A. Hughes
William M. Lee
Allen J. Lewis
Michael G. Lusk
Earl R. Scyoc
Lawrence L. Seal
Richard F. Shoolbred
G. Thomas Susi
Philip J. Taetz

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 14, 1956

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou great God of men and of nations, we rejoice that in the calendar of our national life there are many special days which we commemorate and celebrate with feelings of pride and patriotism.

Grant that this day, which we call Flag Day, may inspire and kindle within our minds and hearts a greater love and loyalty for our country and its democracy.

Make us more truly grateful for Thou hast given us a goodly heritage and hast not dealt so bountifully and graciously with any nation.

Wherever our flag is unfurled may it be the symbol of justice and righteousness and the glorious herald of proclaiming the dawning of a new day of freedom and peace for all mankind.

Hear us in the name of the Prince of Peace. Amen.

The JOURNAL of the proceedings of yesterday 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 of the House of the following titles:

On June 7, 1956:

H. R. 3996. An act to further amend the Military Personnel Claims Act of 1945;

H. R. 4656. An act relating to the Lumbee Indians of North Carolina; and

H. R. 9429. An act to provide medical care for dependents of members of the uniformed services, and for other purposes.

On June 13, 1956:

H. R. 1671. An act for the relief of Clement E. Sprouse.

H. R. 5268. An act to amend section 303 of the Career Compensation Act of 1949 to authorize the payment of mileage allowances for overland travel by private conveyance outside the continental limits of the United States;

H. R. 6268. An act to facilitate the construction of drainage works and other minor items on Federal reclamation and like projects;

H. R. 7679. An act to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.;

H. R. 9390. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1957, and for other purposes;

H. R. 9536. An act making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1957, and for other purposes; and

H. R. 10251. An act to authorize the Administrator of Veterans' Affairs to deed certain land to the city of Grand Junction, Colo.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks 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. 11319. An act making appropriations for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30, 1957, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. HAYDEN, Mr. RUSSELL, Mr. MCCLELLAN, Mr. ROBERTSON, Mr. HILL, Mr. MAGNUSON, Mr. HOLLAND, Mr. KNOWLAND, Mr. SALTONSTALL, Mr. YOUNG, Mr. THYE, Mr. MUNDT, Mrs. SMITH of Maine, Mr. DWORSHAK, and Mr. KERR to be the conferees on the part of the Senate.

The message also announced that the Senate requests the House of Representatives to return to the Senate House Joint Resolution 472, entitled "Joint resolution for the relief of certain aliens," as amended.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 56–16.

RECESS

The SPEAKER. Pursuant to the order of the House of June 6, 1956, the Chair declares the House in recess for the purpose of commemorating Flag Day.

Thereupon (at 12 o'clock and 3 minutes p. m.) the House stood in recess.

FLAG DAY

During the recess the following proceedings took place in honor of the

United States flag, the Speaker of the House of Representatives presiding:

FLAG DAY PROGRAM. UNITED STATES HOUSE OF REPRESENTATIVES, JUNE 14, 1956

Presiding Officer: The Speaker, Hon. SAM RAYBURN.

United States Marine Band (Capt. Albert Schoepper, leader, conducting) and the Interservice Choral Group enter the door to the left of the Speaker and take positions assigned them.

Doorkeeper announces The Flag of the United States.

Members rise.

Marine Band plays The Stars and Stripes Forever.

The flag is carried into the Chamber by marine colorbearer and a guard from each of the other branches of the Armed Forces (Capt. George B. Crist, U. S. Marine Corps, commanding).

The color guard salutes the Speaker, faces about, and salutes the House.

Hon. LOUIS C. RABAUT is recognized.

The Interservice Choral Group, accompanied by the Marine Band, sing the song The Pledge of Allegiance to the Flag, by Irving Caeser, ASCAP, arranged by Donald Hunsberger, United States Marine Band. Soloist: S. Sgt. William Jones, United States Marine Band. (Members remain seated.)

Hon. LOUIS C. RABAUT is recognized.

Members rise and sing the National Anthem, accompanied by the Marine Band and the Interservice Choral Group.

Members remain standing while the colors are retired from the Chamber, the Marine Band playing the National Emblem March.

The Marine Band and the Interservice Choral Group leave the Chamber.

Mr. RABAUT was recognized by the Speaker and delivered the following address:

Mr. Speaker, we are gathered here this Flag Day to rededicate our spirit and our might to national patriotism and national unity. The flag is a physical symbol of nobler and loftier things. It is far more than a standard of grace and beauty. In its folds is written the history of a great people; in its rustling may be heard the footsteps of patriot bands, at Lexington and at the bridge of Concord, immortalized in Emerson's phrase:

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood,
And fired the shot heard 'round the world.

This flag reflects the radiance that glowed at Yorktown where Washington's ragged legions overwhelmed the armies of a king and lifted in triumph the banner of a free people.

It waved on land and sea in 1812. It carries in its bright stars and glorious stripes the triumph of our armies from Vera Cruz through mountain passes and spreading plains to the heights of victory. It represents a country and people reunited after 4 bloody and tragic years in which sections and brothers uselessly but gallantly poured out upon a hundred fields the finest blood of the North and the South. A part of its fabric stretches from the battlefields of Cuba to the distant jungles of the Philippines. It recalls the vivid and stirring recollections of 1918 and 1945, when our men carried the colors of the Republic to glorious triumph and helped restore peace to a warring world.

This flag represents something more than armies and navies, and wars and victories. It represents a mighty and yet a peaceful people. It is the ensign of a great and devoted Republic—a land of free men, which nurses no dream of aggression or conquest.

Whenever these colors are lifted they signify a concept of nationality, and an ideal of democracy and self-government that are distinctly American. This flag is emblematic of the making of America—of the moving, thrilling, and enthralling story of struggle and hardship and suffering in humble beginnings—of youthful and healthful growth, and, now, of mature strength. It represents the industry and enterprise of pioneers who mastered the wilderness and conquered the plains and deserts. It proclaims the inventive genius, the toiling labor and business leadership which have developed an industrial structure that commands the admiration of the modern world. It speaks of the educational and cultural and spiritual forces that have ennobled and uplifted the life of this mighty people.

This flag symbolizes the government and political institutions of the most splendid Republic ever builded by the genius and statesmanship of man.

It is based upon a noble concept of the rights of the individual—that government rests upon and is created to serve—the individual—for in his personal responsibility lies its weakness or its strength.

These colors are emblematic of the Constitution of the United States and its distribution and separation of governmental power. Every American knows that the Constitution is a great barrier between his liberty and tyranny.

Americans should remember that its covenants have preserved for them and for posterity that which was wrested by turbulent barons from an unwilling king. Through its lines is woven the brave spirit of a Parliament that dared defy the Crown. It throbs with the spirit of that ringing declaration that circled the globe and thrilled the world. In its stately stanzas, they may catch the drum beat and hear the tramp of Continental Armies, and majestically moving through its pages are the statesmanship of Madison and Franklin and other patriot fathers, and the calm courage and lofty patriotism of Washington.

That is the America our fathers gave us. This is our America, we are determined that it shall remain our America. If it is to remain ours, we—and we alone—can preserve it—and protect it—and hand it down to our sons, stronger and nobler for our having lived, and served, and sacrificed. Every citizen of this Democracy has a task and a duty to preserve it. Individual right, individual privilege, carries with it individual responsibility.

This is our country, our democracy, ours to govern, ours to advance, ours to perfect and protect, and ours to make more glorious. Every American has a solemn and lofty duty laid upon him, a duty commensurate with his ability, his resources, and his intellect. We must stamp out and extirpate communism and all other foreign "isms" and subversive influences which seek to undermine things American.

We shall tolerate neither the espionage agents assigned to local embassies, nor the treachery of any domestic influence or group.

It is a manifest obligation to our people, to our institutions, to our territory and to our lives; to the heroic traditions of a great and glorious past; to those whose blood, labor, and treasure established this Nation; to the martyred dead who have defended and protected it—it is our manifest obligation to all these to keep America strong, morally and physically.

To attain these noble ends we look back through our history and treasured traditions of 180 years. We salute the Continental Congress that gave us the Declaration of Independence and with them exclaim, "With a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, fortunes, and our sacred honor."

To the Star Spangled Banner, proudly displayed in this Chamber, we pledge a firm devotion, which springs from a heart fired with true loyalty, and a mind tempered and cooled with a patriotic realization of the necessities of the moment.

"Long may it wave o'er the land of the free and the home of the brave."

At this time, I should like to introduce the world-famous United States Marine Band under the very capable direction of Capt. Albert Schoepper, who will conduct the band, and Choirmaster S. Sgt. William Jones, of the Interservice Choral Group, who will perform their arrangement of the song The Pledge of Allegiance to the Flag. This pledge song, incorporating the words "under God," aptly stresses our dependence upon Almighty guidance in national and international affairs.

After the singing of the song, The Pledge of Allegiance to the Flag, Mr. RABAUT made the following statement:

Mr. Speaker, you have heard our song and music to the flag. The highest form of praise is expressed in music and song, when Christ was born the angels sang. This Nation, under God—God who is the sole dispenser of authority has singularly blessed America. Long may its banner fly as a beacon of freedom to people everywhere and to the greater honor and glory of the Creator of the world.

Now, the membership will rise and sing the national anthem, accompanied by the United States Marine Band and the interservice choral group.

After the singing of the national anthem the colors were retired from the Chamber.

At 12 o'clock and 30 minutes p. m. the proceedings in honor of the United States flag were concluded.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 10 minutes p. m.

DEPARTMENT OF COMMERCE APPROPRIATION BILL—CONFERENCE REPORT

Mr. PRESTON. Mr. Speaker, I call up the conference report on the bill

(H. R. 10899) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1957, and for other purposes, 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 Georgia [Mr. PRESTON]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2344)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10899) "making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1957, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 5, 15, 25, and 26.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 12, 13, 24, 27, 29, 30, and 31, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,450,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,475,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "one hundred"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$126,804,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,625,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$16,200,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,900,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$960,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$82,700,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,115,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "$15,350,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,350,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,500,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,600,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 22, 23, and 28.

PRINCE H. PRESTON,
ALBERT THOMAS,
JOHN J. ROONEY,
SIDNEY R. YATES,
JOHN F. SHELLEY,
DANIEL J. FLOOD,
CLARENCE CANNON,
CLIFF CLEVENGER,
FRANK T. BOW,
EDWARD T. MILLER,
JOHN TABER,
Managers on the Part of the House.

SPESSARD L. HOLLAND,
ALLEN J. ELLENDER,
WARREN MAGNUSON,
JOHN C. STENNIS,
MARGARET CHASE SMITH,
STYLES BRIDGES,
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 amendments of the Senate to the bill (H. R. 10899) making appropriations for the Department of Commerce and Related Agencies for the fiscal year ending June 30, 1957, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF COMMERCE

General administration

Amendments Nos. 1 and 2—Salaries and expenses: Appropriate $2,450,000 instead of $2,425,000 as proposed by the House and $2,465,000 as proposed by the Senate, and eliminate language inserted by the Senate providing funds to be expended upon the certificate of the Secretary.

The conferees concur in the statement contained in the Senate committee report concerning the handling of personnel transfers to the Office of the Under Secretary for Transportation.

Bureau of the Census

Amendment No. 3—Salaries and expenses: Appropriates $7,475,000 instead of $7,413,000 as proposed by the House and $7,575,000 as proposed by the Senate.

Amendment No. 4—Census of governments: Appropriates $1,750,000 as proposed by the House instead of $2,100,000 as proposed by the Senate. The action of the conferees is not intended to reduce any of the functions proposed under this program.

Amendment No. 5—National housing inventory: Appropriates $1,000,000 for a survey of housing as proposed by the House instead of $650,000 for a national intercensal survey of housing as proposed by the Senate.

Civil Aeronautics Administration

Amendment No. 6—Operation and regulation: Authorizes the replacement of 100 passenger motor vehicles instead of 90 as proposed by the House and 110 as proposed by the Senate.

Amendment No. 7—Operation and regulation: Appropriates $126,804,000 instead of $125,000,000 as proposed by the House and $128,608,000 as proposed by the Senate. The amount agreed to by the conferees includes the sum of $108,000 to permit continued operation of 39 intermediate landing fields scheduled for discontinuance in the coming year.

Amendment No. 8—Establishment of air navigation facilities: Appropriates $40,000,000 as proposed by the Senate instead of $37,500,000 as proposed by the House.

Civil Aeronautics Board

Amendment No. 9—Salaries and expenses: Appropriates $4,625,000 instead of $4,550,000 as proposed by the House and $4,700,000 as proposed by the Senate.

Amendment No. 10—Payments to air carriers: Appropriates $16,200,000 instead of $15,000,000 as proposed by the House and $17,400,000 as proposed by the Senate.

Coast and Geodetic Survey

Amendment No. 11—Salaries and expenses: Appropriates $10,900,000 instead of $10,800,000 as proposed by the House and $11,020,000 as proposed by the Senate.

Amendment No. 12—Construction of a surveying ship: Appropriates $3,700,000 as proposed by the Senate instead of $3,400,000 as proposed by the House.

Business and Defense Services Administration

Amendment No. 13—Salaries and expenses: Appropriates $6,900,000 as proposed by the Senate instead of $7,200,000 as proposed by the House.

Office of Business Economics

Amendment No. 14—Salaries and expenses: Appropriates $960,000 instead of $1,000,000 as proposed by the House and $900,000 as proposed by the Senate.

Maritime activities

Amendment No. 15—Ship construction: Reinstates House language authorizing reconditioning and betterment of one ship in the national defense reserve fleet which was stricken by the Senate.

Amendments Nos. 16 and 17—Ship construction: Appropriates $82,700,000 instead of $54,800,000 as proposed by the House and $108,880,000 as proposed by the Senate, and approves $1,115,000 for transfer to salaries and expenses instead of $1,000,000 as proposed by the House and $1,232,000 as proposed by the Senate.

The appropriation agreed to by the conferees includes $2,300,000 for the conversion of two mariners for the American President Lines, $65,000,000 for the ship replacement program, $10,000,000 for acquisition of replaced ships, $4,000,000 for research and development, and $1,400,000 for administrative and warehouse expenses.

Amendment No. 18—Operating differential subsidies: Approves 2,040 voyages instead of 2,000 as proposed by the House and 2,075 as proposed by the Senate.

Amendments Nos. 19, 20, and 21—Salaries and expenses: Appropriates $15,350,000 instead of $15,187,000 as proposed by the House and $15,500,000 as proposed by the Senate, and authorizes $6,500,000 for administrative expenses, instead of $6,482,000 as proposed by the House and $6,600,000 as proposed by the Senate, and $1,600,000 for maintenance of shipyards and reserve training facilities and operation of warehouses, instead of $1,445,000 as proposed by the House and $1,650,000 as proposed by the Senate.

Inland Waterways Corporation

Amendment No. 22—Reported in disagreement.

National Bureau of Standards

Amendment No. 23—Construction of facilities: Reported in disagreement.

TITLE II—THE PANAMA CANAL

Amendment No. 24—Panama Canal Company: Authorizes $3,679,000 for general and administrative expenses as proposed by the Senate instead of $3,562,100 as proposed by the House.

Amendments Nos. 25 and 26—Panama Canal Company: Authorize the purchase of not to exceed 18 passenger motor vehicles for replacement only as proposed by the House.

TITLE III—INDEPENDENT AGENCIES

Amendment No. 27—St. Lawrence Seaway Development Corporation: Authorizes $325,000 for administrative expenses instead of $315,000 as proposed by the House.

Amendment No. 28—St. Lawrence Seaway Development Corporation: Reported in disagreement.

Amendment No. 29—St. Lawrence Seaway Development Corporation: Authorizes the purchase of four passenger motor vehicles as proposed by the Senate instead of three as proposed by the House.

Amendments Nos. 30 and 31—Salaries and expenses, Small Business Administration: Appropriate $1,900,000 as proposed by the Senate instead of $1,890,000 as proposed by the House, and authorize the transfer of $4,634,000 from the revolving fund as proposed by the Senate instead of $4,610,000 as proposed by the House.

PRINCE H. PRESTON,
ALBERT THOMAS,
JOHN J. ROONEY,
SIDNEY R. YATES,
JOHN F. SHELLEY,
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CLARENCE CANNON,
CLIFF CLEVENGER,
FRANK T. BOW,
EDWARD T. MILLER,
JOHN TABER,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 22, on page 17, line 4, insert "Inland Waterways Corporation administered (under the supervision and direction of the Secretary of Commerce): Not to exceed $14,000 shall be available for administrative expenses to be determined in the manner set forth under the title 'General expenses' in the Uniform System of Accounts for Carriers by Water of the Interstate Commerce Commission (effective January 1, 1947)."

Mr. PRESTON. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 22, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 23, page 22, line 17, insert: "Construction of facilities: For acquisition of necessary land and to initiate the design of the facilities to be constructed thereon for the National Bureau of Standards outside of the District of Columbia to remain available until expended, $930,000 to be transferred to the General Services Administration."

Mr. PRESTON. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 28, page 29, line 15, insert "including not to exceed $1,500 for official entertainment expenses, to be expended upon the approval or authority of the Administrator."

Mr. PRESTON. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 28, and concur therein.

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

Mr. PRESTON. I yield.

Mr. GROSS. Was this bill increased over the bill as it left the House?

Mr. PRESTON. This bill is $105,941,000 below the budget estimate. It is $24,729,000 above the House figures. I may say that represents the amount of funds put in the bill for ship construction that was eliminated by the committee. We took a very heavy cut on ship construction in the House. This was a compromise figure on that item.

Mr. GROSS. One other question: Were there any supergrade employees provided in this bill?

Mr. PRESTON. There are none.

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

Mr. PRESTON. I yield.

Mr. BOW. Is it not true that under this report we are now $29,584,000 under the Senate bill?

Mr. PRESTON. That is correct.

Mr. BOW. The conference came back with a saving of $29,584,000?

Mr. PRESTON. That is correct.

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

Mr. PRESTON. I yield.

Mr. ROONEY. Although there has been a cut in ship construction money, it is the fact, is it not, that there has been allowed new construction of six cargo ships for American Export Lines and Moore-McCormack Lines?

Mr. PRESTON. The gentleman is correct. Funds are provided for that purpose in the bill.

The SPEAKER. The question is on the motion.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

MRS. ANNA ELIZABETH DOHERTY—RETURN OF BILL BY THE PRESIDENT

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

In compliance with the request contained in the resolution of the House of Representatives (the Senate concurring therein), I return herewith H. R. 1913 entitled "An act for the relief of Mrs. Anna Elizabeth Doherty."

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *June 14, 1956.*

PROCEEDINGS DURING RECESS ORDERED PRINTED

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the proceedings that took place during the recess of the House be inserted in the RECORD prior to action taken on the conference report just adopted.

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

There was no objection.

CALENDAR WEDNESDAY, JUNE 20 AND JUNE 27, 1956

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday on June 20 and June 27 may be dispensed with.

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

There was no objection.

ADJOURNMENT TO MONDAY JUNE 18

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

HOSPITALIZATION AND CARE OF MENTALLY ILL OF ALASKA

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6376) to provide for the hospitalization and care of the mentally ill of Alaska, and for other purposes, with a Senate amendment thereto, disagree to the amendment of the Senate and ask for a conference with the Senate.

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, is the gentleman asking for a conference or to agree in the Senate amendment?

Mr. ENGLE. I am asking for a conference, following our understanding.

Mr. MILLER of Nebraska. This is the mental health bill for Alaska?

Mr. ENGLE. Yes.

Mr. MILLER of Nebraska. Mr. Speaker, I withdraw my reservation of objection.

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

California? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. O'BRIEN of New York, EDMONDSON, Mrs. GREEN of Oregon, Messrs. MILLER of Nebraska, and SAYLOR.

LIMITING THE APPELLATE JURISDICTION OF THE SUPREME COURT OF THE UNITED STATES

Mr. VINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. VINSON. Mr. Speaker, I have today introduced a bill to limit the appellate jurisdiction of the Supreme Court of the United States.

Article 3 of the Constitution provides that the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. Section 2 of article 3 provides that the judicial power shall extend to all cases in law and equity arising under the Constitution and the laws of the United States, to all cases of admiralty, to controversies which the United States shall be a party, to controversies of two or more States, between a State and citizens of another State, and between citizens of different States.

The only original jurisdiction granted to the Supreme Court are those cases affecting ambassadors, other public ministers and counsels, and those in which a State shall be a party.

Section 2 of article 3 also contains language, however, which provides that the Supreme Court shall have appellate jurisdiction both as to law and fact "with such exceptions, and under such regulations as the Congress shall make."

Thus the bill, if enacted into law, will carry out the constitutional power of the Congress to limit the appellate jurisdiction of the Supreme Court.

My bill recognizes the fact that after a decision, judgment, or decree of the Supreme Court has been in effect for 50 years or more it should be considered as well accepted law. And it may not thereafter be reviewed on appeal or otherwise except when Congress specifically passes an enabling act authorizing the precedent to be reviewed. This is simply a statutory extension of the well accepted doctrine of stare decisis and a recognition that the stability of our courts and their decisions, which have over a period of time attained the status of well accepted doctrine, shall not be disturbed.

And having limited the appellate jurisdiction of the Supreme Court, the remainder of the bill reestablishes the long and honored decisions of the Supreme Court which have remained in effect for 50 years or more by providing that any decree, judgment, or decision handed down by the Supreme Court of the United States since January 1, 1954, which reverses, alters, or modifies a decision that has stood for 50 years or more shall be of no force and effect whatsoever.

The purpose of the proposed bill is to restore the faith of the American people in the stability of accepted law, and to surround the time-honored traditional decisions which have stood the test of time with the statutory protection to which they are entitled.

PRESCRIBING POLICY AND PROCEDURE IN CONSTRUCTION CONTRACTS MADE BY EXECUTIVE AGENCIES

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight Friday to file a report on the bill (S. 1644) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes.

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

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time to inquire of the majority leader as to the program for next week.

Mr. McCORMACK. Mr. Speaker, Monday is Consent Calendar day, and also there will be four suspensions called up as follows:

S. 1749, adopting and authorizing the improvement of Rockland Harbor, Maine.

S. 3076, to provide for a continuing survey and special studies of sickness and disability in the United States, and for periodic reports of the results thereof, and for other purposes.

H. R. 5257, to amend the act entitled "An act to fix a reasonable definition and standard of identity of certain dry milk solids."

H. R. 9592, to amend section 403 (b) of the Civil Aeronautics Act of 1938 so as to permit air carriers and foreign air carriers, subject to certain conditions, to grant reduced-rate transportation to ministers of religion.

If a rule is granted, H. R. 4054, a bill having to do with agriculture, marketing facilities, and so forth of perishable food may be considered during the week. This bill may not necessarily be called up on Monday, but it will be placed on the calendar so it can be brought up some day next week.

Mr. Speaker, I may say that the Members may want to look into certain aspects of that bill. I imagine some Members might be interested in analyzing the provisions of that bill. I know I will.

Tuesday is Private Calendar day. Incidentally, I may say if there are any rollcall votes on Monday or Tuesday, they will take place on Wednesday, because Maine has its primary and Connecticut has its convention on Monday and Tuesday.

After call of bills on the Private Calendar and on Tuesday, Wednesday, Thursday, Friday, and Saturday—but not necessarily in the following order—House Concurrent Resolution 244, creating joint committee for the unveiling of Commodore John Barry statue.

Also House Resolution 524, disapproving the sale of the alcohol butadiene manufacturing facility at Louisville, Ky.

H. R. 11544, to amend the Bankhead-Jones Farm Tenant Act, if a rule is granted.

H. R. 7850, having to do with the Little Wood River reclamation project in Idaho, if a rule is granted. I do not know whether a rule has been granted or not, but I think one will be granted.

H. R. 11040, having to do with advance research and development programs. That is a bill that is on the program today but it will not be called up for consideration due to the request of the chairman of the committee by reason of a death in his family.

Then H. R. 11742, the Housing Act of 1956, if a rule is granted.

I may say that I noticed certain contempt proceedings in the papers have been voted by a committee. Whether or not the Committee on Un-American Activities will want those brought up next week I am unable to say, but if the chairman of that committee does want them to be brought up, I am announcing now that they will be called up for consideration, but not before Wednesday. They will be put on the program.

While I am unable to give in advance the information, much depends on the Rules Committee. However, I expect rules will be reported on all of the bills, although no rules have been reported up to the present time.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I notice that in the number of bills to which the gentleman called attention he did not refer to the postal rates adjustment bill. We have a rule on that already.

Mr. McCORMACK. To be perfectly frank with the gentleman, I deliberately refrained from programing that bill.

Mr. REES of Kansas. I just wondered why.

Mr. McCORMACK. The gentleman from Massachusetts did not program the bill and he does not intend to program it at the present time or in the foreseeable future unless forced to do so. I would regret very much if any Democratic members of the Committee on Rules would undertake to force the leadership to do it. If it is going to come, I hope it will come from the Republican side. After 7 legislative days a member of the Committee on Rules can call it up. Before doing that, I would expect him to confer with the leadership. If he did not, I would consider it very discourteous, to say the least.

Mr. REES of Kansas. It just seems to me that when a bill has been approved by a majority vote of the committee to which it is referred, and approved by the

Committee on Rules, it certainly ought to come to the floor.

Mr. McCORMACK. That does not necessarily follow. Sometimes there are exceptions to the rule. This is an exception, as far as I am concerned. The gentleman ought to be perfectly contented with my frank statement to him. There is no necessity of him drawing inferences.

Mr. REES of Kansas. I could not be contented.

Mr. McCORMACK. I am not trying to content my friend on this bill. I am trying to tell him he ought to be contented with my frankness.

CONVEYING CERTAIN LANDS OF THE UNITED STATES TO THE BOARD OF COMMISSIONERS OF ST. JOHNS COUNTY, FLA.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7471) to provide for the conveyance of certain lands of the United States to the Board of Commissioners of St. Johns County, Fla., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 4 and 5, strike out "Board of Commissioners of St. Johns County, Fla.," and insert "city of St. Augustine, Fla., a municipal corporation organized and existing under and by virtue of the laws of the State of Florida."

Page 4, line 4, strike out "degrees" and insert "feet."

Page 5, strike out lines 7, 8, and 9, and insert:

"SEC. 2. The conveyance authorized by the first section of this act shall be subject to the condition that the city of St. Augustine, Fla., pay to the Secretary of the Treasury, as consideration for the land conveyed, an amount equal to 50 percent of its fair market value as determined by independent appraisal, and the deed of conveyance shall reserve to the United States all mineral rights, including oil and gas, in the land so conveyed, and shall be subject to such other reservations, limitations, or conditions as may be determined to be necessary by the Secretary to protect the interests of the United States."

Page 5, strike out line 10 and insert:

"SEC. 3. The deed shall contain a covenant that no structure shall be erected on the land which will in any way adversely affect the operation of the Coast Guard facilities, and a covenant that the".

Amend the title so as to read: "An act to provide for the conveyance of certain lands of the United States to the city of St. Augustine, Fla., a municipal corporation organized and existing under and by virtue of the laws of the State of Florida."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

THE LATE JOHN J. EAGAN

Mr. TUMULTY. 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. TUMULTY. Mr. Speaker, I convey the sad news of the death of Mr. John J. Eagan, of Weehawken, N. J., my predecessor in this House, from the 14th Congressional District. Mr. Eagan passed away yesterday. He was one of Weehawken's most illustrious citizens. He served in this House from 1913 to 1921, inclusive, and thereafter from 1923 to 1925. During the course of his term he was a member of the Committee on Ways and Means, was a devoted friend of President Woodrow Wilson, and joined with the President in the making of his historic reforms and also voting for World War I against imperialist Germany. At home he was beloved and regarded with affection by everyone. He was a successful businessman and had an honorable political career for over half a century. Over 62,000 men and women graduated from the Eagan Business School, which he founded.

Mr. Speaker, the people of Weehawken and the people of the 14th Congressional District will miss him. We are buoyed up in this hour of sorrow by the fact that he was a noble and great American, and we know that he has gone to his eternal reward. May he rest in peace.

SPECIAL ORDER POSTPONED

Mr. HESELTON. Mr. Speaker, I ask unanimous consent that the special order granted me for tomorrow afternoon may be postponed until next Thursday afternoon.

The SPEAKER pro tempore (Mr. DEANE). Without objection, it is so ordered.

There was no objection.

THE POSTAL RATE BILL

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

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

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I was shocked at the comments of the majority leader although I admired his frankness, in stating that the reason he is not scheduling the postal rate bill is because he does not believe in the bill.

I make these as a member of the Committee on the Post Office and Civil Service, which sat for 6 weeks listening to witnesses on both sides of the question. The committee approved the bill and it has been approved by the Committee on Rules. I regret and resent one-man gag rule, resulting in not permitting the House to debate this issue.

I think it is time that the people of the United States are made aware of the problems of the Post Office Department and the need for rate increases which are long overdue. I think when they understand the problem they will become aware of the fact that in order to make the Post Office Department more efficient we are going to have to do something about rates. A $500 million a year deficit in the Post Office Department is unthinkable and unforgiveable. I think this Congress is derelict in its duties unless it faces the question head on. As far as I am concerned personally, I am perfectly willing to tell my constituents my stand on the question of postal rate increases. I am for them because I believe they are long overdue. We have added to our national deficit the $4½ billion postal deficit since 1945. This is a matter that I think we should consider very carefully very soon.

It is significant to note that the Democratic chairman [Mr. MURRAY] of the House Post Office and Civil Service Committee favors the rate increase as does the Democratic chairman of the Subcommittee on Post Office Appropriations [Mr. GARY]. The former Democratic Postmaster Generals of the United States, Mr. James Farley and Mr. Jess Donaldson, testified before our committee in behalf of this increase. Any one of these four men has forgotten more about the Post Office Department and its operations than the majority leader will ever know. This is a problem which faces the Democrats and Republicans alike and should be met on a completely nonpartisan basis. I regret very much that it appears that the majority leader is going to make this a political issue and delay an opportunity for Congress to work its will on this postal rate question. Each day that this matter is delayed it is costing the taxpayers an additional $1 million.

WEMBLEY TIES ON FATHER'S DAY

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, as you know, next Sunday is Father's Day. Last year on the occasion of Father's Day I had the privilege of presenting to each Member of Congress, including the bachelor Members as well as the ladies, a necktie which was created by Wembley, of New Orleans, who is, of course, in my district and who is the largest manufacturer of neckwear in the world.

The Pulitzer brothers, Sam and Emanuel, the owners of Wembley, were so enthused over the reception which the Members gave their ties last year that they have again asked me this year, on the occasion of Father's Day, to distribute a tie to each Member of the Congress and the official staff. So this afternoon, either to your office, or tomorrow morning, there will be delivered a tie from Wembley, of New Orleans.

I hope you enjoy wearing it.

In connection with the distribution of these ties on Father's Day, Roll Call, which is the most informative news media on Capitol Hill, and which is accepted as the official organ of the Hill, had a very interesting story.

In it I can see the fine and delicate hand of Ann Corrick, who always does a fine job for Sidney Yudain's Roll Call.

Here is this year's story of Wembley ties:

HILL FATHERS WILL BE FIT TO BE TIED

It seems to be an American tradition to present the father of the family with a necktie on Father's Day.

Representative F. EDWARD HÉBERT, of Louisiana, is seeing to it that President Eisenhower, Vice President Nixon, and all Members of the House and Senate will receive ties for Father's Day next Sunday.

He is sending out more than 1,000 neckties created by Wembley, of New Orleans, to the White House officials, all Members of Congress, and a selected list of congressional officials. The generosity of the Pulitzer brothers, owners of Wembley's, is limited, HÉBERT explained, only by the limitation of supply.

President Eisenhower and Vice President NIXON will get a dozen each of the Father's Day neckwear. House Speaker SAM RAYBURN, of Texas, will will get a dozen, too, even though he's a bachelor.

This is the second year HÉBERT has taken upon himself to be the "tie daddy" of Capitol Hill. Last year his gifts drew hundreds of letters of appreciation from President Eisenhower and Congressmen.

The National Father's Day Committee says the purpose of Father's Day is to "inculcate citizenship into the young through the father of the home." It is hoped this high purpose will be maintained when Junior tries to borrow POP'S HÉBERT Father's Day tie.

HON. THEODORE FRANCIS GREEN, THE OLDEST SENATOR OF THE UNITED STATES

Mr. FORAND. 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 Rhode Island?

There was no objection.

Mr. FORAND. Mr. Speaker, I take this occasion to announce to the House that on Sunday Rhode Island will chalk up on its historical pages another achievement, because on that day its senior Senator, the Honorable THEODORE FRANCIS GREEN, will become the oldest man in point of age ever to serve in the United States Senate.

Senator GREEN is not only a great statesman, he is also a great humanitarian. On Sunday he will be 88 years 8 months and 15 days old. The person now holding the record for having served in the Senate at the most advanced age is Senator Justin Smith Morrill, of Vermont, who was 88 years, 8 months, and 14 days old.

So, on next Sunday, in the Senate caucus room, Rhode Islanders in Washington and many from my home State will not only greet Senator GREEN, but pay him the tribute which he so justly deserves.

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

Mr. FORAND. Mr. Speaker, I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I am sorry it will not be possible for me to be there next Sunday, as I shall have to be away from Washington. But I should like to join in this fine tribute to the senior Senator from Rhode Island, Senator GREEN.

Senator GREEN was the chairman of a delegation of which I was a member several years ago. We took a trip to Europe. There were 14 of us. Every one of us was incapacitated for at least one day during the whole day, except Senator GREEN. He showed a remarkable degree of physical endurance. Not only that, but he was charming at all times and thoughtfully considerate of all members of the delegation. Despite political differences on domestic issues and widely divergent viewpoints among the members of this delegation, I am sure we would be unanimous in our high appraisal of Senator GREEN as a charming man and delightful traveling companion as well as an able and hard-working chairman.

I am very happy that he has set this record in the Senate. May he enjoy many happy years.

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

Mr. FORAND. I yield to the gentleman from Minnesota.

Mr. JUDD. I join in the congratulations to Senator GREEN on his becoming the oldest man who has ever served in the Senate. But what is even more remarkable is that he is one of the youngest men who ever served in the Senate, in his physical vigor, his intellectual alertness, and the gentleness of his spirit.

Mr. FORAND. I thank the gentleman. What my colleague has just said confirms what I have been saying right along. He may be old in years but he is younger than most of us in spirit and in energy.

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

Mr. FORAND. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I am glad to join my friend from Rhode Island in the deserved compliments being paid to that distinguished gentleman from Rhode Island, Senator GREEN. I have known him for a number of years. I admire him very much. At his age, it is remarkable how indefatigable he is in performing his duties. He is more energetic than many men 40 years younger than he is. He is an inspiration to all of us. His contributions during his service to the Congress of the United States and to the best interests of our country have been outstanding.

Mr. FORAND. I thank the gentleman.

COMMUNISM UNDER THE GUISE OF CULTURAL FREEDOM — STRANGLING AMERICAN ART

The SPEAKER pro tempore (Mr. DEANE). Under previous order of the House, the gentleman from Michigan [Mr. DONDERO] is recognized for 45 minutes.

Mr. DONDERO. Mr. Speaker, when and if the time comes that the United States State Department capitulates to pressure organized in the brainwashing cells of Marxist minds conspiring against our form of government—that is the day we will have lost the ideological battle against world socialism, the ultimate goal of the Communist conspiracy.

CULTURE REPLACES COMINTERN (COMMUNIST) (INTERNATIONAL)

The dictation of the terms of "peaceful coexistence" policy by the Soviet Union where assassination and murder replace free choice of leadership is unthinkable and most dangerous. The erasure of Stalin and the dissolving of the Comintern are covered by this Leninist maxim:

Communist morality is identical with the fight to strengthen the dictatorship of the proletariat.

Well-publicized Soviet news releases reveal that culture is a major weapon that the Communist conspiracy has selected from its propaganda arsenal for use in non-Communist countries at this time.

RED SPEARHEADED CAMPAIGN ATTEMPTS TO INFLUENCE THE STATE DEPARTMENT

Currently, cultural pilgrimages to the Red Mecca, as well as recent kidnappings, are gaining publicity in our press. David Burliuk, described by Soviet poet Mayakovsky as one of the "Bolsheviks of art" and eulogized by Communist Michael Gold in the Daily Worker as "the father of Russian futurism," has returned, according to the New York Herald Tribune of June 2, 1956, to Moscow as a "United States modernist painter" at the invitation of the Soviet Union of Writers, all expenses paid.

In line with the above, the leftwing culturalists have adapted their collective leadership into an all-out attack on the State Department's recent cancellation of the Sport in Art exhibition originally booked to be shown under its auspices in Australia during the Olympic Games in the fall.

In an effort to force a reversal of the State Department's position in the matter, all Red and left-wing publications have become boisterous in their attacks on the State Department, and all the forces of Marxism have been put into the play.

The break against them came in Dallas, where citizens arose in indignation. Though inside influences overruled the citizens, the incident encouraged the State Department to take action.

On this premise the leftist indignation has been aroused and mobilized, and one of the artists struck by the public indignation is being given wide favorable publicizing by the Red and general press—he is Leon Kroll. A leading daily in our Nation's Capital devoted a quarter of a page to Kroll. He denied all allegations of subversiveism.

Is it culture to promote a propaganda division in behalf of the Soviet Government? Kroll has served as Director of the National Council of American-Soviet Friendship and has promoted its propaganda art division. This is on the Department of Justice's list of Communist organizations.

Is it cultural to openly defend the Hollywood 10 convicted for contempt of Congress?

Is it cultural to take a prominent part in the Soviet's propaganda scheme, the

Scientific and Cultural Conference for World Peace, Waldorf-Astoria, New York City, which our State Department—Secretary Acheson—labeled "a Moscow propaganda vehicle"?

They go further, and I could if Mr. Kroll insists.

Yet Kroll holds the distinction of being president of the United States Committee of the International Association of Plastic Arts sponsored by UNESCO which the State Department promotes and finances.

It is my suggestion that the House Committee on Un-American Activities hold a full-scale investigation in Communist control in the great field of American art, which it has increasingly and ruthlessly dominated until it is a menace and a monopoly detrimental to our American artists and to our culture.

The Red, pro-Communist professional is of great value to the Communist conspiracy. It never gives up and is always devising new ways of accomplishing its end. Let Americans be on guard against all phases of this sinister ideology which threatens to undermine and destroy our form of government.

Through these Red artists and allied professionals it knows it can even infiltrate into the United States Government. Therefore, it is understandable why such an intense effort is being made at this present time to protect and build up the reputations of artists and so-called artists with Communist and Communist-front associations.

AMERICAN ARTISTS CONGRESS AND LEAGUE OF AMERICAN WRITERS INITIATE RED ART MONOPOLY

Picasso is rated an esthetic hoax, a charlatan and a fraud by artists of note. He calls himself a Communist and describes his distorted art spasms as "Communist painting." But to the regimented, brainwashed artists-in-uniform of the Red art brigade, he is a symbol of the power of organized Communist propaganda.

These remarks are attributed to him in 1935 and taken down by Christian Zervos:

> There ought to be an absolute dictatorship—a dictatorship of painters—a dictatorship of one painter—to suppress all those who have betrayed us, to suppress the cheaters, to suppress the tricks, to suppress mannerisms, to suppress charm, to suppress history.

In December of 1937 a message and greeting from Picasso was relayed by transatlantic telephone to the faithful at the Second American Artists Congress in session at Carnegie Hall, New York. This was fit and proper for this organization has been officially cited as a Communist created and controlled organization.

The first American Artists Congress was held in New York City February 14, 15, and 16, 1936. Unless one takes into account the subversive and sinister affiliations of this organization, one cannot fully understand the ruthlessness of the Marxist domination that loyal American artists have been fighting for two decades without being conscious of the identity or nature of their well-hidden enemy.

After a year of planned effort this American Artists Congress emerged as a sister congress of the League of American Writers termed "Communist and subversive" by Attorney General Tom Clark. Both were affiliates of the International Union of Revolutionary Artists and Writers with headquarters in the Soviet Union.

The planners of this un-American conclave were the late George Ault, Arnold Blanch, Henry Billings, Peter Blume, Maurice Becker, Nicolai Cickovsky, Aaron Douglas, Stuart Davis, Adolph Dehn, William Gropper, Hugo Gellert, Harry Gottlieb, Minna Harkavy, Eitaro Ishigaki, Jerome Klein, Louis Lozowick, the late Jan Matulka, Sid Schary, William Seigel, the late Niles Spencer, Harry Sternberg, and Moses Soyer, and they worked in close connection with IWO brother, Herman Baron of the Red ACA Gallery in New York.

The out-and-out Communist nature of this congress, its main purposes, of seizing the machinery of the American art world—museums, galleries, art associations, and so forth, the establishment of socialized art—and the use of art to transform the world to the pattern of Karl Marx is boldly reported in its book on the congress.

The League of American Writers composed of hundreds of writers even more insolent in their revolutionary stand than their artist comrades, pledged themselves to promote by critical evaluation their pro-Red comrades of the other arts, and to use their literary work to promote policies in accordance with the Soviet world conspiracy.

Waldo Frank was elected chairman of the league whose signers included Earl Browder, Alexander Trachtenberg, Robert Coates, Lewis Mumford, M. J. Olgin, Louis Lozowick, Lincoln Kirstein, and Michael Gold.

Malcolm Cowley, now heading the Communist front, the National Institute of Arts and Letters, addressed the first convention of the literary disciples of Marx and Lenin on this topic: "What the Revolutionary Movement Can Do For a Writer."

One of the many foreign Communists who were members of the honorary presiding Committee of the League of American Writers was the Soviet writer, Sergei Tretiakov, who has described so-called modern art as "clever" because "it makes people stupid very cleverly."

The four artists in this recent Dallas affair, Leon Kroll, Kasuo Kunyioshi, William Zorach and Ben Shahn, were all members of the Red American Artist Congress.

The first name listed on the "call" of the Congress is Berenice Abbott, photographer—the last, William Zorach, who joined with their radical cohorts to agitate and organize for their Red objective—a permanent Federal arts program.

Twelve years later, in 1948, the names of Berenice Abbott and William Zorach are again on a list of sponsors of a pro-Soviet organization—the National Council of the Arts, Sciences, and Professions—still agitating for an art bill similar to the Socialist setup for artists in the Soviet Union. Milton Avery, Robert Cronbach, Lyonel Feininger, Rockwell Kent, Marion Greenwood, Ruth Reeves, Ben Shahn, Byron Browne, and Russell Twiggs are a few of the other supporters of this platform for artists of this Communist front. They threw their political support to the Progressive Party this time. Most of this crowd were in the Red Art Congress, and the majority are members of Artists Equity, their latest agitation vehicle.

LEGISLATION NOW BEFORE CONGRESS

Now I come to the present, 1956. Bills are before both Houses of this Congress for establishing a Federal Advisory Commission on the Arts. This is in principle the demand for Federal subsidy that was urged by the leftists of President Truman, who turned it down. Although the sister professions are included in this bill, it was originally hatched in 1948 by Lloyd Goodrich, of the Whitney Museum of American Art, and has been steadfastly supported by the Red-dominated Artists Equity Association.

Goodrich's brain child, the National Council on the Arts and Government, is located at 22 West 54th Street, New York City, which is the address of the Whitney Museum. Ten of the thirty-three members of this council are active in the art world. They are Rene d'Harnoncourt, Museum of Modern Art; Lloyd Goodrich, Leon Kroll, Jonathan Marshall, Art Digest; Grace M. Morley, San Francisco Museum; George L. K. Morris; Ruth Reeves; Theodore J. Roszak; Harold Weston; and William Zorach. These all may safely be said to be supporters of the leftist art movement in this country. Please note that this council includes Kroll and Zorach of the Dallas affair.

The first name listed as a member of this council is the Red fronter, Berenice Abbott, and the last, William Zorach, supporter of Communist and Communist-front organizations. After 20 years, here are the two pro-Red members of the American Artists Congress together again in their untiring effort to use culture as a wedge to put across socialism in art.

This is the reason for the big cry for cultural freedom. This is the use in the Communist conspiracy of artists to help make this Government over into the image of the U. S. S. R. Here is the answer to the bleeding heart campaign for Kroll, Zorach, and Shahn, whose Red-made reputations are of political value to anti-American, pro-Soviet forces in this country.

The Communist Daily Worker has gone on record supporting one of these bills, the Lehman bill, S. 3419. In its issue of April 13, 1956, in a full page devoted to this legislation, it states:

> That bill * * * deserves the support of every American who wants to see our culture flourish and become great again. * * * We are printing below portions of the National Council's document and urge that it be talked up.

When the official Communist organ, the Daily Worker, wants legislation talked up, I want it talked down.

REDS TRY AGAIN

In 1946 an exhibition loaded with works by pro-Communist artists was sent to Europe by our State Department. This misrepresentative exhibition was recalled by Secretary Marshall. It was

a costly venture to the American taxpayer.

Another American exhibition is now being circulated in France at the expense of the French Government. The United States Committee for the International Association of Plastic Arts, sponsored by UNESCO, nominated the jury of selection.

According to the Red-dominated Artists Equity Association's Newsletter of March 1956, the "costs of organizing the exhibition at this end are being raised by the United States Information Agency and private individuals."

Here again are United States funds from the State Department being used for organizing an exhibition which includes such notorious Red and pro-Red artists as Paul Burlin, Philip Evergood, Leon Kroll, Sidney Laufman, I. Rice Periera, Ad Reinhardt, Rapheal Soyer and Ben Zion, all sponsors of the pro-Soviet propaganda vehicle, The Cultural and Scientific Conference for World Peace. Let us put a stop once and for all to this device of including such flagrant Communist-fronters in exhibitions our Government finances in any way.

Gregorio Prestopino, Byron Browne, Stuart Davis, Arnold Blanch, Isabel Bishop, Joseph Solman are some of the other Red-fronters included. Twenty-two of the so-called artists in this show were included in the 1946 exhibition recalled by Secretary Marshall.

NATIONAL INSTITUTE OF ARTS STILL IN THE RED

The president of the United States Committee of the International Association of Plastic Arts is Leon Kroll, conservative painter, who has passed muster with crusading modernist critics of the left.

He is the type responsible for the National Institute of Arts and Letters, formerly a respected honor society now infiltrated by brainwashed Marxists, being officially listed by this Government as "a Communist front for artists, writers and musicians." Significantly, the institute is headed by Malcolm Cowley, advocate of packaged thinking in literary work, witness for Alger Hiss in his treason trial, with a shocking list of Communist affiliations.

Let us see how these pro-Red culturalists boost one another. Ben Shahn, of the Dallas "Sport in Art" exhibition, a Red supporter of deep crimson hue, has just been given the dubious distinction of being elected a member of this Communist front. Kroll is chairman of the committee on art of the National Institute of Arts and Letters, and the other booster of Communist causes, William Zorach, is its vice president.

Just last month this institute awarded grants of $1,000 to Philip Evergood, now editor of the Communist publication, Masses and Mainstream, and to "brother" Chaim Gross, a member of the Communist International Workers Order, the Red insurance company ordered dissolved by the State of New York. It would take me at least a half hour to read the House Committee on Un-American Activities Red citations on these six individuals just mentioned as members and award winners of the once great National Institute of Arts and Letters.

The disgrace and degradation of this organization by Red infiltration should be a warning to other tax-free organizations bearing the word "National" in their titles.

The United States Committee of the International Association of Plastic Arts has bestowed the title "Liaison" on Henry Billings. Billings has been active for 20 years in radical art organizations. He was an initiator of the American Artists Congress of 1936 which this Government has cited as a "Communist created and controlled organization." Billings' talent as an organizer, his knowledge of art organizations, his influence in certain sections of the slick-magazine press, have been very useful to the Red art periphery.

ARTISTS EQUITY ASSOCIATION RED-DOMINATED

Henry Billings and Leon Kroll are honorary presidents of the Red-dominated Artists Equity Association, of 9 East 45th Street, New York City, an organization in which the hard core of Communist and Communist-front artists are gathered. In the 1955 Cumulative Index to Publications of the Committee on Un-American Activities, 20 present officers and directors at large of Artists Equity Association are listed. Among them I find Ben Shahn, Ruth Reeves, Maurice Becker, Nicolai Cikovsky, Robert Gwathmey, Stuyvesant Van Veen, Lena Gurr, Jack Levine, Joseph Hirsh, Hudson Walker, Lincoln Rothschild, Jacob Lawrence, and Minna Harkavy, one of its present vice presidents.

MODERN ART AND MURDER

This woman, Minna Harkavy, a modern art sculptress, is given a good deal of anonymous space in a book, The Whole of Their Lives, by Benjamin Gitlow, a man who has risked his life and fortune to help expose the Communist conspiracy. This fearless ex-Red has in the past held every important Communist Party post in this country, including the office of general secretary of the Communist Party, U. S. A., and a member of the presidium of the world Communist movement. I quote from Mr. Gitlow's book:

> An affair with a Communist sculptress, whose reputation was well established in the art world, brought (Carlo) Tresca (Italian anarchist) in contact with the OGPU * * *. Her wealthy husband was a Communist zealot * * *. And, in addition, she was having a love affair with Olgin, one of the top leaders of the Communist Party in New York * * *. Both lived under the one studio roof * * *. The OGPU agents often visited the studio. Carlo met them and became enmeshed in their works.

On January 11, 1943, Carlo Tresca was assassinated on the street in New York. To quote again from Gitlow:

> He dared to buck the OGPU.

Moissaye Joseph Olgin, according to Walter S. Steele, editor of National Republic magazine, Washington, D. C., in his testimony before the McCormack-Dickstein committee in 1934, was at the time a top agent of the Soviet and American Communists in the United States of America. He, according to Mr. Steele, was secretly selected to outline the master plan for seizure of the United States Government, which plan was exposed in detail by Mr. Steele.

A modern monstrosity by this woman was awarded first prize of $3,500 by the Metropolitan Museum of Art in its exhibition American Sculpture, 1951. This exhibition, which was engineered by the Red-dominated Artists Equity Association, was applauded and upheld by Lloyd Goodrich, assistant director of Whitney Museum of American Art, as representative of our sculpture. That is understandable from a man who publicly complained in 1951 that a Federal art project was being stymied because of "secondary issues, such as, is this or that artist subversive, or does he paint subversively, or does he belong to certain groups."

TWO RED FRONTERS AWARDED BALLYHOOED U. N. ART COMPETITION

An item in the New York Times, January 17, 1954, states:

> Through the inspiration of Artists Equity Association, a nationwide movement among museum directors, art patrons, and collectors to place contemporary American art in the United Nation's headquarters has resulted in the birth of an organization for this purpose to be known as the National Council for United States Art, Inc.

Under this high-sounding name we should expect this Nation to be well represented on the walls of the United Nation's building.

But what will deface the walls and go in the grounds as representative United States art if the council's grandiose plans receive sufficient financial support from the public and if the juries' choices are accepted?

Abstract and social protest mural work by two veteran supporters of Communist and Communist-front causes, Stuart Davis and Jacob Lawrence, secretary of Artists Equity Association, and a sculpture by another Artists Equity member.

The roots of Stuart Davis are deep in subversive movements and time does not permit of a detailed account of his Red activities, but let us look at the shameful record of the secretary of Artists Equity Association, Jacob Lawrence, as compiled by the Un-American Activities Committee.

JACOB LAWRENCE

This is by no means complete as time does not permit a full reading of the committee's report. I quote in part:

> The Daily Worker of March 15, 1947 (p. 5), reported that Lawrence signed a protest against the ban on the Communist Party.
>
> He was listed as a sponsor of the arts, sciences, and professions for May Day in the Daily Worker of April 30, 1948 (p. 5).
>
> Jacob Lawrence was honored at the New Masses awards dinner as reported in the Daily Worker, January 7, 1946 (p. 11).
>
> He has contributed to Masses and Mainstream February 1949, and the Worker of January 23, 1949 (p. 5).
>
> These are all Communist publications.
>
> Jacob Lawrence illustrated the book One Way Ticket written by Langston Hughes. (The Worker, February 13, 1949.)
>
> Lawrence signed a letter upholding the right of V. J. Jerome to publish his pamphlet, Let Us Grasp the Weapon of Culture, cited an overt act in the Smith Act indictment of Jerome, as shown in Masses and Mainstream May 1952 (p. 27).

It is outrageous that an organization which elects a Red of this deep hue to the sensitive post of secretary should have

the audacity to attempt to influence legislation in this Congress as the Artist Equity Association has done.

Kroll and Zorach served on the juries that judged this peculiar competition. Lloyd Goodrich was on the technical committee.

RED ART BRIGADE INVADES WASHINGTON

Right here in the city of Washington this Red-dominated Artist Equity Association is recruiting artists into its organization.

In January of this year a member of my staff attended a recruiting meeting of this outfit held in our Corcoran Museum. On the platform was its national membership committee chairman, Anthony Toney.

Who is this Toney? I will tell you in condensed form from the files of the House Committee on Un-American Activities:

The Daily Worker of August 24, 1950 (p. 3), listed Anthony Toney, artist, as a signer of a statement urging bail for Communist leaders.

Anthony Toney, according to the Daily Worker, April 9, 1953 (p. 7), was one of the sponsors of the Second Veterans' Art Show of the American Veterans for Peace, New York City, a Communist front.

Anthony Toney was an illustrator for Masses and Mainstream, Communist cultural magazine.

According to the Daily Worker of November 10, 1952 (p. 3), Anthony Toney, artist, signed brief urging a new trial of Ethel and Julius Rosenberg.

A list of persons who served in the Loyalist Army in Spain, 1936–39, named one Anthony Toney, Gloversville, N. Y., as a member of the Veterans of the International Brigade. The House Committee on Un-American Activities cited this Red brigade, as follows: "The Communist Party was active in recruiting American boys for the so-called Abraham Lincoln Brigade in behalf of Loyalist Spain. Earl Browder boasted that 60 percent of the brigade was composed of Communist Party members."

Now, this individual, Anthony Toney, is busy recruiting American artists into Artists Equity Association, the organization which has campaigned for years, along with Lloyd Goodrich, of the Whitney Museum, for legislation that would put the American artists into a cultural straitjacket similar in design to the one worn by Soviet artists.

The Communist Party has given its cultural directive in a publication entitled "Let Us Grasp the Weapon of Culture." Indirectly leading the fight from his cell in the Federal penitentiary at Lewisburg, Pa., is its author, V. J. Jerome, educational director of the Communist Party, and member of its central committee. He is serving his term after being convicted under the Smith Act of conspiring to teach and advocate the overthrow of this Government by force and violence.

RED BLUEPRINT

I will let Jerome explain this blueprint by quoting from his treasonable tract, Let Us Grasp the Weapon of Culture.

He says:

Cultural activity is an essential phase of the (Communist) party's general ideological work, and as such is interconnected with the party's struggles in the economic and political spheres. * * * Therefore the question arises of establishing leading bodies in this field—commissions, committees, etc., and assignments of leading comrades on National, State, county, and section levels * * *. We must go forward to the people with the message of peace, of freedom, of Socialist humanism.

Here is the Red directive to use art to infiltrate, to organize, to rally sympathy, and to do it as Socialist humanists under the banners of peace and freedom as the entering wedge to a nationwide WPA of art to be eventually under the control of infiltrated art groups.

CHANGEOVER

Anticipating the conviction of the top Communist leaders being tried by Judge Medina, Paul Robeson declared in March 1949 that Marxism is "a cultural philosophy."

This changing of masks from politics to culture was given vast publicity by the Red-staged Cultural and Scientific Conference for World Peace in New York, March 25, 26, and 27, 1949, under the auspices of the National Council of the Arts, Sciences, and Professions.

Supporters of the political-cultural activities of the Communist conspiracy who sponsored this turnabout include in the field of art Berenice Abbott, photographer; Aaron Bohrod; Paul Burlin; David Burliuk; Nicolai Cikovsky; Robert Coates, art critic; the late Jo Davidson; Adolph Dehn; Stuart Edie; Philip Evergood; Vincent Glinsky; Harry Gottlieb; William Gropper; Robert Gwathmey; Minna Harkavy; Joseph Hirsch; Alfonso Ianelli; Rockwell Kent; Leon Kroll; Sidney Laufman; Jack Levine; Elizabeth McCausland, art critic; Elizabeth Olds; I. Rice Periera; Anton Refregier; Ad Reinhardt; Ben Shahn; Mitchell Siporin; the late John Sloan; Raphael Soyer; Paul Strand, photographer; Max Weber; and Ben Zion.

What did the wheelhorses of the Communist conspiracy do concerning the dilemma facing them, these artists and their other professional comrades whose so-called political associations were soon to be unmasked as treason by this Government?

They passed resolutions in which they said:

We solemnly declare that no official, high or petty, has the right to decree what is orthodox in opinion or association, or penalize those whose beliefs or activities are unsatisfactory to Government inquisitors.

They further state they intend to hide behind the Constitution and its Bill of Rights in their determination to continue their efforts toward the destruction of the form of government of this Republic. They boldly state:

We are determined to maintain the Bill of Rights as a charter of cultural freedom.

JEROME CALLS FOR BROAD UNITED FRONT TO PROTECT RED PROFESSIONALS

Needing the immunity the American people give to creative artists, the Communist Jerome points out the "Manifestations of Resistance" to exposure of this Red racket in these words:

Against the Fascist blacklist and censorship campaign * * * there is gathering resentment which can be organized into a storm of protest. * * * Statements * * * branded the censorship of content and the blacklisting of artists for their political opinions as practices smacking of Hitlerism. * * * The National Council of the Arts, Sciences, and Professions (ASP) has not only condemned these attacks, but has shown their close tieup with the attempt to silence the voices of peace. These protests can be consolidated into a broad united-front movement for cultural freedom.

There we have the concrete plan. A broad united-front movement ostensibly designed to protect the freedom of culture, but actually organized to protect Communist professionals and those who have rallied to the defense of the Communist Party and who have supported its fronts of subversive operation.

Jerome wants "no concessions to Red-baiting," as he terms exposure. He says:

This imposes on Communists and all progressives the duty to warn against this trap and to point out the inseparable connection between the attacks on the citizenship of Communists and the rights of all Americans.

SUPPORTERS OF COMMUNISM ARE ENDANGERING FREEDOM

I quote from the Communist Control Act of 1954:

Findings of fact, section 2: The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. * * * The policies and the programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement.

DALLAS, TEX., CITIZENS ABUSED FOR REFUSING TO FOLLOW RED CULTURAL BLUEPRINT

Alert and well-informed citizens of Dallas, Tex., including those in the Public Affairs Luncheon Club, noted art organizations, veterans organizations, and patriotic societies joined forces in the Dallas County Patriotic Council to protest the showing of an exhibition called Sport in Art, at the Dallas Museum, March 25 to April 20, 1956.

They objected to the showing in a museum partly supported by public funds of work by William Zorach, Kroll, the late Kunyioshi, and Ben Shahn, all four having records of Communist and Communist-front associations, who were included in the exhibition. They overlooked Antonio Frasconi, Communist Daily Worker favorite, and artists for the Communist publication, Masses and Mainstream, as well as several other Red fronters.

Sports Illustrated, of Time, Inc., was the originator and sponsor of the art show which was arranged and circulated for it by the American Federation of Art. Neiman-Marcus was the cosponsor of the exhibit in Dallas.

Originally the final showing of this exhibition was to be sponsored by the United States Information Agency of the State Department in Australia during the Olympic Games in the fall of 1956.

This was exploited by the so-called liberal press and may have had some bearing on the refusal of the trustees of the Dallas Museum to heed the protest of the Dallas County Patriotic Council.

DOES SPORTS ILLUSTRATED, OF TIME, INC., USE RUSE TO CLEAR KROLL, SHAHN, KUNYIOSHI, AND ZORACH?

A misleading statement issued by the board of trustees and signed by Jerome Crossman, Gerald Mann, and Waldo Stewart and given wide circulation in Dallas and New York attempts to clear the four exhibitors of any and all Communist and Communist-front associations.

The method employed by the Dallas Museum to whitewash these Red fronters should be of interest to every Member of this House and should be brought to the attention of the House Committee on Un-American Activities.

The Dallas Museum wired Harry Phillips of Sports Illustrated, sponsor of the show, requesting specific information regarding the four artists. Mr. Phillips replied:

> The Subversive Activities Control Board has a huge file listing almost everyone mentioned in its lengthy hearing on the Communist Party in the United States—a hearing that lasted 15 months and totaled some 5 million words of testimony. None of the artists is listed in the file.
>
> Similarly, none of the artists has ever been identified as a Communist before the House Un-American Activities Committee, nor have any of them appeared as witnesses before it.

Instead of checking with the House Committee on Un-American Activities, Mr. Phillips turned to the Subversive Activities Control Board, an independent agency of the executive branch of the Government, which was not equipped to supply Communist or Communist-front records of Kroll, Kunyioshi, Shahn, or Zorach.

This fact was brought out in a letter dated February 13, 1956, addressed to Mr. John W. Mayo, of the Dallas County Patriotic Council, and signed by Charles C. Wise, Jr., executive secretary of the Subversive Activities Control Board, from which I quote in part:

> The Subversive Activities Control Board is an independent agency in the executive branch of the Government whose sole function is the conduct of formal hearings based upon petitions brought by the Attorney General against organizations which he alleges are Communist action, Communist front, or Communist infiltrated.
>
> It is true that the four artists named in the second paragraph of your letter are not listed in our file of persons referred to in the Communist Party hearings. However, this fact has as little significance in establishing whether or not they have Communist Party or Communist-front affiliations as it would have in establishing their artistic competence or lack of it. Our file does not in any sense purport to be an attempt to list all persons active in Communist organizations.

It is an outrage that the loyal citizens of Dallas in the Dallas County Patriotic Council should be subject to nationwide vituperation and ridicule as a result of a valueless, so-called clearance initiating from Sports Illustrated, of Time, Inc. And, furthermore, I believe most editors in our press know that to date no special hearings have been held by the House Committee on Un-American Activities on the subject of Communist infiltration of art. However, the lengthy records in the committee's files on Kroll, Shahn, and Zorach and, to a lesser degree, Kunyioshi, bear witness to the support these individuals have given to Communist and Communist-front causes.

Here is a local situation that by clever manipulation is being made a cause célèbre around which the Reds can rally public attention.

NEW YORK TIMES AND DAILY WORKER BOOST SAME LINE

Let us see the subsequent steps in this fast-growing united front cultural movement called for by Jerome to protect Red professionals.

In the New York Times of February 12, 1956, Aline B. Saarinen, publicist for so-called modern art, writes an article entitled "Art Storm Breaks on Dallas" in which the enlightened citizens of Dallas are termed "vigilantes" and in which she attempts to insert the racial issue—a typical leftist device.

So well worded for the purposes of Red propaganda was the Saarinen article that the editor of the Communist Daily Worker, in the February 15 issue, digested parts of Mrs. Saarinen's article in an editorial called "Defending the Arts."

On February 19, 1956, the misleading statement of the Dallas Museum was given complete coverage on the art page of the New York Times.

In the New York Times of May 21, 1956, a belated tear-jerking story appears on William Zorach, one of the exhibitors in the Dallas Museum. I shall discuss this inaccurate whitewash later.

On the 26th of May 1956, weeks after the USIA had informed Sports Illustrated of its reversed decision, the New York Times gives front-page attention to the episode.

The following day an editorial which was factually incorrect appeared in the New York Times called "Art in the Heart of Texas."

This editorial ignores the real issue brought forth by the Dallas County Patriotic Council which is the continued monopoly of American art by Reds and Red fronters, and its danger to our culture and society.

Col. Alvin M. Owsley, of the Dallas Council, states:

> It is one of the basic premises of Communist doctrine that art can and should be used in the constant process of attempting to brainwash and create public attitudes that are soft toward communism.

The gentleman from Texas and the alert citizens of Dallas are better informed concerning the Communist conspiracy and its directive "Let Us Grasp the Weapon of Culture" than certain writers in the press.

MODERN ART PUBLICIST UP TO OLD TRICKS

Emily Genauer, modern art publicist on the New York Herald Tribune, is an old hand at ridicule, distortion, and defense of the left culture bund. She enters the Dallas controversy armed with a new weapon—insinuation. She infers that the Dallas County Patriotic Council has been duped by academic artists omitted, as she admits, "from most museums and other shows." The fact that both the public and loyal American artists abhor communism and its abuse of art to the detriment of the culture of this Nation is ignored by Miss Genauer in her article of June 3, 1956.

Referring to the State Department exhibition of 1946 and its withdrawal due to predominance of Reds and fellow travelers, she says, "a charge, incidentally, no one was ever given a chance to disprove."

William Gropper was given the chance before the Senate Internal Security Subcommittee and answered by hiding behind the fifth amendment.

Miss Genauer boldly uses what she claims are direct quotations from me. It might interest the editors of the Herald Tribune to know that these garbled, puerile-sounding statements attributed to me are, in fact, the twisted distortions of Miss Genauer's confused thinking as I brought out in the CONGRESSIONAL RECORD of October 13, 1949.

The American Federation of Art, 1083 Fifth Avenue, New York, is described by Miss Genauer as highly respectable, a description used frequently in this Dallas affair.

AMERICAN FEDERATION OF ART

Information sent me from the USIA reveals that at least $53,350 has been paid the American Federation of Art in a period of 3½ years to arrange exhibitions sent abroad for this Government.

It is pertinent to examine this organization since it describes itself as a nonprofit, educational institution and is influential in establishing cultural standards.

The American Federation of Art has taken a stand and issued a resolution that entitles them to membership in the broad united front cultural movement important to the Communist conspiracy in its determination to continue its strangle hold on United States art.

At the AFA convention, October 1953, Francis Brennan, art adviser to Time, Inc., states:

> We can buy the artifacts all right, but where is that great unified critical body that will rise up in civilized outrage against the injustice of discharging either an artist or a clerk for some minor youthful adherence to a now unpopular political alinement?

This is fuzzy-headed advice both for Time, Inc., and the American Federation of Art.

Communism is not politics and Brennan should know that most of the Red artists have been faithful supporters of and faithfully supported by the Communist conspiracy for extensive periods. Some such as Zorach, Burliuk, Gropper, Sloan, Shahn, Becker, Dehn, Refregier, and Kent, and scores of others, have supported Communist and Communist-front organizations for decades.

AEA PLUS AFA EQUALS MONOPOLY

On the board of trustees of the American Federation of Art, I find Red-dominated Artists Equity represented by Henry Billings, an initiator of the Communist American Artists Congress, and Hudson D. Walker, director of Artists Equity Fund, Inc., and former president of this same American Federation of Art.

Walker describes himself as an art specialist. For years Walker was a director of the subversive and Communist National Council of American-Soviet Friendship, Inc., and the treasurer of its art committee. As a dealer in Boston and New York, Walker has promoted the

leftist radical artists. Associating with Herman Baron, director of the Red art clearing house for radicals, they jointly sponsored the Communist front, United American Artists.

RED PAINTINGS FOR PEANUTS

The Red ACA Gallery at 61–63 East 57th Street in New York is run by Herman Baron, member of the Communist International Workers Order, and in whose gallery the American Artists Congress was organized. For over 20 years the ACA Gallery has been the headquarters for art auctions, sales, and benefits for Communist Party publications, organizations, and causes.

Usually the artists and Communist cause divide the sales price equally. Thus the artist helps the Communist Party and the party helps the artist. Baron brags "that many important collectors of contemporary art have had their start there."

These paintings auctioned or sold for Communist causes are cheap. If any of this so-called art collected by this manner, that is, to support the Communist conspiracy, has been resold at inflated prices to our museums, it too is a field for investigation.

Elizabeth McCausland, Red art publicist, has pamphleteered for the ACA Gallery. Her brochure on Picasso is a typical publication of that organization. Miss McCausland also writes for the American Federation of Art. She wrote a "Selected Bibliography on American Art," for its publication Who's Who in American Art, 1947.

She is one of the sinister group of literary sneaks who joined the subversive League of American Writers, and therefore did a good job of Marxist cultural evaluation on our art history by including Zorach, Rockwell Kent, Stuart Davis, Philip Evergood, William Gropper, Moses Soyer, and Max Weber as being part of the historical stream of great American artists.

The American Federation of Art is not performing as an educational institution if it permits notorious Red publicists intent on brainwashing and propaganda to evaluate our culture.

Exhibitions sent abroad by our Government as representative of American art must fulfill that purpose. Imposed downgraded standards of evaluation to include what so-called art experts call leading tendencies in American art permit the many subdivisions of the Red contortionists to hold predominance in many art exhibitions. This should not be permitted in our Government-financed shows.

MORE AEA INFLUENCE

Hudson Walker is the grandson of the founder of the Walker Art Center in Minneapolis, whose present director, H. Harvard Arnason, is a trustee of the American Federation of Art. According to the Art Digest of July 1, 1943, the Walker Art Center was reorganized with community and WPA help. Attesting the strength of Red-dominated Artists Equity's influence on the board of trustees of the American Federation of Art is the fact that its trustee, Daniel S. Defenbacker, assistant to the National Director of the WPA, 1936 to 1939, was director of the Walker Art Center from 1939 to 1951. His wife, Louise Walker Defenbacker, was a curator of this same art center.

The Artists Equity Fund, Inc., for art promotion, which Walker heads is sponsored by the following trustees of the American Federation of Art, Alfred H. Barr, D. S. Defenbacker, Paul S. Harris, Rene d'Harnoncourt, Bartlett H. Hayes, William M. Milliken, and Charles Nagel, Jr.

AFA PROTECTS WORK OF NOTORIOUS RED PROPAGANDIST

The pro-Soviet National Council of the Arts, Sciences, and Professions, initiator of protests designed to protect Red professionals, was very active in mobilizing the broad united front movement into action to defend the mural work by Anton Refregier.

V. J. Jerome, educational director of the Communist Party, says of this organization:

> This movement for independent progressive expression in the arts is not limited to New York * * * it extends to San Francisco.

The shocking Red record of Anton Refregier is indicative of a career of a radical made under and with the influence of the Communist Party. He taught the technique of infusing Communist propaganda into works of so-called art in the early thirties at the Communist John Reed Club. The defense of the Soviet Union was of prime importance to the members of this Communist organization.

In fact, Refregier for over 25 years has repaid the Communist conspiracy for his Red-made career by continually supporting causes against the recognized interest of the United States in international situations, against the decisions of our courts, the laws of our land and the safety of our people. He is a supporter of the committee to defend V. J. Jerome, and demanded clemency for the Rosenbergs, convicted spys.

In 1941 Refregier got the contract to do murals in the Rincon Annex Post Office in San Francisco.

The citizens of San Francisco who would not under any circumstance permit their children to attend the Communist California Labor School at 216 Market Street in San Francisco, cited by Attorney General Clark as a subversive and Communist organization, are forced in the name of "cultural freedom" to let their children be the victims of pictorial brainwashing, taste-degrading art attempts by Anton Refregier, who served in 1947 on the faculty of this same Communist school.

An idea of the Communist code of ethics may be judged by the fact that Victor Arnautoff, also on the faculty of the Red California Labor School, and Arnold Blanch, another Red fronter, served as bestowers of this contract on Refregier. Being 2 of the 3 artist jurors they selected their comrade as the one artist well able to give a Marxist interpretation of California's history.

In May of 1953 hearings were held before the Subcommittee on Public Buildings and Grounds of the House Committee on Public Works to pass on a House Joint Resolution 211, introduced by Congressman SCUDDER, of California, to remove these offensive works by this acknowledged propagandist for communism, Anton Refregier, from the walls of this United States post office.

Indignant citizens, patriotic societies, veterans' organizations and better known artists of California in the Society of Western Artists condemned them as displeasing, derogatory to the history of California and as esthetically poor.

Now who sprang to the defense of this Russian-firster, Refregier, who received this mural contract through a loaded jury?

Let me mention first that Communist Jerome's pet Communist front, the National Council of the Arts, Sciences, and Professions, was there whipping up a storm of protest according to his directive.

Edward Biberman, brother of the notorious Communist-fronter Herbert J. Biberman.

Stanley Marcus, merchant of Dallas, a trustee of the American Federation of Art.

Jerry Bywaters, director of the Dallas Museum.

Red-dominated Artists Equity Association.

Alfred H. Barr, Jr., and Rene d'Harnoncourt, of the Museum of Modern Art, who have probably wasted more capitalists' dollars on works by Communist artists than any other institution in this Nation. Real Communists should not believe in angels, but they must put a lot of trust in Barr and d'Harnoncourt.

Grace L. McCann Morley, hostess to Red-dominated Artists Equity Association.

Hudson D. Walker backed up with a letter from Julian Huxley, British left-winger, which had to be struck from the record.

John Hay Whitney, of the Museum of Modern Art, who telegraphs that it is an act of vandalism to remove the murals.

What about the "dadaists" in the collection of the Museum of Modern Art, who consciously set out on a course of systematic destruction of art, culture, and Western society? And what of the Communist surrealists movement which, according to their spokesman, Herbert Read, "had taken upon itself the duty of destroying the esthetic and moral conventions of contemporary bourgeois civilization"?

A big proportion of so-called modern art is organized international vandalism in the true sense of the word.

The so-called critics are international, too, now. Just the American section of their outfit sent their support to Refregier. It included Robert Coates and Elizabeth McCausland, of the Communist League of American Writers, and James Johnson Sweeney, of the Red American Artists Congress.

Lloyd Goodrich protested individually to preserve the murals and also as a member of the board of trustees of the American Federation of Art, which sent a representative for the organization.

This is a very broad united front. I could list more supporters if time permitted.

BROAD UNITED-FRONT MOVEMENT PROMOTES ZORACH

Time magazine of Time, Inc., the sponsor of the Sport in Art exhibition, has elected Zorach as dean of United States sculptors in its June 11, 1956, issue. Almost a full page is devoted to building prestige and gathering sympathy for this Red fronter.

On page 27 of the May 21, 1956, New York Times, there is an article entitled "Sculptor Is Paid for Unused Work." It is subtitled "Zorach Accepts With 'Broken Heart' $56,515 from Texas Bank for Three Panels"; and the writer of it attempts not only to create sympathy for Zorach, consistent supporter of Communist and Communist-front causes, but also gives the false impression to readers that Zorach had been officially cleared of any and all left-wing connections by a new, absurd method, that is, by his Congressman.

The Communist and Communist-front record of this individual in the files of the House Committee on Un-American Activities was made by William Zorach, himself and by no one else.

Mrs. Saarinen chose not to accept this fact. She stated in the New York Times of March 27, 1955:

Item: Congressman DONDERO's serial attacks on modern art and reckless accusations of subversion by artists.

Item: The State Department forbade the publication of a rather traditional torso by one of America's most eminent sculptors in a book on American art being sent abroad, because its mysterious and publicly denied "grey list" included him as having belonged to the John Reed Club over 20 years ago.

The fact that the artist categorically denied this, or any other Communist affiliation, seems only to make a ridiculous censorship outrageous.

Mrs. Saarinen wants all Congressmen to quit telling the truth about her Red proteges whose careers she is promoting, and she wants us to hurry up and mature and leave such matters with admiring trust in the hands of art experts.

I disagree entirely. There is too much opportunity for sly venality and esthetic dictatorship possible under the guise of so-called art appraisal. The tendency of Mrs. Saarinen and certain other cultural evaluators to ignore truth deserves neither admiration nor trust.

CONGRESSMAN HALE DID NOT CLEAR ZORACH

Since I mentioned Mr. Zorach in my speeches before this House several years ago on the subject of Communist conspiracy against our art and artists, first I am giving here from the files of the House Committee on Un-American Activities the record William Zorach has made for himself, and then I am supplementing that record with added data in my possession.

In order to save time, I find I am forced to condense the four pages of Zorach's record from the committee files:

William Zorach, Brooklyn, N. Y., was signer of a statement against anti-Communist legislation. (Daily Worker, June 15, 1948, p. 11.)

He signed a statement defending the 12 Communist leaders. (Daily Worker, Feb. 28, 1949, p. 9.)

He signed a statement against denaturalization released by the American Committee for Protection of Foreign Born. (Daily Worker, Aug. 10, 1950, p. 5.) This committee was cited as subversive and Communist by the Attorney General.

Zorach sponsored American Continental Congress for World Peace, September 5–10, 1949, cited as "another phase in the Communist peace campaign aimed at consolidating anti-American forces throughout the Western Hemisphere."

Zorach signed a statement of Civil Rights Congress in defense of the Communist Party's ballot rights in New York State. (Daily Worker, October 7, 1946.)

He signed a statement of Civil Rights Congress defending the Communist Party.

William Zorach signed a statement of that organization cited by the Attorney General as "subversive and Communist" in defense of Gerhart Eisler. (Daily Worker, Feb. 20, 1947, p. 2.)

The Daily Worker of May 21, 1930, named William Zorach as a member of the John Reed Club, named after the founder of the American Communist Party. (Special committee report, Mar. 29, 1944, p. 175.)

William Zorach signed a brief submitted in behalf of John Howard Lawson and Dalton Trumbo October 1949, by the Cultural Workers in the Supreme Court of the United States, October term, 1949:

Lawson and Trumbo were convicted of contempt of Congress and served jail sentences of 1 year each. They refused to affirm or deny membership in the Communist Party—the committee presented evidence of affiliations with Communist organizations and a copy of the witness' Communist Party registration card.

Zorach's record in the committee's files contains over a dozen more listings as supporter, signer, sponsor of Communist, subversive and front organizations.

I list a few from my own records:

Zorach was signer of call of American Artists Congress, 1936, cited as Communist created and controlled.

Zorach was lecturer at John Reed Club, subject: Sculpture and Its Relation to Revolutionary Art—files of Walter Steele.

He signed John Reed Club statement defending the Communists, May 19, 1930, page 254, Walter Steele report, Special Committee on Un-American Activities, 1938.

Zorach contributed art work to be auctioned for the benefit of the pro-Soviet Waldorf conference of the National Council of the Arts, Sciences, and Professions—cited a Communist front April 10, 1949.

This is the shameful and outrageous record of a man the New York Times is attempting to whitewash in a bleeding-heart article. I shall quote from it:

The bank official (Mr. L. R. Bryan, vice chairman of the Bank of the Southwest, Houston, Tex.) denied Mr. Zorach's suspicion that the rejection stemmed from political implications. Mr. Zorach was 1 of 4 artists whose works were denounced earlier this year by the Dallas County Patriotic Council. The council accused the artists of having Communist or Communist-front records, charges that Mr. Zorach, for one, has vigorously denied.

The Lithuanian-born sculptor who came here at the age of 4 said he had voted Republican and Democratic all his life in Maine, where he has a farm; and that his Representative there, ROBERT HALE, Republican, had cleared him of all suspicion.

The only thing Congressman HALE did was to place in the RECORD a letter written by Zorach. This procedure in no way clears Mr. Zorach of his Communist-front record, nor does it infer that Congressman HALE is a character witness for Zorach. It is obvious that Zorach never made known to Congressman HALE his long list of Communist and Communist-front associations.

Zorach states that he had voted Republican or Democratic all of his life in Maine. However, I believe the editors of the New York Times should look on page 32 of the October 20, 1948, issue of their own paper. In it they will find the name of William Zorach in a large advertisement for the election of Henry Wallace. This advertisement was issued by an officially cited Communist front, the National Council of the Arts, Sciences, and Professions, the organization lauded by V. J. Jerome.

I find him designated as one of the Manhattan Committee of Artists for Wallace, which gave as its address 23 West 26th Street, New York City, the building donated by Frederic Vanderbilt Field to the subversive and Communist Civil Rights Congress and a host of other subversive fronts. The chairman of this committee was Max Weber and the secretary was Joseph Rascob. Besides Mr. Zorach, it included David Burliuk, Philip Evergood, Ernest Fiene, Marion Greenwood, Chaim Gross, Rockwell Kent, Arthur King, Frank Kirk, and Raphael Soyer.

TRUTH IS A POWERFUL WEAPON

Through years of steadfast Communist-directed organization, cultural termites have bored deeply into the foundation of the structure of our American art world. The damage they have done and are doing is very great. They intend to do more. But if the truth is told and not suppressed, the loyal American artists will rise up against the domination of this radical clique which is directed by individuals dedicated to the aims of international communism.

Appraisal of art must be restored to writers who possess knowledge and honor and are not Marxist evaluators posing as critics. Art juries should not be loaded with crusading leftists intent on bestowing recognition and awards on their fellow-traveler comrades. Museum funds left in trust to advance American art should be used for that purpose and no other.

Let the Soviet conspiracy support Picasso, Leger, Rivera, Max Ernst, and the band of antiart contortionists outside the Soviet Union, as well as the social-realist painters and sculptors inside Russia who are developing their talents to build, strengthen, and propagandize for socialist humanism.

Let our great Republic repudiate in no uncertain terms this Marxist scheme to grasp our culture and use it against our way of life. Let our art be an expression of the beauty, spirit, and aspirations of our great Nation.

Too long have tyrants, fearful even of the image of virtue, kept thought itself in chains—encouraged license and stamped out genius.

CITIZENS OF CHARLESTOWN, MASS., TO CELEBRATE ANNIVERSARY OF BATTLE OF BUNKER HILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. O'NEILL] is recognized for 20 minutes.

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. O'NEILL. Mr. Speaker, this year, as in every year for 181 years, the people of Charlestown, Mass., celebrate the anniversary of the historic Battle of Bunker Hill. This decisive engagement, the turning point which signaled the final defeat of the English forces and the loss of the American Colonies to the British Empire, is marked with appropriate ceremonies. On the night before banquets are held to commemorate the occasion. There are festivities throughout the whole day of celebration. This year, participating in the magnificent parade will be detachments of color guards and troops from the Army, Navy, Air Force, and the Marine Corps. The people of Charlestown open their homes, and all are welcome to join with them.

In Monument Square in Charlestown there stands a granite shaft in majestic tribute to the high courage of the men who staked not only their lives but their reputations on the uncertain issue of Revolutionary War. This great monument serves to recall the place of battle which climaxed the 60-day siege of Boston between Lexington and Bunker Hill; the thrilling story of the June day of so many years ago, and the vision and ideals of the citizen soldiers who fought there.

As the Representative of the Charlestown area, I am privileged and proud to make a special announcement at this time. The Boston National Historic Sites Commission, established by the Congress of the United States and of which I am a member, proposes to accept the Bunker Hill Monument from the Commonwealth of Massachusetts as an outstanding example of America's historical heritage. The monument is to be converted to a national shrine to be enjoyed not only by the people of Massachusetts but by all of the citizens of this great Nation.

All of us know the story of the lack of ammunition of our embattled patriots who fought on the slopes of Bunker Hill; how they were forced to hold their fire until the British were in sure range. In the mighty struggle on that blazing June day the forces of King George III were able to capture some of the arms of our Colonial troops. On the Plains of Abraham, outside the city of Quebec in Canada, stands one of the cannons fired at Bunker Hill. In this connection, I believe that my colleagues in the House would like to know of a letter which I have just addressed to the Prime Minister of Canada, asking for the return of the cannon to be placed in our national shrine:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 14, 1956.

The Right Honorable LOUIS STEPHEN ST. LAURENT, K. C.,
Prime Minister of Canada,
Ottawa, Canada.

MY DEAR MR. PRIME MINISTER: I know that you and your countrymen are well aware that they occupy a very special place in the hearts of all Americans. History has inextricably intertwined the fortunes of our two countries, and we enjoy 3,000 miles of ununprotected border between us, a symbol of the peace and friendship in which we dwell. The closeness of our friendship is demonstrated not only in the mutual respect which we hold for each other, but also in the fact that we have ben comrades-in-arms, sharing in the fight for freedom, and in the defense of our homes and families.

As a Member of the Congress of the United States, I have the privilege of representing Charlestown, Mass., in which is located a magnificent monument commemorating the great Battle of Bunker Hill. The Bunker Hill Monument stands as a tribute to the courage of the citizen soldiers of the American Colonies, and as an inspiration to all Americans of their devotion to principle and their love of country.

It is the proposal of the Boston National Historic Sites Commission, established by the Congress of the United States, to convert the Bunker Hill Monument to a national shrine as an outstanding example of America's historical heritage.

At the time of the momentous engagement, the forces of King George III were able to capture one of the cannons fired on that day in June so many years ago. It stands today on the Plains of Abraham, just outside the city of Quebec in Canada.

It is natural for the American people to have a high regard for this remarkable remembrance of an occasion which marked the beginning of the rise of our great Nation to world leadership.

The Bunker Hill National Monument would not be complete without the addition of this historic cannon, and so I am submitting this formal request to you for the return of the cannon to the people of the United States as a further demonstration of the harmony, unity, and friendship in which we live.

Sincerely,

THOMAS P. O'NEILL, Jr.,
Member of Congress.

SPECIAL ORDER GRANTED

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the special order I have for today be vacated and that I may have permission to address the House for 5 minutes on Monday next, following the legislative program of the day and the conclusion of special orders heretofore entered.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

RELIEF IN AREAS OF EXCESSIVE UNEMPLOYMENT

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, some months ago I introduced the bill H. R. 7856 which was referred to the House Committee on Ways and Means. It is a bill to alleviate conditions in areas of excessive unemployment, the so-called distressed economic areas.

Coming from the anthracite coal fields of Pennslyvania, where we have a condition of excessive unemployment and distressed economic conditions, together with Senator DOUGLAS of Illinois in the other body, we have held hearings in several States, and, as a result, the Senator from Illinois and I have revised this bill, and it has been introduced in the other body by him and introduced here by me.

Now, the bill here is referred to the Committee on Banking and Currency in this House, since the tax clause of the first bill is removed. I trust, Mr. Speaker, that that distinguished committee will give immediate consideration to that bill.

The SPEAKER pro tempore [Mr. DEANE]. The time of the gentleman from Pennsylvania [Mr. FLOOD] has expired.

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. O'NEILL, for 20 minutes, today, and to revise and extend his remarks.

Mr. SIKES, for 20 minutes on Wednesday and Thursday of next week.

Mr. BAILEY, for 15 minutes on Tuesday next.

Mrs. SULLIVAN (at the request of Mr. ALBERT), for 30 minutes on Monday next.

Mr. JOHNSON of California, for 30 minutes on Wednesday, June 20, 1956.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. OSMERS and to include extraneous matter.

Mr. O'HARA of Illinois (at the request of Mr. TUMULTY) in three instances and to include extraneous matter.

Mr. BOW in two instances and to include extraneous matter.

Mr. HYDE.

Mr. KEATING and to include extraneous matter.

Mr. DODD (at the request of Mr. ALBERT).

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 46 minutes p. m.), under its previous order, the House adjourned until Monday, June 18, 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:

1970. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval installations and defense production plants in such area,' approved October 11, 1951"; to the Committee on Armed Services.

1971. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes"; to the Committee on the Judiciary.

1972. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1957"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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. BLATNIK: Committee on Public Works. H. R. 10679. A bill granting the consent of Congress to the establishment by the States of Mississippi and Arkansas of a bi-State commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River; without amendment (Rept. No. 2358). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 1749. An act adopting and authorizing the improvement of Rockland Harbor, Maine; without amendment (Rept. No. 2359). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. House Resolution 524. Resolution disapproving the sale of the alcohol butadiene manufacturing facility at Louisville, Ky., Plancor No. 1207; without amendment (Rept. No. 2360). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 8407. A bill to require enlisted members of the Armed Forces to make up time lost during enlistments; with amendment (Rept. No. 2361). 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. BROOKS of Louisiana:

H. R. 11787. A bill to amend further and make permanent the Missing Persons Act, as amended; to the Committee on Armed Services.

By Mr. GWINN:

H. R. 11788. A bill to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes; to the Committee on Education and Labor.

By Mr. HERLONG:

H. R. 11789. A bill to provide tax equity through the taxation of cooperative corporations and to provide tax credits for recipients of dividends from genuine cooperatives; to the Committee on Ways and Means.

By Mr. LESINSKI:

H. R. 11790. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H. R. 11791. A bill to establish on public lands of the United States a National Wilderness Preservation System for the permanent good of the whole people, to provide for the protection and administration of areas within this System by existing Federal agencies and for the gathering and dissemination of information to increase the knowledge and appreciation of wilderness for its appropriate use and enjoyment by the people, to establish a National Wilderness Preservation Council, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California:

H. R. 11792. A bill to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, relating to hazardous employment; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. R. 11793. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operation of industries affecting 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. 11794. A bill to provide for the establishment of the Bureau of Older Persons within the Department of Health, Education, and Welfare; to authorize Federal grants to assist in the development and operation of studies and projects to help older persons; and for other purposes; to the Committee on Education and Labor.

By Mr. VINSON:

H. R. 11795. A bill to limit the appellate jurisdiction of the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. FASCELL:

H. Res. 541. Resolution disapproving Reorganization Plan No. 2 transmitted to Congress by the President on May 17, 1956; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H. R. 11796. A bill for the relief of Patrick Brendan Cox; to the Committee on the Judiciary.

By Mr. CHUDOFF:

H. R. 11797. A bill for the relief of Laibeck Teitelbaum; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1139. By Mr. BOW: Petition of Mrs. Margaret Kavanagh and others of Stark and Summit Counties, Ohio, to repeal an act of 1935 which permitted the affiliation of this Nation with the International Labor Organization; to the Committee on Foreign Affairs.

1140. By the SPEAKER: Petition of the secretary, Niagara County Democratic Committee, Niagara Falls, N. Y., requesting passage of legislation that would authorize the construction of a new hydroelectric plant in the vicinity of Niagara Falls, etc.; to the Committee on Public Works.

EXTENSIONS OF REMARKS

Status-of-Forces Agreements

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. BOW. Mr. Speaker, in the debate on the amendment I offered to the Mutual Security Act my colleague from Mississippi expressed a resentment toward military men, which is surprising when you consider his Army service and his membership in veterans' organizations. He made no distinction between the criminal inclinations of foreign soldiers and our own servicemen.

He expressed his fear of the foreign soldiers' training at the airforce base in his district with these words:

> What if any one of those foreign soldiers in my district went on a rampage and committed some crime? Suppose it was a case of rape, murder, arson, or some of the other crimes we hear about.

In fact, my colleague seems to be obsessed by thoughts of these particular crimes. He had this to say about his fellow citizens:

> I am getting tired of people saying that because a man is wearing an American uniform that he is perfect, that he could not commit murder, or rape, or arson, and that if he did, we should forgive him. I think that we should demand that American soldiers who do not live up to the laws of foreign countries should be subject to punishment. I, for one, as a Member of Congress do not intend to take part in any effort to defend murders and worse by this type of indirect action.

Now the gentleman knows that the amendment I proposed to the Mutual Security Act was not a defense of murderers. He knows that no one has ever advocated that a wrongdoer in the service be granted immunity from punishment. But some of us still believe that punishment should be meted out the American way; that it should be uniform no matter where our servicemen may be; that the same offense should not be punished by a term of 90 days in one country and 4 years in another.

I was curious as to what heinous acts might have been committed in my colleague's district by foreign soldiers to

develop his obsession about murder, rape, and arson. So I asked the Air Force. I am told that the Greenville Air Force base has been in operation about 2 years. During that time there has not been one single crime committed by any foreign serviceman assigned to that base for training. One man had a little trouble with a check being returned, but the commander of the base considered it minor. So there lies the bogey of crime in my colleague's district.

The gentleman from Mississippi did not claim any great success as defense attorney at courts-martial when he served in the Army. He said none of the dozens of men he represented were acquitted. This is quite understandable. He must have suffered even then from the virus that has attacked so many proponents of the status-of-forces agreements—the presumption that all accused servicemen are guilty. He must have represented the accused he was assigned to defend in much the same manner that some counsel act who are appointed by foreign courts to defend our accused servicemen. An observer of a serviceman's trial in Japan said: "The dedication of counsel to the defense of the accused left much to be desired."

Brotherhood Marks Rabbi Simon's Anniversary

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. O'HARA of Illinois. Mr. Speaker, there has been celebrated in Chicago this last week Rabbi Ralph Simon's silver anniversary in the rabbinate. Congregation Rodfei Zedek, in the district that I have the honor to represent, set aside the weekend to pay tribute to its spiritual leader. It seems to me fit and proper that we here in the Congress should take notice of such events. The strength of our Nation is in the depth of its spiritual tones.

How closely bound in brotherhood are the people of the Second Congressional District again was shown at the Friday evening services that began the weekend of festivities. Speakers who paid tribute to Rabbi Simon were prominent leaders of the Chicago community, including Rabbi Ira Eisenstein, of Congregation Anshe Emet; Dr. Samuel Hollander, president of the Jewish Federation of Chicago; and the Reverend E. Jerry Walker, pastor of St. James Methodist Church and president of the Hyde Park-Kenwood Council of Churches and Synagogues.

Rabbi Ralph Simon, who was born in Newark, N. J., was ordained with distinction and received a master of Hebrew literature degree from the Jewish Theological Seminary, in 1931, and also holds a master's degree from Columbia University. He has served at various times as president of the Chicago Rabbinical Association, and vice president of the Zionist Organization of Chicago, and is presently treasurer of the Rabbinical Assembly of America.

Speech by Vice President Nixon on Meeting Soviet Union's Tactics

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Thursday, June 14, 1956

Mr. HUMPHREY. Mr. President, it is not often that I have been prompted to compliment the Vice President of the United States in broad and unqualified terms. That I do so today reflects my enthusiastic admiration and complete agreement with the substance of Vice President NIXON's remarkable address delivered at the commencement exercises at Lafayette College last Friday night, June 8. I consider this speech a major contribution to our national evaluation of world affairs. The Vice President has given us both a comprehensive and constructive summary of the world situation. It is a statement which should be read and reread, and its message should be reflected in what we say and what we do.

I congratulate the Vice President on making this speech and commend it to the attention of the Members of Congress, asking unanimous consent that it be inserted in the RECORD:

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

TEXT OF NIXON'S SPEECH ON MEETING SOVIET UNION'S TACTICS

I was tempted in preparing my remarks for this occasion to discuss at length the economic prospects for the years ahead.

We are fortunate to be living in a period when, for the first time in a quarter of a century, we have had 3 consecutive years of unparalleled prosperity.

The college graduates of 1956 will find available to them the most jobs at the highest wages in the Nation's history.

And it would be fascinating indeed to explore the almost limitless possibilities for expansion of the American economy during the years ahead as we begin to harness the new sources of energy which our scientists have untapped.

Tonight, however, I believe there is a subject of greater importance to this graduating class and to the Nation.

I refer to the titanic struggle between two opposing concepts of life in which we are engaged. The next few years will determine whether we can live in peace and at the same time avoid surrender.

And that question will be answered by how well we are able to meet and defeat the changing tactics of the dictatorial forces which threaten the free world.

From the end of World War II to the death of Stalin in 1953, our problem was a relatively simple one.

Communist leaders all over the world used open threats of force coupled with thinly veiled support of revolutionary and subversive movements in countries designed for conquest. These actions of bluster and abuse inevitably drove the free world together in self-defense.

Then came the death of Stalin and the New Look in Communist foreign relations.

The leaders of the Soviet Union invited the rest of the world to a period of peaceful coexistence. In doing so they seemed to abandon their previous tough line and they have even repudiated some of the excesses of past regimes.

NOT THE WHOLE ANSWER

This change of tactics has understandably created considerable confusion in the non-Communist world.

I think there will be little dissent from the conclusion that in view of the record of the men in the Kremlin the lines of military and diplomatic policy that we have hammered out over the past 10 years must continue to govern our conduct at this time.

But, is this the whole answer?

Do we stand pat and leave all the initiative to the other camp?

Do we act as if nothing has happened in the 3 years since Stalin died?

I answer these questions by saying that we could make no greater mistake than to rest on our oars and to ignore the "new look" in Soviet diplomacy.

If it is made to appear that our primary concern is military hardware, we may find ourselves isolated in a world that has been convinced by the traveling salesmen of the Soviet Union selling other products.

What we face today is a new line which could be far more dangerous in the long run than the Stalin line of bluster and brute force.

It is basically a war for men's minds, a struggle for their allegiance, an effort to win them peacefully to the Soviet camp.

In this struggle, ideas—not guns or aircraft—are weapons.

In this war, our armies wear the university cap and gown, not the uniform of the soldier. Books and pamphlets, rather than tanks and battleships, will be decisive in this contest.

One of the major reasons for the change in Soviet policy becomes apparent.

It was obvious to the successors of Stalin that they could not sell their new line so long as people remembered slave-labor camps, mass purges, and the ever-present terror of the secret police.

Yet, to the outside world, there would appear to be a break with the past and a writing off of the handicaps derived from more than 30 years of terror.

WHAT THE NEUTRALS WANT

And the "new look" was sufficiently appealing in contrast to the old that there was every chance of selling this policy to uncommitted nations, and of breaking off one by one those who had allied together in a common policy of defense.

In the cold light of history it seems fantastic that a nation with the Soviet record of terror and aggression could hope to make widespread gains by announcing a simple change of policy.

At the least, one would expect that all non-Communist countries would adopt a policy of watchful waiting and not make any shift of program until the "new look" had been tried for 5 to 10 years.

Unfortunately, this is not the case.

We must recognize that there are powerful assets which work to the benefit of the Soviet in this contest. Unless we examine them and face them realistically, we may well lose out in the battle for men's minds.

First, let us see what is at stake. Approximately 600,000,000 people live in the so-called uncommitted or neutral nations. It is easy to see that the world struggle will be determined by what happens to these people.

On the basis of my travels through most of this part of the world, may I tell you what I believe the people in the uncommitted nations want and contrast the Communist appeal with our own.

First, there is the desire for peace throughout the world, a desire which is particularly strong in the nations newly freed from colonial ties. This is not merely negative in the sense of war-weariness or fear. It is often something much more positive.

They wish the time and freedom to build their countries economically, politically, and culturally.

To such nations the Communist world talks and promises peace. It appears to respect their desire for neutrality.

By contrast we often seem to be talking war and military alliances.

I do not say that these impressions are correct, but they are more widespread and sincerely held than we often realize.

Second, there is the understandable desire for economic progress in nations less developed than those in the West.

To these nations, the Soviet Union holds up the example of its own dramatic industrial progress under communism.

On the other hand, the almost unbelievable prosperity of the United States appears to many of these nations as a goal impossible of attainment.

Third, there is the desire for recognition, prestige and independence.

In much of Asia and Africa, strong resentments have been built up against Western nations because of past or present colonial and imperialistic policies.

Often there is the deep hurt that springs from real or imagined racial discrimination.

SOVIET ADROITNESS CITED

Here we find that there is a fear of what they term cultural imperialism, an effort by the West to dominate the thinking of other nations rather than to respect their cultures and religions on an equal basis with ours.

And here again the Soviet has been adroit in recognizing this desire. Compare, for example, the tactics of (Premier Nikolai A.) Bulganin and (Nikita S.) Khrushchev (Soviet Communist Party leader) in dealing with the peoples of the Far East and their tactics in Great Britain.

A fourth point to note is the attitude of many peoples toward material things in contrast to the intellectual and the spiritual. This is difficult to express accurately.

In one sense, all peoples are concerned with economic and material problems. They must produce to live.

Yet, at the same time, there are often profound differences in the relative place assigned to these activities.

In many areas of the world a place of honor is given to leaders in the arts and intellectual fields and in religious activities.

The intellectual is not dismissed as an egghead. The artist is not called a longhair. The minister of religion is not considered an impractical idealist.

Here again we find that many peoples think that we in America are too materialistic to have such ideals. We are considered anti-intellectual, deficient in culture, superficial in religion. Again, I am not passing judgment on the truth or falsity of these charges. The important point is that they are widely believed.

And what is truly amazing is this: That the apostles of communism can parade as exponents of the very ideals that they accuse us of neglecting when their own philosophy is the ultimate in materialism and the antithesis of religion.

THE BASIC QUESTION

But we find again how cleverly they present their case.

They point out that the scientist and the intellectual is held in high esteem in the Soviet Union.

Artists and writers are among the highest paid and most honored citizens in their regime.

Even the persecution of religion is played down by the claim that worship is free, and that only political activities of the churches are suppressed.

We now come to the basic question: What should our policy be in the light of the new Soviet tactics?

We must, of course, continue to maintain adequate military strength at home and we must try to keep alive our vital alliances abroad.

We must continue our programs of economic assistance and avoid, if we can, the possibility that less-developed nations will be forced to become economic satellites of the Soviet Union.

But our military and economic programs, essential as they are, may not prove to be the most important elements in this battle.

Of this we can be sure: The uncommitted nations are not going to be frightened into alliances with the West by military power, nor can their allegiance be purchased by dollars.

What will probably be decisive in this struggle is not how much each side does, but how it is done.

That is why we must, at whatever cost, place additional emphasis on developing the kind of ideological program which is designed to win the minds and hearts of men.

Before I discuss details of such a program, may I suggest one fundamental condition that can make the difference between success and failure?

Whatever we do, we must deal with other people as our moral and spiritual equals.

Nothing is more infuriating or more likely to make our program fail than a boastful or condescending attitude on our part.

It is dangerous to parade our material wealth or economic achievement.

This may merely create envy, rather than admiration, on the part of other peoples.

IN A MISSIONARY SPIRIT

In a sense, we must deal with other nations with the tact, humility, and friendliness of missionaries.

Indeed, we could learn a great deal in our foreign relations by studying the attitudes and methods of the Christian missionaries who have won friends throughout the world.

They came to help the nations to which they were sent.

They learned their languages and customs.

By taking literally the truth that all men are brothers under God, they were accepted into families and homes of distant peoples.

Once we have this attitude, our task is to convince others that democracy and freedom and all the rights and privileges we hold sacred are better for them than is the Soviet way of life.

It is not enough to denounce or expose communism. We must show that we have a better alternative.

We do not do this by parading our superior material standard of living.

It is the total pattern of life that must prevail—not merely one phase of it.

May I make one point clear at this time?

There is no question but that we have the better case to sell.

Because basically we are on the right side. The side of freedom and justice, of belief in God—against the forces of slavery, injustice and atheistic materialism.

Ours is the truly revolutionary dynamic idea. It is the Communist idea which is repressive and reactionary.

How do we get our message across?

I believe that often too much reliance is placed upon the effectiveness of bombarding the uncommitted countries with radio broadcasts, motion pictures and press releases which present the American viewpoint.

These programs are important and necessary, but, in the long run, I believe there are others which are more effective.

FOR THE COST OF A BOMBER

May I emphasize first the overwhelming importance of expanding our program for exchange of persons. This includes high-school youngsters who spend a year living with American families and going to our schools; college and university students who get their degrees in American schools; and the leaders program under which each week 50 or more foreign visitors—leaders in business, government, labor, and education—come to the United States as guests of our Government to talk with Americans who are in the same field as theirs.

In this way our guests learn about us firsthand, correcting false impressions they may have had about us.

It is particularly important that we expand this program in countries newly released from colonial status.

Here the need for trained leaders is often the greatest. Many times students will graduate from a university and almost immediately take a high political position in their native lands.

From a long-range point of view, we can gain immensely by programs of this nature.

For the cost of one large bomber we can make friendships that will benefit the free world for generations to come.

President Eisenhower's brilliant proposals to American educational institutions and foundations to aid in expanding educational opportunities throughout the world is in line with this approach.

If the free world can teach the leaders of tomorrow in areas that may well dominate tomorrow's world, we need not fear the contest between communism and freedom.

There are those, of course, who may point out the fact that many of those who today oppose western policies were trained in western universities.

But they oppose us because we taught them ideals of freedom while we were keeping their lands in colonial bondage.

Now that great areas of the world are free from colonialism, we have a good chance to win back the friendship and loyalty of leaders of these lands.

In addition to Government-sponsored activities, it is important that every American who goes abroad or who deals with foreign guests in our own land realizes that he is an ambassador representing our Nation.

All of us must try to be sensitive, understanding, and helpful.

Arrogance and boastfulness make enemies—not friends.

And particularly we must appreciate the high place given to intellectual and spiritual values in many areas of the world. This places a tremendous responsibility upon our tourists and business visitors, upon the exporters of motion pictures and books; indeed, upon anyone who is likely to be taken as a representative of our way of life.

I was reading an article the other day that showed the importance of these attitudes. It concerned the great atomic scientist, Bruno Pontecorvo, who left Great Britain to devote his genius to Soviet atomic research. One of the important reasons for his defection, according to his colleagues, was the fact that he thought he would have more honor, prestige, and even greater freedom of research in the Soviet Union. Likewise, many of the scientists who got caught in the Soviet espionage network in the United States, Canada, and Great Britain were partially influenced at least by the feeling that they were not sufficiently appreciated in the free world. The world of tomorrow belongs to the nations that lead in scientific research and technical skill. We shall pay a great price if we fall behind in this contest.

In discussing our need to win the war for men's minds, I have said little about direct

contacts with the people behind the Iron Curtain.

Today we can have such contacts almost for the asking.

If the present trend continues in the Soviet Union and in many satellite countries, it will be possible to meet broadly with these peoples, to exchange ideas, to compare our respective ways of life.

Many of my fellow Americans are rather skeptical about this new move. They suspect, with some justification, a hidden trick; possibly a device to make communism respectable and to discourage the peoples held in submission by Red armies.

I do not fully share this point of view. I think that the explosive power of freedom is greater than the combined effect of all the atomic and hydrogen weapons in the world today.

Whatever be the motives behind these new moves, I think that in the long run the cause of freedom will be served by breaking through the Iron Curtain wherever an opportunity is presented.

The task ahead of us is a task for all the American people, and not Government alone.

In time of war we are prepared to risk our lives serving with the Armed Forces of our country. But the war for men's minds is a real war and just as important as the struggle of armies, navies, and air forces.

You in the academic world are particularly fitted to serve in this contest. May I suggest that you graduates and you of the faculty give thought to the part that you can play.

On an even broader sphere, I hope that the learned societies of the United States with their counterparts in other free nations will devote time and energy to extend their study to this great struggle for allegiance.

Jointly, you should embark upon a peaceful crusade for freedom.

Some should volunteer for service abroad, just as soldiers volunteer for special missions.

The best thought of our best minds should be given to this burning problem.

It was once said that "You shall know the truth and the truth shall make you free."

This challenge has echoed through the ages. It is as valid today as it was when it was uttered more than 19 centuries ago.

We believe in truth and in the power of truth.

We believe in such basic truths as man's equality under God, the dignity of man, the rights of each individual to live his life in peace, the sacredness of law, the benefits of political freedom including the freedoms guaranteed in our Bill of Rights.

These truths are the great heritage of mankind.

We are confident that they will prevail.

And it is the task of this generation to make sure that our confidence is not misplaced and that all Americans will rise to the challenge that faces us.

Nation's Drycleaners Participate in Flag Day Program

EXTENSION OF REMARKS

OF

HON. DeWITT S. HYDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. HYDE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include my statement pertaining to the participation of the Nation's drycleaners in the Flag Day program:

NATION'S DRYCLEANERS PARTICIPATE IN FLAG DAY PROGRAM

The National Institute of Drycleaning in Silver Spring, Md., has gained the cooperation of the Nation's drycleaners to provide "new glory for Old Glory" by cleaning flags without charge between June 1 and June 12. This is the third consecutive year that the drycleaners of the Nation have rendered this service, and as a result more and more homes and businesses are flying clean American flags on Flag Day, June 14. The drycleaners of the Nation and the Legion posts cooperating with them deserve recognition for their patriotic services to the public in recognition of Flag Day.

Status of Forces Agreement

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. BOW. Mr. Speaker, my esteemed colleague from Indiana [Mr. HALLECK], in his remarks in debate on the amendment which I offered to the Mutual Security Act on June 8 said this:

> While it is only the sense of Congress, knowing the President as I do, if this were to become law he would feel himself compelled to take the steps here advocated.

I heartily concur in this expression of confidence. In my appearances before the Foreign Affairs Committee I said I firmly believed that if my resolution was adopted that the President would recognize the will of the people and would fulfill his constitutional duty to take care that the laws be faithfully executed.

My colleague expressed his conviction that if the operation of any of these agreements should be demonstrated to be harmful to our men in the service, the first man to move as the Chief Executive, the Commander in Chief, would be the President. I like to believe that too.

Unfortunately I do not believe the President has been fully informed of the cases in which there has been a miscarriage of justice in foreign courts. Does he know there is a marine now serving a sentence of imprisonment in Japan whose conviction was described by official observers as manifestly unfair and unwarranted? Has he heard the reports of observers of the trials of any other of the more than 80 servicemen still in prison?

Does the President know that the Army commander in France said that the French procedure of combining trial of criminal and civil actions is a persistent source of irritation and dissatisfaction? That the French have tried servicemen for alleged offenses and found them guilty so that civil damages could be assessed, when our own court-martial board did not consider the evidence warranted prosecution?

Does the President know the Judge Advocate General has said there are certain basic constitutional rights which an accused may be denied in French courts? And, the same is true of all NATO countries?

Last July I requested the Secretary of the Army to furnish copies of the observers' reports in all cases of criminal prosecution of our servicemen by foreign authorities resulting in sentences of imprisonment. It was told the Defense Department had not required these reports to be forwarded to Washington, except in cases which had attracted particular notice in the press, or which had been the subject of congressional inquiry, or in which the Senate resolution procedure was involved. I understand this has now been remedied. But has it been remedied to the extent that the President is informed of the real situation?

With the same conviction expressed by my colleague from Indiana I am obliged to conclude that the full facts have not been presented to the President.

Two Hundred Thousand Find Nothing Refreshing in Unemployment

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. O'HARA of Illinois. Mr. Speaker, when 200,000 workers in the automobile industry have been laid off and are unemployed they and the members of their families find nothing refreshing in their experience. For them these are days and nights of anxiety. They derive no joy in "the right to suffer." They find in hopeless unemployment no "refreshing pause."

I deeply regret that the spokesmen for this administration are meeting the situation in the exact pattern of the spokesmen for the Hoover administration.

When unemployment had started in the last Republican administration members of the President's Cabinet assured the unemployed that they had nothing to worry about. All they had to do was wait long enough for right around the corner was a "chicken in every pot." In mid-July of 1929 a member of President Hoover's Cabinet, speaking at Jackson, Mich., said that complacency would solve all the problems of hunger. A few weeks later the great crash came and the country was plunged into the most devastating depression in history.

When people are out of work action is necessary to get things straightened out. It is no time to sit down in the rocking chair and be complacent.

The "chicken in every pot around the corner" philosophy brought on by the depression of 1929. I hope and pray we will never again have such a depression. Why cannot the spokesmen for this administration realize what they are doing by giving us in 1956 a full-size rerun of the "chicken in every pot around the corner" philosophy of 1929.

It was bad enough when a Presidential assistant told an audience in Detroit that

"the right to suffer is one of the joys of a free economy." At the time there were many thousand unemployed in Detroit. Did this assistant to the President think that he was alleviating their condition by a verbal glorification of their misery? I wonder to what heights of joy he would have risen if the President had repudiated his remarks by cutting him off the payroll.

No sooner had this spokesman for the administration finished explaining that it was only a slip of the tongue than another spokesman, this time no less a personage than a member of the President's Cabinet, bobbed up with the same thought. By this time unemployment in the automobile industry had mounted. Among the workers there was real concern. But Secretary of the Treasury Humphrey said it was a "refreshing pause."

Mr. Speaker, if I went up to a man who had lost his job, could not find another job and was going sleepless worrying how he was going to support his family, and congratulated him on his good fortune in having the opportunity to enjoy a refreshing pause, what would be his reaction?

In the June 16, 1956, edition of Labor is an expression of the reaction of the 200,000 unemployed automobile workers to Secretary Humphrey's remark. By unanimous consent I am extending my remarks to include the article from Labor, as follows:

DO JOBLESS AUTO WORKERS ENJOY REFRESHING PAUSE?

Has a high administration official pulled another boo-boo? That's what some observers were wondering after a Washington newspaper this week reported Treasury Secretary George M. Humphrey told Congress the Nation's economy is presently enjoying a refreshing pause.

The remark came in testimony before a subcommittee of the Joint Economic Committee headed by Congressman WRIGHT PATMAN, Democrat, of Texas. Humphrey also predicted the auto industry's difficulties will be behind us in a relatively short time.

The Humphrey remark recalled an earlier slip by Howard Pyle, an assistant to President Eisenhower, who told a Detroit audience "the right to suffer is one of the joys of a free economy."

Some 200,000 jobless auto workers, who had trouble swallowing Pyle's statement, may find Humphrey's refreshing pause equally hard to believe.

The Freedom Crusade

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. KEATING. Mr. Speaker, under terms of the Geneva talks the Communist Government of China agreed to release all American prisoners. The action of the Reds in keeping in captivity 13 Americans after having made this promise is a matter which rankles us all.

We have been fortunate that one of those imprisoned has subsequently gained his freedom and has returned to this country to tell of the horrors of captivity. He has made vigorous efforts since his return to arouse Americans to the plight of those who remained behind.

This man, Father Harold Rigney, S. V. D., in conjuction with the Back Yards Council of Chicago, is spearheading the freedom crusade in an endeavor to free those innocent American citizens who are still held in prison. The crusade is a national letter-writting campaign aimed at convincing publicity-conscious Mao Tse-tung of the advisability of releasing our countrymen.

Mr. Speaker, I urge all Members and all other citizens of our Nation to join in this great movement. I have a special interest in the freedom crusade because one of my constituents, Rev. Joseph Patrick McCormack, of Palmyra, N. Y., is among those being held, but I feel the seriousness of the situation should impel all Americans to take pen in hand to aid this program.

Address by Hon. Herbert H. Lehman, of New York, at Dinner of the Liberal Party

EXTENSION OF REMARKS

OF

HON. HERBERT H. LEHMAN

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, June 14, 1956

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address I delivered on June 13 at the annual dinner of the Liberal Party, which was held in New York City.

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

SPEECH BY HON. HERBERT H. LEHMAN, OF NEW YORK, AT THE 12TH ANNUAL DINNER OF THE LIBERAL PARTY, GRAND BALLROOM OF THE COMMODORE, NEW YORK CITY, JUNE 13, 1956

At this hour, we are all deeply perplexed by the incongruous paradox of the present world situation.

At this hour, the international Communist movement should be wasting away with sickness in its soul, as a result of the posthumous trial and conviction of Joseph Stalin by the men who knew him best.

Yet at this very hour, when the late leader of world communism has been found guilty, by his own colleagues, of tyranny, torture, murder and genocide—at this very hour, world communism appears to be making new friends and influencing great numbers of new people.

To understand this paradox requires insight. To meet the resultant challenge demands imagination.

As for the challenge, we surely have the capacity—mental, moral and physical—to win the age-old struggle for human freedom against inhuman tyranny.

But we cannot win this titanic battle with cardboard weapons of self-delusion, self-complacency and self-adulation.

We dare not delude ourselves into believing that world communism is weakening when it is actually renewing its drive, using new methods, to extend its world influence.

We dare not be complacent about our alliances and our relations with our allies while they are being assiduously and seductively wooed with large-scale, easy-term Soviet trade and aid.

Above all, we dare not give even tacit acceptance to the dangerous claim of the present administration that all is well, that the cause of peace and freedom has been advanced, and that happy progress has been made toward a better, a more just, and a safer world.

Yet this unwarranted atmosphere of smug self-satisfaction seems, in fact, to have become widely substituted for reality in America today.

I have before me page 1 of the New York Times of June 1.

In column 5 is a story in which Gen. Alfred M. Gruenther, Supreme Military Commander of NATO, is quoted as saying that "the Western alliance was approaching its supreme crisis in the face of dangerously powerful Soviet world propaganda." That is a grim and, I believe, a true warning.

In column 8, on the same page, is a story quoting President Eisenhower as saying that "certainly the prestige of the United States since the last World War has never been as high as it is today."

Which of these two contradictory statements reflects the truth of the present situation?

In a further comment, General Gruenther emphasized the assertion that the Communists are relying heavily on their armed strength. Their recently announced reduction in armed forces, said General Gruenther, according to the New York Times, was "a small chip from what is still a vast monolith of power." Nothing the Russians have done "in their new policy of smiles, happy talk, and receptions," added General Gruenther, "could justify the least reduction in United States assistance to NATO." General Gruenther was talking realistically, based on factual observation.

But, on the very same day, the President of the United States is reported as saying, "We have largely nullified the Soviet Union's reliance upon force and threat of force." The proof of this change, he said, lies in the fact that the Soviet Union "has gone to different kinds of influence."

Now, which of these statements corresponds more to fact and to the truth?

I fear that we are making a philosophy out of smugness. The present atmosphere that all is well in the world, generated through every possible medium of mass communications, seems to reflect little awareness of the tensions and problems which confront us in Cyprus, in Israel, in the Arab States, in Yugoslavia, in Soviet infiltration of the Middle East, in north Africa, in Formosa, and Asia; in Montgomery, Ala., in Tallahassee, Fla., and in Washington, D. C. In short, we have been and are being encouraged, no matter what we may hear or see, to believe that all problems have either been solved or are on the way to solution—as a result of the brilliant leadership of the administration team.

I say that we cannot afford the delusive and narcotic effects of such smugness.

To be smug is to set ourselves apart from the millions of people who are on the move in Europe, Asia, Africa, and South America. Those millions are restless, trying to shake off the cold grip of poverty and oppression that has held them tightly for centuries. Those millions of people want status—and not the status quo.

In terms of the world struggle for human rights, the smug side is the losing side.

We cannot win by talking big—and acting small.

We cannot win by preaching equality and practicing discrimination.

We cannot win by wooing our foreign friends and then slamming the doors in

their faces with the loud thud of our present discriminatory Immigration Act.

We cannot win the hearts of the underprivileged of vast continents while serving privilege at home.

We cannot launch a vast offensive for freedom while Congress pinches every penny for foreign aid.

The world is on the march. We cannot afford to mark time.

We can win the day if our deeds match our words. We can win if our hands do what our lips say. We can win if we apply the pioneer spirit to our newest frontier: the struggle for human rights.

In the past our great democracy has shown an infinite capacity to deal with mammoth problems: economic, political, and social.

We have made great progress in human rights, in scientific development and social justice.

The saga of America's past and recent progress as a nation, honestly told, is an inspiration to any people in the world about to embark upon the great and challenging experience of self-government.

But while giving an honest picture to the world of what we are, we must also look deeply and constantly at ourselves to see what we still have to do. In assessing and describing our own unsettled problems, we will find a closer identity with the millions of restless ones around the world; and perhaps they, too, will find in us a common soul and a common purpose.

Chief of all our domestic problems is the plight of those who are still denied equal civil rights to a major degree in some parts of our country, and to some degree in all parts of our country.

In this field, as in others, we have of course, made progress. In the last decade, we have seen the white primary ended in the South; racial covenants in real estate deeds are no longer enforceable in the courts; segregation and other forms of discrimination in interstate travel have been abolished; in the District of Columbia and in many States, discrimination and segregation have been outlawed; an increasing number of States and localities have passed fair employment practices acts.

During the last 4 years the single most historic development was the Supreme Court decision outlawing segregation in public schools.

But the single, most dramatic development, in my judgment, has been the emergence of the Negro people of the South, themselves, as active factors in the struggle. They, themselves, with strength, patience, unity, and forbearance have made the Montgomery bus strike a symbol of their new and active role, and of their deep understanding of both the will and the way to win.

The movement toward full civil rights in America has, like all progress, elicited cries of panic from its opponents. As they see the old order changing, they mobilize desperately for the counterattack, to halt further movement and to attempt to recapture ground already lost.

Recent acts of racial repression have shamed America. We have seen social ostracism, economic boycott, political disenfranchisement, and physical violence directed against white and black, who have sought to advance the democratic process.

We seem to have come to that point, in this struggle, where it is no longer possible to contain the situation with shreds of compromise. The issue must be resolved.

On this issue, the voice of the Nation is clear and resonant.

The Supreme Court decision was that voice, speaking in restrained tones, from the most august level of government. That voice has spoken the conscience and determination of millions of Americans: Black and white, North and South, Democrat and Republican.

In this struggle between law and those who would evade and defy the law, I do not see how any responsible American can be neutral. I am not neutral. I stand on the side of the law.

In this struggle between the oppressed and the oppressors, I am not neutral. I stand with the victims of oppression.

I confess I am no neutral in the conflict between the law and the Constitution, as stated by the Supreme Court, and the defiers of the law, as organized by White Citizens Councils.

I do not believe that the President of the United States can or should be neutral, as between the Government he swore to uphold and those who would paralyze and shame that Government.

Nor do I believe that the Congress of the United States can or should be neutral.

In the Congress, the Supreme Court decision must stimulate the enactment of the necessary legislation for the realization of all the goals set forth in that decision.

The first step in this direction is the repeal of that great roadblock to civil rights legislation in the United States Senate—Rule 22, that rule which permits a minority to frustrate the will of the overwhelming majority. And after the repeal of rule 22, or even without it, legislation must be pressed to assure to every American equal opportunity for political participation, equal access to public facilities, including schools, and the equal protection of all the laws, regardless of race, creed, or color.

These things must and will come to pass. Let them come now.

We must finish the job of winning full civil rights for all Americans—first, because it is morally right and legally correct; second, so that all the world may know that America, in 1956, like America in 1776, carries high the torch of human liberty. I find it not only appropriate, but important, to discuss this matter—America's role in holding up the torch of liberty—before this gathering of the Liberal Party of New York.

I consider the Liberal Party to be one of the principal forces in New York State and in the Nation, in steady support of advance and progress toward the goals of freedom and fulfillment for every man, everywhere.

Around me at the head table, and at almost every table in this gathering tonight, I recognize valiant fighters for liberty—economic, political, and social. These are not only fighters, but veterans of years of successful struggle—men and women whom I have known as fighters for these causes long before the Liberal Party came into existence.

I know of no more gallant, dedicated, and devoted leaders of the forces of liberty and progress than my old and close friends, Dave Dubinsky, Alex Rose, Adolf Berle, Dr. Counts, and Dr. Childs.

I am a lifelong member of the Democratic Party and I have never belonged—and never shall belong—to any other. But I am proud that I have had, in every political race I have ever run, the support of these men and their associates and friends. My friends too. Men like Luigi Antonini, Charlie Zimmerman, Isador Nagler, Ben Davidson, and many others too numerous to mention. May I say tonight, as I have on many other occasions, that I have considered it an honor and a great privilege to have received the endorsement of the Liberal Party each time I have run for public office since the Liberal Party has been in existence.

I have been glad to publicly acknowledge the vital support I have received from you by joining the name of the Liberal Party to my own party in my designation of affiliation in the records of the Senate.

And, above all, I have valued with pride the personal friendships and associations I have made—friendships which have been above and beyond politics or political purposes—friendships and associations I will cherish so long as I live.

And now, some brief and final thoughts on the problems which we all face.

We face the challenge of the future of America, and of the cause of democracy and freedom.

We are not meeting that challenge today. We are shrinking from it. We are hypnotizing ourselves into a trance of self-contentment and complacency.

There is so much to be done; there are so many evil forces to beat back, so many looming dangers to be confronted, and so many problems to be resolved lest they overwhelm and overcome us.

There are great new frontiers to be opened; mighty mountaintops of human progress to be climbed. Yet we hear today few clarion calls to action and achievement.

We must move forward in the field of housing, in the field of immigration and citizenship legislation, in the field of minority rights, in the field of atomic energy and its peacful uses, in the field of social security and social justice. We must learn how to share our great technical know-how with other peoples and how to learn from other peoples the great know-how of philosophic and historic experience and cultural appreciation. Above all, we must seek to achieve a just, free, and peaceful world. All these are goals, some immediate and some long range, to challenge the best and most that there is in us.

For new ideas on ways of achieving these goals, we must look to individuals and groups of individuals who dare to think in new and different terms; who dare to be nonconformists; who dare to be unorthodox—who dare to move ahead into uncharted areas of thought.

I consider the Liberal Party to be a group of such trailmakers. I hope that it will always continue, and even intensify, its explorations in these vital areas. I can think of no greater or more pressing need for our country, for the free world, and for humanity itself.

Let us set our sights on these distant goals and proceed to march forward with strong and active faith in ourselves and in the principles of freedom and democracy.

Genocide Day for the People of Estonia, Latvia, and Lithuania

EXTENSION OF REMARKS

OF

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. DODD. Mr. Speaker, today, June 14, is genocide day for the people of Estonia, Latvia, and Lithuania.

This is the day 15 years ago that the Russian Communists deported thousands of Estonians, Latvians, and Lithuanians to slave labor camps.

As a member of the Select Committee To Investigate Communist Aggression, I heard firsthand the dreadful story of these mass deportations. It is without doubt one of the blackest pages in all human history.

Mr. Speaker, there are those who would have us forget what happened in these Baltic countries.

There are those who have suggested that the forced occupation of these independent nations is an accomplished fact.

There are those who denounce colonialism.

The free world can never forget what happened to the Baltic countries on June 14, 1941. Nor can the free world ever accept the forced incorporation of these countries into the Soviet Union.

In these days of soft talk from Communist tyrants, it is just and necessary that we should remind ourselves that millions of people have been forced under Communist despotism and that once free and independent countries are now captives of the Communist tyrants.

No amount of soft talk can change these facts. And the conscience of the free world can never be easy until these wrongs have been righted.

Spanish War Widows

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. O'HARA of Illinois. Mr. Speaker, by invitation of the national legislative committee of the United Spanish War Veterans I introduced H. R. 2867, a bill to increase the pensions of Spanish War widows from $54.18 to $75 a month. I deeply appreciate the honor and the privilege given me of presenting to the consideration of my colleagues this most meritorious measure. I deeply appreciate, too, the fine cooperation of the distinguished gentleman from California, [Mr. McDONOUGH], who has introduced a companion bill and has been most active in support of our efforts to get relief for the widows of Spanish War veterans in their pitiable fight to make both ends meet on a monthly pittance of $54.18.

The widows of Spanish War veterans are not young in years or many in number. They have passed the age when they can find employment. Most of them have no other means of subsistence than the meager pensions they receive. If the Congress takes no action this session, for many of these aged widows what the next Congress might do would be of no concern. Let me be realistic in speaking of the immediate need for this legislation. The widows of the men who fought a war now almost six decades ago are falling as leaves of a tree in approaching winter. Steel indeed would be the structure of the congressional heart if for the few days or months or years remaining we should deny these aged women this pittance of $75 a month.

The Spanish War veterans have set for us the pattern. They ask nothing for themselves. Their claims as a veteran group upon the consideration of the Congress they lump in this one request—a little aid, a bit of a pension boost, to the aged widows of comrades gone to the beyond.

In the CONGRESSIONAL RECORD of May 31 I extended my remarks to include the statement of the Honorable Lloyd Thurston before the House Committee on Veterans Affairs. Mr. Thurston was accompanied on that occasion by Past Commander in Chief William S. Otjen, chairman of the national legislative committee of the United Spanish War Veterans; Hattie B. Trazenfeld, national secretary of the Auxiliary United Spanish War Veterans and cochairman of the auxiliary legislative committee; and James Craig, adjutant general, United Spanish War Veterans.

WILLIAM OTJEN'S STATEMENT

At the conclusion of Mr. Thurston's statement Chairman TEAGUE inquired as to the rules in the Spanish-American War as to service conection and line of duty. The testimony of Past Commander in Chief Otjen follows:

Mr. OTJEN. It is my view, Mr. Chairman, that during the Spanish War and the Philippine Insurrection you had to be able to trace the injury to the actual service.

For instance, I had a man in my company who came off of guard one night and put his arm over his rifle and pulled the trigger. He was denied any pension on the ground that the injury was self inflicted; and in every case that I knew about, I did not know of any of the Spanish War veterans who received pensions when we got out other than when, at time of discharge, they were given simply a cursory examination.

My personal experience was that clothes were removed and a doctor walked down the line in front of them and walked down the line in the rear and looked them over.

In my personal acquaintance with Spanish War veterans I did not know of any that drew a pension until they could show injuries which were attributable to the service and, because of the lack of records, it was very difficult for them to do so.

I would also like to call the attention of Mr. Thomson, who asked about the average length of service, to the fact that this states 7½ months, but you will note that the note below says:

"Information and length of service during the Boxer Rebellion-Philippine Insurrection not available."

Now, my own service in the Philippines was that there were 24 United States regiments called United States Volunteers, who went to the Philippines for 2 years' service. Some of us were held overtime. About all the soldiers who went to the Philippines and the Boxer Rebellion served, at the least that I know, about 2 years except the State regiments which went, like the 10th Pennsylvania, and the Iowa Regiment.

* * * * *

The CHAIRMAN. The point I was making was the point of need. I believe that the people of this country will support any kind of veterans' program to take care of widows, orphans, and disabled, and people in need; but I do not think you will get them to give a man with 91 or 92 days service a pension for the rest of his life if he does not need it. I do not think that the people of this country will accept that.

If we had just the Spanish-American War Veterans and widows, it would be different.

Mr. OTJEN. I would be against such a thing myself. I attended the briefing that General Bradley gave to the veterans representatives. As I understand his statements, and I think he discussed them before you, the theory on which that Commission made the report was that for the period following the earlier wars, commencing with World War I, that many of the men were actually benefited by their period of service. He advanced that argument and said that they found much to support it by reason of the fact that they did not suffer any injury when they were in the service; they were also given liberal pay, and educational opportunities were afforded to the younger men when they came out; various loans were made available to them; so that they were actually benefited by the service they incurred. I don't think it would probably be proper to quote him personally. I talked to him afterward and so did Mrs. Trazenfeld.

As he discussed it, he said that the theory they were following was that need was necessary but, referring to the Spanish War veterans, he said that he considered the advantages which were given and the pay which was given to the later veterans as so much more of an assistance toward making progress in either profession or business or getting started.

* * * * * * *

Now, my understanding is that, as to the law at this time, there is no financial limit to the service-connected veteran. On that theory, as I say, the Spanish War veterans feel that the Congress has treated them liberally, and I don't know of any man in the Spanish War category who was asking that more be paid to the men, but on the widows it is a different story.

The pay when a private was $13. When I went abroad, my pay was $15 and when I got to be a noncommissioned officer, it jumped $4 or $5. However, for the 2 years I was over there, I thought I did awfully well when I saved on discharge about $156.

When I came home I studied law and, goodness, if I could have had that educational course, I don't think I would have ever felt I ought to have a pension even though I was in very severe fighting.

WIDOWS HAVE NO INSURANCE

As to the widows of the Spanish War veterans, I know that you have been receiving letters from widows of other wars and they would say, "Why should the widow of a Spanish War veteran receive more?"

Well, we fellows, when we went out and got a job and got to working and got married, could not very well pay for insurance and, if any of us did do well, it took a long time. There are so few of these Spanish War widows that have any insurance available. I think it was a splendid feature that you gentlemen of the Congress put on when you provided the Government insurance available for the men in the service. I would certainly have liked to have been eligible for it. It is a thing to be considered with the widows of the Spanish War for whom we are asking this raise.

I can appreciate the situation you men are in when you are asked those questions of why should the Spanish War widows' pension be raised.

In reading the CONGRESSIONAL RECORD here with Senator LANGER's discussion of this very Bradley Commission report, he narrates how he obtained a pension for a World War veteran who had most of his stomach removed. His wife was driving a taxicab and, when he got that pension of $66.15 per month, he states that the wife wept with joy but he just felt sad at heart that it wasn't more. I would heartily agree with that.

Now, few of our widows had the benefit of any insurance, or any insurance amounting to anything. They might have a thousand dollars.

I think that should the needs provision be applied right down the line, it ought to also have an age provision attached to it, or, when a man comes up into the 75's and 80's, it costs him far more to live because of medical treatment, hospitalization, and things of that kind; and not all of them by any means can get in the veterans' hospitals.

On the married ones, if they have that, I think that there should be a higher limit on income than $2,700 for the married couple because, when they become aged, it is so much more expensive for them to live.

I appreciate, gentlemen, the situation that you are in with the increase in pension demands, and the graphs that were pictured there of the enormity of the expenses that went along with it.

However, I think it would be well said that, even as the pension load of this country has increased, the national income has also increased proportionately, and the heavier taxation is not simply represented by that. There has been a heavier national income almost commensurate with the increase in the pension rolls. That argument has been advanced by some of those who have appeared before you, but I can appreciate the difficulty you have in reconciling all of the situations that arise.

I do feel that it is a very meritorious bill that the Spanish War veterans have here, and that it is seriously needed by those widows.

Now, so few of either the veterans or the women are eligible for social security. Their husbands, if they worked, were not under positions where they would get social security because nearly all of them were so old that they couldn't work in such an occupation after the social security became available.

However, as I say, the Spanish War veterans have not asked an increase of pension for years, and I do feel that it is a meritorious thing for these widows to have this even though it is more than the widows of the World War I and World War II veterans for the reason that the age makes for more expense and more infirmity.

I think that, if you would put an age provision on there for the older widows of World War I and World War II, it would be a just measure.

Could Mrs. Trazenfeld say a word?

The CHAIRMAN. Certainly.

STATEMENT BY MRS. TRAZENFELD

Mrs. TRAZENFELD. Mr. Chairman and members of the committee, I think that our own Mr. Thurston and our chairman have covered pretty well our opinion of the report of the Bradley Commission. They have covered our thinking in regard to not downgrading the veteran in any instance.

I would like to speak for the opinion of the widows. Now, in listening to the briefing and in studying the report, and also from the hearings before this committee, it would seem that the Commission took the stand that our veterans when they returned from the wars were compensated in many ways. They received—I think it enumerated—rehabilitation, hospitalization, mustering-out pay, vocational training, home loans, and what have you, and many of them took advantage of that and it made it possible for them to assume a higher scale of living than they would have otherwise had.

Now, our war, the Spanish-American War, terminated on July 4, 1902. The records will show that nothing was requested from the Congress until 1918. In 1918 the widow of a Spanish War veteran was awarded $12 a month and $2 a month for each minor child.

They did not receive mustering-out pay, hospitalization, rehabilitation of any kind, vocational training, home loans, or anything.

The Spanish War veteran in the majority came from the mines, the fields, the stores, the jobs of any kind that were just salaried jobs. Very few came from the big industrial firms, from the stock market, or from the banks or from that category of men. We have a few, but very few.

The records will also reveal that.

When they were discharged from the service, many of them didn't care whether they were examined. There were no records of disabilities. They wanted to get home. You can talk to any of them, and those were the facts. They went back to those same jobs if they could get them, and they asked for nothing.

They increased the widows' pension in 1922 to $20 a month and $4 for the child.

In 1922 the veteran received nothing. He received none of the other things that would enable him to make a better living.

Certainly you cannot apply the findings or the treatment of the Bradley Commission to the Spanish War veteran or his dependents.

There is another thing that is pretty important. In the latter years since World War I, the wife has been able to go out and supplement the husband's income, and in many, many instances they do. Many make as much as their husbands, and some make more. Back in the Spanish-American War period and following up until World War I, it was almost a disgrace for the wife to work, and the average husband would almost rather have seen his family go hungry than for her to be employed. They did not have a chance to add to their income.

May lose their homes

Many bought homes and had small mortgages on them. They could not amortize them every month. They had to be renewed every 3 or 5 years. The only worry they had was that they were going to be unable to renew that because they knew that they couldn't pay it off. They bought a home with a mortgage and usually died with that home and a mortgage. Many widows still have that home.

Many widows have written to me in the last spot poll we took, saying that they had a home but are having difficulty in keeping up the water rent and the necessary repairs on that home on the pension they receive. Therefore, I do not believe that the report of the Bradley Commission can conscientiously be made applicable to the Spanish War veterans or their widows or those of prior wars, and I speak certainly for those of prior wars—the Civil War veterans' widows. It cannot be made applicable to them if we are going to consider all the angles.

I am just stacked up in the office with letters of fear. It would wring your hearts to read them: "What is going to happen to us because of the Bradley Commission report?"

Certainly this Veterans' Committee has it within its power to grant the greatest happiness in the world if you could give a word of comfort to them that this Bradley Commission, in your opinion, should not apply to them.

The CHAIRMAN. You have been present here most of the time. This committee has tried to point out that this commission report is just a recommendation to the President, not a law. We are getting letters saying that pensions and compensations are going to be cut off. The Bradley Commission report is by no means a law. It is merely a recommendation to the President of the United States. Many people read the headlines and assume that it is a law. We are getting a lot of those letters, and we have done everything we could to try to get the information out that it is a recommendation and not a law; that no one is fixing to be cut off of the pension rolls because of it.

Compulsory Swimming Training

EXTENSION OF REMARKS

OF

HON. FRANK C. OSMERS, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 14, 1956

Mr. OSMERS. Mr. Speaker, one of my distinguished constituents, Mrs. Mary Macfadden, has strongly urged that swimming training be compulsory in the armed services and in our schools. Mrs. Macfadden is the author of the best seller Dumbbells and Carrot Strips, which describes her life with the late Bernarr Macfadden.

Because of the wide interest in swimming which was aroused by the recent tragic drowning of six marines who were in training, I ask unanimous consent to include in the RECORD a letter from Mrs. Macfadden, dated May 25, my reply of May 28, an editorial from the Englewood (N. J.) Press Journal of May 31, and another letter from Mrs. Macfadden, dated June 7:

URGES COMPULSORY SWIMMING LESSONS

TO THE EDITOR:

I would appreciate it if you could find space for the enclosed letter to Congressman FRANK C. OSMERS, Jr., as I feel it brings up an important point:

ENGLEWOOD, N. J., *May 25, 1956.*

Congressman OSMERS.

DEAR SIR: I am inspired to write you the following letter on this propitious day (Mother's Day) after attending my church. My heart was heavy for those mothers whose sons' lives had been taken in vain. I'm referring to the six marines recently drowned. Reflecting upon my memory in such a disaster, I recall some years ago that there was a bill in Washington to make swimming compulsory. Had this bill gone through, there no doubt would have been many lives saved. It is my thought on this day that such a worthwhile bill should be resuscitated by you or your colleagues in Washington. What more worthy cause could they participate in than this? To save a life is the most important thing anyone can do.

It was because of a very sad experience in my girlhood that I learned to swim. My school chum and I delighted in going across the canal locks. She slipped in one day and was drowned. This tragic situation was a nightmare to me for many years.

Although not in good health, I prevailed upon my father to let me learn to swim, althought I was forbidden by my doctor. Not only did I learn to swim, I became a very healthy girl because of it. My interest in swimming knew no bounds. Competition and life saving I also took up. Of all the awards I won, I am proudest of my "Award of Merit" from the Royal Life Saving Society. Because of this knowledge I was subsequently able to save three persons that I know would have perished but for my efforts on their behalf.

I was very much interested in reading that our wonderful President took swimming in his health rehabilitation program. How can one beat a man with such wisdom. I could never have stood the great problems I've met with had it not been for what swimming did for me mentally and physically. It is my sincere desire, this day of all days, to call to your attention that mothers are the backbone of this democracy and you must help to protect the fine sons we gave you custody of.

A bill of this kind will not only save lives it will give our children better health and happiness and will help prevent much delinquency. For 30 years I have kept constant vigilance on my lake to prevent drownings which could have occurred. Some very young children, without supervision, often trespass and it is a shame not to protect them. If I had any say-so in a bill to compel children to swim, it would be when they were quite young. I taught my many children (seven) between the ages of 2 and 4. What better cause could you foster?

Cordially yours,

(Mrs.) MARY MACFADDEN.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 28, 1956.

Mrs. MARY MACFADDEN,
Englewood, N. J.

DEAR MRS. MACFADDEN: Thank you very much for your letter of May 25, and I want

to tell you how much I appreciate having your thoughts on the subject of compulsory swimming instruction in the Armed Forces.

I have inquired at the Marine Corps with regard to swimming instruction, and I am happy to report that all recruits are required to take at least 10 hours of training which is sufficient to teach all of them except those very few who are unable to qualify due to their great fear of the water.

My own mother and father were both good swimmers and taught me to swim at an early age. I have always enjoyed swimming as a form of recreation and upon occasion I have been able to use my knowledge of swimming to be very helpful to others.

The drownings in the Marine Corps recently were tragic, but I can report that steps are being taken to prevent a recurrence.

Sincerely yours,

FRANK C. OSMERS, Jr.

From the Englewood (N. J.) Press Journal of May 31, 1956

LEARN TO SWIM

In the Letters to the Editor colums in last week's Press-Journal Mrs. Mary Macfadden of Englewood, widow of the late Bernarr Macfadden, calls upon Congress through Representative FRANK C. OSMERS, JR., of this district to make it compulsory for children to learn to swim.

If there is any way in which this could be done it would mean the saving of thousands of lives and the wiping away of incalculable fears among men and women when they are in, on or over water.

Ability to swim should be as natural as ability to walk or run—unless one intends never to be near water during his life.

The newspapers are full of stories of water tragedies caused by inability to swim. Most colleges make swimming an integral part of the curriculum. Public schools do not because they lack facilities, but there again, we need more swimming pool facilities, not alone for recreational purposes but for this vital educational purpose.

And until something is done on a large public scale, it is the wise parent who insists upon his child learning to swim. This is the modern age in which you cannot stay away from the water.

ENGLEWOOD, N. J., *June 7, 1956.*

FRANK C. OSMERS, Jr.,
Congressman, Ninth District, New Jersey,
House of Representatives,
Washington, D. C.

HONORABLE SIR: I greatly appreciate your letter to me of May 28 in answer to mine. Its contents interest me very much, and I would like to comment upon what you have written. In your first paragraph, "and I want to tell you how much I appreciate having your thoughts on the subject of compulsory swimming instruction in the Armed Forces," it is my opinion that compulsory swimming instructions should be put into effect long before a boy gets into the Armed Forces.

Your second paragraph—and I quote: "I have inquired at the Marine Corps with regard to swimming instruction, and I am happy to report that all recruits are required to take at least 10 hours of training, which is sufficient to teach all of them except those very few who are unable to qualify due to their great fear of the water." This is my answer to it: Let us assume that these boys had had compulsory swimming in their earlier years, then the 10 hours of training now given them should be used to teach them the art of lifesaving, the rescue, release, and resuscitation methods which are very necessary in some cases to save the lives of the distressed swimmer and himself. Without this knowledge, I could never have saved the life of Mr. Macfadden in the English Channel, of which I give an example in my book, Dumbbells and Carrot Strips.

Queen Elizabeth of England is the patron of the Royal Life Saving Society, in which I got my early training in the methods to save a drowning person. Never could I forget the slogan of this wonderful society. When I saw Mr. Macfadden in difficulty in the English Channel, my subconscious mind was repeating: "Whomsoever you see in distress, recognize in him a fellowman." Without this knowledge I had acquired from this society, he would never have lived. That was in 1913, and I was a bride of only months.

The third paragraph is most interesting—and I quote: "My own mother and father were both good swimmers and taught me to swim at an early age. I have always enjoyed swimming as a form of recreation, and upon occasion I have been able to use my knowledge of swimming to be very helpful to others." In my thinking it proves my contention, and I am happy that I presented my idea of compulsory swimming to you.

Apropos of what swimming can mean to one, I was saddened this week to learn of the death of my old friend, Sir Frank Beaurepaire, of Australia. His obituary told of his great success—financial and civic attainments. Sir Frank as a poor boy swam in 1 of the 15-mile swims through London in which I participated. After the Olympics in London in 1948, he told me this story: That he owed his great success to swimming. He said to me that after the First World War he was very badly hurt and that his doctor advised him to get into swimming again to get his health back. Not only did he get his health back, but he went into competition again, and it was only at 38 he retired from racing. I am enclosing his wonderful record for your perusal.

May I say that I feel perhaps some of your success may be due to the swimming your mother and father taught you at an early age. There is no doubt about it, if you learn to swim when you are young, you get a certain confidence that enables you to feel that you can master other pursuits and life's many challenges.

I am interested in what you say in the last paragraph: "The drownings in the Marine Corps recently were tragic, but I can report that steps are being taken to prevent a recurrence."

This long letter to you is written in the hope—and please excuse the length of it—that society is not too busy to do something to make some permanent achievement along the lines I have called to your attention.

I thank you for your kind interest.

Cordially yours,

MARY MACFADDEN
(Mrs. Mary Macfadden).

SENATE

MONDAY, JUNE 18, 1956

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

O Lord, our God, who with each new dawn renewest our sight with the fresh gladness of the morning, how excellent is Thy name in all the earth. Through the changing pageant of nature, with form and color that thrill the senses, Thou makest Thyself known to us; for beauty is but Thy handwriting. Through shining lives of men and women that rise in moral splendor far above the sinking sands of self-seeking and expediency we glimpse the heights of Thy holiness.

We give Thee thanks for all interpreters of Thy mind who, with brush or pen or uttered word, bring to our perplexed day even one syllable of reality, one more gleam of the truth which makes men free. Give us, we pray Thee, inner greatness of spirit and clearness of vision to meet and match the large demands of this glorious yet demanding time, that we may keep step with the drumbeat of Thy truth which is marching on and against which the gates of hell cannot prevail. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 14, 1956, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Tribbe, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 7, 1956:

S. 767. An act for the relief of certain aliens;

S. 1111. An act to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; and

S. 2822. An act to authorize and direct the Secretary of the Interior to transfer approximately 9 acres of land in the Hualapai Indian Reservation, Ariz., to School District No. 8, Mohave County, Ariz.

On June 13, 1956:

S. 3515. An act to amend the National Housing Act, as amended, to assist in the provision of housing for essential civilian employees of the Armed Forces.

On June 18, 1956:

S. 1026. An act for the relief of certain aliens;

S. 1053. An act to authorize the Secretary of the Interior to dispose of certain lands in the State of Montana to the Phillips County Post of the American Legion;

S. 1244. An act to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

S. 2498. An act to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing Fort Clatsop, Oreg., as a national monument;

S. 3332. An act to amend the Employment Act of 1946, as amended; and

S. 3920. An act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Wash., and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)