

most part and, if they get the job done, it will be money well spent. To have taken any other course would have been even more costly and, in the long run, harmful to American agriculture.

#### CORN PROBLEM

Because corn is so important to the farm economy of part of your State, I should like to speak briefly on the problems posed by the present price-support program.

In a referendum held December 11, 1956, corn farmers were given a choice between a continuation of the allotment program and a shift to a "base acreage" program for 3 years, after which acreage controls would no longer apply. As you know, 61 percent of the corn farmers who voted approved the base-acreage approach, but this fell short of the two-thirds required under the law.

As a result, we must now administer a corn program with allotments fixed according to law at a very low level, 37.3 million acres. Price supports were set in accordance with a schedule provided by law at \$1.36 per bushel. The allotment is so low that compliance will in all likelihood be negligible. Few corn farmers will be inclined to reduce below their limited allotments in order to participate in the soil bank. Consequently, corn supplies could increase further, corn prices could be low, livestock production could be excessive and the whole feed-grain-livestock balance could be disturbed.

The problem is broader than corn. Farmers who have signed up or expect to participate in the acreage reserve program with cotton or wheat or tobacco, or even in the conservation reserve, must plant within their corn acreage allotments. It seems obvious that we need a new program which would give farmers a realistic corn acreage allotment for price support purposes and would provide a basis for operating an acreage reserve program.

People tell me that the base acreage program would have carried in the referendum except for the feeling that corn was being removed from the list of "basic" commodities.

Corn is a basic crop economically and legally. I have no wish to see it removed from the list of basic crops. In fact, I would be happy to see it designated as a "super-basic" crop if the Congress wishes

because that is what it is. What I desire and what corn farmers desire is a program that works. The evidence is that the corn allotment program does not work. Sixty-one percent of the corn farmers who voted have said essentially that and we should heed their counsel.

#### DROUGHT PROBLEM

As you know so well, here in South Dakota, all or parts of 15 States are in the grip of a severe and prolonged drought. This drought, now in its 6th and 7th years in some areas, has exhausted the resources of many farmers and ranchers. Despite the fine spirit of these people and despite a broad program of assistance on the part of the Federal Government, the situation remains critical for many families.

President Eisenhower recently made a 2-day tour of the drought area. At the same time a special meeting on drought and other natural disasters was held at Wichita, Kans., involving some 190 farmers, ranchers, businessmen, agricultural leaders and workers, and Government officials. At the close of his tour the President received progress reports from this group and expressed his own views as well.

As immediate steps in meeting the drought problem, these proposals have been laid before the Congress, with the President's approval:

1. Authority has been requested to use \$25 million from the disaster revolving fund, to provide additional emergency feed assistance to farmers and ranchers in the drought area.

2. Extension until June 30, 1958, has been requested for \$25 million of unobligated funds appropriated for Agricultural Conservation to enable the Department of Agriculture to make payments to farmers to carry out wind-erosion and other emergency conservation measures.

3. An additional appropriation of \$26 million has been requested under Title I of the Bankhead-Jones Farm Tenant Act, primarily for refinancing farm indebtedness by direct loans.

Longer range measures already in operation include the Great Plains Program, the program on upper watersheds and the Conservation Reserve of the Soil Bank.

During the period from June 30, 1953, through August 31, 1956, the Department of

Agriculture provided \$629 million of Federal funds in order to relieve distress brought about by natural disasters, chiefly drought. This is in addition to purchase programs for livestock products, which had their origin at least partly in drought problems. In South Dakota we have made available nearly \$6.5 million in the form of emergency credit, feed grain and roughage and free food.

From our extensive experience in administering emergency drought programs, the one conclusion which stands out among all others is an urgent need to make these programs a joint undertaking by the Federal, State and local governments. We believe this would materially improve the effectiveness and administration of these programs. Greater State and local responsibility would facilitate the development of programs better adapted to the particular circumstances within individual States.

There is one thing about our people in the drought-stricken areas which has always impressed me, as I know it did the President on his recent tour. That is their courage, their determination to stick it out. They look to the future with confidence and I am enough of an optimist to believe that confidence will be vindicated.

The best years for American agriculture are still ahead of us. Research, education, and market expansion—the tools which have brought so much progress to our farms in the past—promise even greater gains for the future. Agriculture must be geared to keep pace with the ever-expanding demands for the products of American farms and ranches, for ours is a growing, dynamic Nation.

I am convinced that our farm economy is headed in the right direction and I base that conviction upon the fact that agricultural prices are rising while surpluses are diminishing. With such weapons as the Soil Bank, more adequate farm credit and increased authority to push consumption of agricultural products both at home and abroad, we can effectively continue the fight to win for farmers a greater share of our record-breaking national income.

The future is bright—our problems of today are only passing ones.

May God grant us the vision and the resolution to work toward greater freedom for our farm people in a healthy, expanding and prosperous agricultural economy.

## SENATE

MONDAY, FEBRUARY 18, 1957

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

Eternal Spirit, in whom alone is the strength of our hearts and the hope of our world, we come in this noonday fellowship of prayer, not so much to seek Thee, as to open our fitful, faltering lives in penitence to Thy waiting strength. In the midst of events so global and colossal that, as individuals on the confused world stage, we seem so puny and inadequate, lift us from small routines into the only greatness we shall ever know, by using us as the channels of Thy purpose and intent for mankind. Give us spaciousness of mind and a transparent purity of heart such as characterize true brotherhood which spans all barriers of border and breed and birth, so that we may see clearly and follow faithfully the things that belong to our peace and to the peace of this wounded, weary world. We ask it in the Redeemer's name. Amen.

#### THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, February 14, 1957, was approved, and its reading was dispensed with.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session.

The VICE PRESIDENT 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.)

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its

clerks, announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H. J. Res. 23. Joint resolution to provide for the reappointment of Dr. Arthur H. Compton as citizen regent of the Board of Regents of the Smithsonian Institution; and

H. J. Res. 202. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 62. Concurrent resolution authorizing the printing of 5,000 additional copies of House Report No. 2966, 84th Congress;

H. Con. Res. 82. Concurrent resolution authorizing the printing of additional copies of the hearings on the national highway program for the use of the Committee on Public Works, House of Representatives; and

H. Con. Res. 104. Concurrent resolution authorizing the printing of additional copies of the hearings on excise taxes held by the Committee on Ways and Means during the 84th Congress, 2d session.

HOUSE JOINT RESOLUTIONS REFERRED OR PLACED ON CALENDAR

The following joint resolutions were each read twice by their titles and referred or placed on the calendar, as indicated:

H. J. Res. 23. Joint resolution to provide for the reappointment of Dr. Arthur H. Compton as citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

H. J. Res. 202. Joint resolution providing for the filling of a vacancy in the board of regents of the Smithsonian Institution, of the class other than Members of Congress; placed on the calendar.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 62. Concurrent resolution authorizing the printing of 5,000 additional copies of House Report No. 2966, 84th Congress:

*"Resolved by the House of Representatives (the Senate concurring),* That there shall be printed 5,000 additional copies of the report of the Select Committee on Small Business of the House of Representatives entitled 'Price Discrimination, the Robinson-Patman Act, and the Attorney General's National Committee To Study the Antitrust Laws' (H. Rept. No. 2966, 84th Cong.), of which 4,000 copies shall be for the use of the Select Committee on Small Business of the House of Representatives and 1,000 copies shall be for the use of the House document room."

H. Con. Res. 82. Concurrent resolution authorizing the printing of additional copies of the hearings on the national highway program for the use of the Committee on Public Works, House of Representatives:

*"Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on Public Works, House of Representatives, 2,000 additional copies of the hearings held by said committee during the 84th Congress, 2d session, on the national highway program."

H. Con. Res. 104. Concurrent resolution authorizing the printing of additional copies of the hearings on excise taxes held by the Committee on Ways and Means during the 84th Congress, 2d session:

*"Resolved by the House of Representatives (the Senate concurring),* That there be printed for the use of the Committee on Ways and Means, House of Representatives, 2,500 additional copies of the hearings on excise taxes held by that committee during the 84th Congress, 2d session."

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to make an announcement for the information of the Senate.

First, I desire to apologize to the Senator from New York [Mr. IVES]. In my absence, it was stated—I am sure with the best of intentions and with no desire whatever to usurp the prerogatives of the majority leader—that on Washington's Birthday, the Senator from Arizona [Mr. GOLDWATER] would read Washington's Farewell Address. In the spirit of comity which exists between the leadership of the two sides in a 49-to-47 Senate, I plan to support that

announcement, although it was made without my knowledge. I point to it only for the purpose of suggesting that an attempt be made to keep me informed, even if I am not in the Senate, about the days on which the Senate will meet.

Mr. President, after consulting with various Members of the Senate, including the distinguished minority leader, it has been agreed that we should make an announcement as far in advance as possible in regard to the Easter recess, for two reasons: First, so that no significance may be attached to our taking a normal recess, other than the purpose of the recess itself; and, second, so that all Members may know how to make their plans.

The leadership will recommend to the Senate that the Senate go over from Thursday before Good Friday until the following Monday. If our motion is supported by a majority, that will be done; and I understand that such an arrangement has the approval of the minority leader. On Monday, we plan to have a session of the Senate, but no votes, insofar as we are able to control the situation. Senators may make speeches, but all Senators may be informed that if they need to be in their States on Monday and Tuesday, they will be at liberty to do so, with the understanding that the leadership will attempt to protect them from the taking of votes.

On Wednesday, we plan to have another session of the Senate, and all Senators should be prepared to be present and to vote, in case voting is necessary.

To summarize: Senators should be prepared to be in the Senate on Thursday before Good Friday; and at the conclusion of the business of the Senate on that day, we plan to go over until Monday. On Monday, we plan to go over until Wednesday. But Senators should be prepared to be in their seats and ready to vote on the Thursday before Good Friday and on the Wednesday following Good Friday.

Let me ask whether that announcement is clear, and whether it is in accordance with the understanding of the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. Yes, Mr. President; let me say to the Senator from Texas that his announcement is in accordance with my understanding; and the proposed arrangement, as the Senator from Texas has explained it, is satisfactory.

Mr. IVES. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New York.

Mr. IVES. I think perhaps the distinguished Senator from Texas misunderstood my question of last Friday. My question was whether we would have a business session of the Senate on Washington's birthday, the coming Friday.

Mr. JOHNSON of Texas. The answer is no.

Mr. IVES. In other words, no business will be transacted then, except for the reading of Washington's Farewell Address?

Mr. JOHNSON of Texas. The Farewell Address will be read by the junior Senator from Arizona [Mr. GOLDWATER],

as has been announced. I may say to the Senator, for his information, that sometimes in the past the Senate has been in session on Washington's Birthday, and sometimes it has not been in session on that day. However, because announcement has been made that the Senator from Arizona will read Washington's Farewell Address on Friday, I do not want the Senator from Arizona and his constituents to expect that on Friday he will read Washington's Farewell Address, but that the Senate will not then be in session. So the Senate will be in session at that time, but no business will be transacted, insofar as the taking of yea-and-nay votes is concerned. At that time Senators may make insertions in the RECORD and may make speeches, but we shall attempt to protect Senators from the taking of votes on that day.

I am sorry I did not previously have information about the arrangement made for Washington's Birthday anniversary, but the announcement was made without my knowledge, and I am attempting to proceed in accordance with the announcement.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. SMITH of New Jersey. Are we to understand that on Washington's Birthday, speeches on the Middle East joint resolution may be made by Senators?

Mr. JOHNSON of Texas. Yes; any speeches which Senators may care to make on that day may be made; but no votes will be taken.

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

MORNING BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

Mr. JOHNSON of Texas and other Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Texas is recognized.

Mr. JOHNSON of Texas. Mr. President, there are 2 or 3 matters which I must place in the RECORD at this time, as I have to do occasionally. If other Senators will indulge me, so that I may do so, and so that I may then go on to plan other matters for the Senate, I should like to make the insertions at this time, now that I have been recognized.

The VICE PRESIDENT. The Senator from Texas has the floor.

NEGOTIATIONS ON THE MIDDLE EAST SITUATION

Mr. JOHNSON of Texas. Mr. President, the headlines describe the situation in the Middle East as an impasse and a deadlock. I hope this will not revive the talk about sanctions or other methods of coercion.

An impasse or a deadlock can be broken by one of two methods. Either the parties will be persuaded somehow to keep on talking, or they will go ahead and fight.

We seek peace, not war. This means that we seek talking, rather than fighting. I hope the possibilities will be explored of finding means, other than direct coercion, of keeping some form of negotiation going—possibly through a third party.

#### ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I should like to announce it will be our purpose not to call the Executive Calendar today, but to proceed immediately to the consideration of the urgent deficiency appropriation bill, at the conclusion of which we shall take up the resolutions on the calendar relating to citations for contempt. When they are concluded, we hope to proceed with the discussion of the Middle East resolution.

I am not one who cares to speculate on the amount of time it may take to discuss the resolution, but I hope, after studying the history of discussions of general importance in this historic Chamber, my colleagues may feel that by the end of next week it will be possible for us to act on the Middle East resolution.

The troops-to-Europe resolution was in committee some 50 days, I believe. I say that for the information of those who may think we have been dragging our feet on the Middle East resolution, and so people who live in glass houses will not be throwing stones. The same matter was debated in the Senate for 20 or 21 days. We have improved somewhat the administration of the business of the Senate and the efficiency of its operation, because of the very fine attitude that exists among all Members of the Senate. I sometimes think we have 95 leaders in the Senate and one follower.

I told Mrs. Johnson one night, when I had trouble sleeping and she thought I ought to be able to go to sleep, that I had read that Margaret Fuller once said, "I accept the universe," and Carlyle replied, "My gad, she'd better." Margaret Fuller said she had never encountered an intellect equal to her own.

I said, "I would not repeat that statement, but I can say I deal with 95 men each day who do have such intellects."

I hope all Senators will understand that in arranging the schedule of the Senate, we try to arrange it for the majority and to accommodate Senators on both sides. But the Middle East resolution is a very important measure. The President has asked for the resolution. Some of our best-informed Senators have spent days and evenings studying it. They have made their contributions. They have made their recommendations. Amendments will be offered. We hope the resolution can be passed by the end of next week, or certainly by the early part of the following week. That will give Senators adequate time to offer amendments in an attempt to improve

it in any way they can, but I hope the resolution can be agreed to in substantially the form in which it was reported by the committee.

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

The VICE PRESIDENT. The Chair announces his approval of the following appointments:

Nineteen hundred and fifty-seven Board of Visitors to the United States Naval Academy: Senator A. WILLIS ROBERTSON, of Virginia; Senator CHARLES E. POTTER, of Michigan; Senator THRUSTON B. MORTON, of Kentucky.

Nineteen hundred and fifty-seven Board of Visitors to the United States Military Academy: Senator JOHN O. PASTORE, of Rhode Island; Senator KARL E. MUNDT, of South Dakota; Senator JACOB K. JAVITS, of New York.

Nineteen hundred and fifty-seven Board of Visitors to the United States Coast Guard Academy: Senator THOMAS H. KUCHEL, of California.

Nineteen hundred and fifty-seven Board of Visitors to the United States Merchant Marine Academy: Senator WILLIAM A. PURTELL, of Connecticut.

Nineteen hundred and fifty-seven Board of Visitors to the United States Air Force Academy: Senator DENNIS CHAVEZ, of New Mexico; Senator MILTON R. YOUNG, of North Dakota; Senator GORDON ALLOTT, of Colorado.

National Monument Commission: Senator JOHN SHERMAN COOPER, of Kentucky; vice Senator George H. Bender, of Ohio.

Board of Directors of Gallaudet College: Senator EDWARD J. THYE, of Minnesota, reappointment.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

##### PROPOSED SUPPLEMENTAL APPROPRIATIONS, LEGISLATIVE BRANCH (S. Doc. No. 27)

A communication from the President of the United States, transmitting supplemental appropriations for the legislative branch in the amount of \$845,000 for the fiscal years 1956 and 1957 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

##### EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

##### REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A confidential letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, on the cooperative program of the United States with Mexico in the control and eradication of foot-and-mouth disease, for the 6-month period, July—December 1956; to the Committee on Agriculture and Forestry.

##### REPORT ON OVEROBIGATION OF AN APPROPRIATION

A letter from the Acting Postmaster General, reporting, pursuant to law, on the overobligation of an appropriation in that De-

partment; to the Committee on Appropriations.

##### DOROTHY E. GREEN AND THELMA L. ALLEY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of Dorothy E. Green and Thelma L. Alley (with an accompanying paper); to the Committee on Armed Services.

##### APPOINTMENT OF NATIONAL LEGISLATIVE DIRECTOR, MILITARY ORDER OF THE PURPLE HEART, INC.

A letter from the national commander, the Military Order of the Purple Heart, Inc., Washington, D. C., informing the Senate of the appointment of Victor F. Kubly as national legislative director for the Military Order of the Purple Heart, Inc., effective February 14, 1957; to the Committee on Armed Services.

##### SUPPLEMENTARY REPORT ON STUDY OF SUPPLY AND DISTRIBUTION OF NICKEL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a supplementary report dated February 15, 1957, to report entitled "Study of Supply and Distribution of Nickel," of that Department, dated December 31, 1956 (with an accompanying report); to the Committee on Banking and Currency.

##### AUDIT REPORTS ON ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on St. Lawrence Seaway Development Corporation, for the fiscal year ended June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the St. Lawrence Seaway Development Corporation for the fiscal year ended June 30, 1956 (with an accompanying report); to the Committee on Government Operations.

##### AUDIT REPORT ON SOUTHEASTERN POWER SYSTEM AND RELATED ACTIVITIES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on southeastern power system and related activities, Corps of Engineers (Civil Functions), Department of the Army, and Southeastern Power Administration, Department of the Interior, for the fiscal year ended June 30, 1955 (with an accompanying report); to the Committee on Government Operations.

##### REPORT OF DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report covering personal property made available for distribution to public health and educational institutions and civil-defense organizations, and real property disposed of to public health and educational institutions (with an accompanying report); to the Committee on Government Operations.

##### AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes (with accompanying papers); to the Committee on Government Operations.

##### CERTIFICATION OF ADEQUATE SOIL SURVEY AND LAND CLASSIFICATION, LITTLE WOOD RIVER PROJECT, IDAHO

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Little Wood River project, Idaho, and that the lands to be irrigated are susceptible to the

production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

**PROHIBITION OF TRANSMISSION OF CERTAIN GAMBLING INFORMATION IN INTERSTATE AND FOREIGN COMMERCE**

A letter from the Attorney General, transmitting a draft of proposed legislation to prohibit the transmission of certain gambling information in interstate and foreign commerce by communication facilities (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

**REPORT OF CIVIL AERONAUTICS BOARD**

A letter from the Chairman, Civil Aeronautics Board, Washington, D. C., transmitting, pursuant to law, a report of that Board, for the fiscal year 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

**REPORT OF FEDERAL POWER COMMISSION**

A letter from the Chairman, Federal Power Commission, Washington, D. C., transmitting, pursuant to law, a report of that Commission, for the fiscal year 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

**WILLIAM HENRY DIMENT, MRS. MARY ELLEN DIMENT, AND MRS. GLADYS EVERINGHAM**

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of William Henry Diment, Mrs. Mary Ellen Diment, and Mrs. Gladys Everingham (with an accompanying paper); to the Committee on the Judiciary.

**SUSPENSION OF DEPORTATION OF CERTAIN ALIENS**

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

**GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS**

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); 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 joint resolution of the Legislature of the State of Colorado; to the Committee on Finance:

**"Senate Joint Resolution 2**

"Memorializing the Congress of the United States to repeal the transportation excise taxes

"Whereas for the purpose of meeting wartime emergency necessity, the Congress of the United States enacted as excise taxes a levy upon the transportation of persons and property; and

"Whereas one of the principal purposes of levying such tax upon the transportation of persons was to discourage unnecessary wartime travel; and

"Whereas today, 12 years after the cessation of hostilities, there continues a 10 percent

levy on the transportation of persons and a 3 percent levy on the transportation of property; and

"Whereas it is the opinion of the General Assembly of the State of Colorado that excise taxes should not impose an unfair burden on the long distance shipper and the long distance traveler as does the present tax on the transportation of property and persons; and

"Whereas it should be a principle of Federal taxation to levy taxes in such a manner as to prevent them from falling as an unequal burden on citizens residing in different areas of the country; and

"Whereas the distances to, from, and within the West impose an unfair burden on the western traveler and shipper; and

"Whereas the present transportation tax on property is unfairly burdensome upon the State of Colorado as it adds what is in effect an additional tariff on the goods shipped from Colorado to the eastern and western markets; and

"Whereas the development and preservation of open markets leads to the efficient development and stimulation of the agricultural resources of the Nation; and

"Whereas the State of Colorado is particularly interested in preserving the eastern and western markets as open markets in which the agricultural products of Colorado, may compete freely without the hindrance of artificial barriers such as the present transportation tax; and

"Whereas the State of Colorado is particularly interested in protecting and developing its vacation and tourist travel on an equal basis with other vacation travel areas; and

"Whereas the transportation of both persons and property plays such a vital role in the economic life of this country to the extent that the costs of transportation should always be kept at the lowest possible level; and

"Whereas transportation is in no sense a luxury but is a vital necessity and there is, therefore, sound reason for distinguishing between the transportation taxes and other excise taxes that are imposed upon luxury items; and

"Whereas it is the opinion of the General Assembly of the State of Colorado that the best interest of the country and particularly the Western States, who are now discriminated against by the present transportation taxes, would be served by a repeal of those taxes; and

"Whereas there is presently pending before the Congress of the United States legislation which would repeal the tax on transportation of property and which would repeal the tax on transportation of persons: Now, therefore be it

*"Resolved by the Senate of the 41st General Assembly of the State of Colorado (the House of Representatives concurring herein), That the General Assembly of the State of Colorado respectfully memorializes the Congress of the United States to enact into law such legislation or any other bill or bills which would accomplish the same purpose; and be it further*

*"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States and to each Senator and Representative from Colorado in the Congress of the United States.*

**"FRANK L. HAYS,**

*"President of the senate.*

**"MILDRED H. CRESSWELL,**

*"Secretary of the senate.*

**"CHARLES R. CONKLIN,**

*"Speaker of the house of representatives.*

**"LEE MATTIES,**

*"Chief Clerk of the house of representatives."*

A joint resolution of the Legislature of the State of Colorado; to the Committee on Appropriations:

**"Senate Joint Memorial 1**

"Memorializing the Congress of the United States of America with reference to making adequate appropriations for authorized reclamation projects

"Whereas Colorado has several water-development projects which have been authorized for construction under the Federal reclamation laws; and

"Whereas the completion of these projects on progressive and economical construction schedule is most desirable from the standpoint of the State and Nation: Now, therefore, be it

*"Resolved by the Senate of the 41st General Assembly of the State of Colorado (the House of Representatives concurring herein), That the Congress of the United States of America, be and it is hereby memorialized to appropriate adequate funds so that the authorized reclamation projects in Colorado and the units of the Colorado River storage project can proceed on a progressive and economical construction schedule; and be it further*

*"Resolved, That certified copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, United States Senator GORDON ALLOTT, United States Senator JOHN A. CARROLL, Representatives in Congress BYRON G. ROGERS, WILLIAM S. HILL, J. EDGAR CHENOWETH, and WAYNE N. ASPINALL, the Secretary of the Interior and the Commissioner of Reclamation.*

**"FRANK L. HAYS,**

*"President of the senate.*

**"MILDRED H. CRESSWELL,**

*"Secretary of the senate.*

**"CHARLES R. CONKLIN,**

*"Speaker of the house of representatives.*

**"LEE MATTIES,**

*"Chief Clerk, house of representatives."*

A resolution of the General Assembly of the State of Georgia; to the Committee on Finance:

**"H. R. 98**

"Resolution memorializing the Congress of the United States to take corrective measures to equalize imports; and for other purposes

"Whereas the impact of imports of steel, toys, recreational equipment, textiles, and similar materials has more than a direct effect upon the economy of this Nation; and

"Whereas it is important to maintain, within the bounds of this Nation, facilities for the production of such items and to have the equipment utilized in such production available for use of this Nation in times of national emergency; and

"Whereas the importation of foreign produced goods that are produced by laborers that have failed to achieve the standards of living of the American laborer and to enable these goods to be placed on the market to compete with American-made goods endangers the living standard of the American laborer; and

"Whereas these foreign-made products, with few exceptions, are grossly inferior to comparable American-made products; and

"Whereas it is desirable that corrective measures be taken to prevent foreign produced goods from obtaining a marketing advantage in American markets over American produced goods: Now, therefore, be it

*"Resolved by the General Assembly of Georgia, That the Federal Government be memorialized to take appropriate action to equalize the imports of steel, toys, recreational equipment, textiles, and other foreign produced goods so as to protect the economy of the American people; be it further*

*"Resolved, That a copy of this resolution be transmitted to the Georgia delegation in*

the Congress of the United States, to the President of the United States; to the clerk of both Houses of the Congress of the United States; to the Secretary of the United States Department of Agriculture, and to the Secretary of the Department of Commerce."

A joint resolution of the Legislature of the Territory of Alaska; to the Committee on Banking and Currency:

"Senate Joint Memorial 1

"To the Honorable Fred Seaton, Secretary of the Interior; the Honorable James Murray, Chairman of Interior and Insular Affairs Committee of the United States Senate; the Honorable Clair Engle, Chairman of the Interior and Insular Affairs Committee of the House of Representatives; the Honorable Felix Wormser, Assistant Secretary of the Interior for Minerals; the Honorable Waino Hendrickson, Acting Governor of Alaska; the Honorable E. L. Bartlett, Delegate to Congress from Alaska; and to the United States Congress:

"Your memorialist, the Legislature of the Territory of Alaska, in 23d session assembled, respectfully represents that:

"Whereas there is located on the highly mineralized Seward Peninsula of northwestern Alaska over 1,000 square miles that are considered by the United States Geological Survey and the United States Bureau of Mines to have commercial tin possibilities; and

"Whereas there are within this area large quantities of tin-bearing material proven by test drilling; and

"Whereas World War II spotlighted the appalling lack of tin in the United States, either stockpiled or in the ground, as known reserves; and

"Whereas two-thirds of the world supply of tin is produced in those countries now under the influence of or dominated by communism; and

"Whereas Asia, and particularly Malaya, Indonesia, and Thailand, the chief source of supply, would immediately be cut off in case of war; and

"Whereas Bolivia, the remaining chief source of supply, has through expropriation and nationalization of tin rendered the industry extremely unstable and precarious; and

"Whereas a dependable supply of tin is an absolute essential to our ever-expanding economy and to our national security both in time of war and peace: Now, therefore,

"Your memorialist, the Legislature of the Territory of Alaska, in 23d regular session assembled, urges that the Congress of the United States enact legislation to bring domestic tin into the same category as tungsten and other strategic metals, extending over a period of years sufficient to allow ample time for privately financed exploration, and thereafter development and production from the existing domestic deposits and those which may be discovered.

"And your memorialist will ever pray.

"Passed by the Senate February 4, 1957.

"VICTOR C. RIVERS,  
"President of the senate.

"Attest:

"KATHERINE T. ALEXANDER,  
"Secretary of the senate.

"Passed by the House February 11, 1957.

"RICHARD J. CREUEL,  
"Speaker of the house.

"Attest:

"DOLORES D. GOAD,  
"Chief clerk of the house."

The petition of Joseph Camp and Della M. Camp, of Redondo Beach, Calif., relating to the construction of atomic-bomb shelters; to the Committee on Armed Services.

The memorial of Leroy H. Duncan, of Homer, Alaska, remonstrating against the

admission into the Union of Alaska as a State; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Holy Name Society of St. Adalbert's Parish, Elizabeth, N. J., expressing disapproval of an invitation to Marshal Tito to visit the United States; to the Committee on Foreign Relations.

By Mr. JOHNSTON of South Carolina  
(for himself and Mr. THURMOND):

A concurrent resolution of the House of Representatives of the State of South Carolina; to the Committee on Agriculture and Forestry:

"Concurrent resolution to memorialize the United States Department of Agriculture to measure the acreage allotment of cotton, tobacco, peanut, and wheat farmers sufficiently early each year to enable such farmers to plant other crops in case the acreage planted is in excess of that allotted

"Whereas the cotton, tobacco, peanut, and wheat farmers of the State operate under acreage allotments set by the Federal Government; and

"Whereas it is required that the acreage planted in these crops be measured by a representative of the United States Department of Agriculture; and

"Whereas the representatives of such Department seldom measure the acreage planted until it is too late to plant another crop if the particular acreage of cotton, tobacco, peanuts, and wheat is found to be in excess of that allowed the particular farmer by the United States Department of Agriculture; and

"Whereas it is essential that such crops be measured sufficiently early each year in order that any excess may be plowed under in time to permit the planting of another crop; and if the acreage in the particular crop is found to be under that allowed, then more of the same may be planted: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring) that the United States Department of Agriculture is memorialized to have acreage allotted to cotton, tobacco, peanut, and wheat farmers of the State of South Carolina measured each year not later than May 1 in order that any excess acreage may be plowed under and shortage may be added to while it is still time to plant; be it further

"Resolved, That a copy of this resolution be forwarded to the Secretary of the United States Department of Agriculture in Washington and that a copy of this resolution be furnished each United States Senator from South Carolina and each Member of the House of Representatives of the Congress from South Carolina, and that they be urged to assist in this matter which is vital to the farmers of the State.

"[SEAL] INEZ WATSON,  
"Clerk of the house."

A concurrent resolution of the House of Representatives of the State of South Carolina; to the Committee on Appropriations:

"Concurrent resolution memorializing Congress to make additional money available for the soil-bank program

"Whereas the purpose of the soil-bank program is to help curb the surplus of certain farm commodities by paying the farmers not to plant certain crops; and

"Whereas many farmers who desire to take advantage of this program are unable to do so as there is a limited amount of money available for the program; and

"Whereas the purpose of this program cannot be effectively carried out unless additional funds are made available: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring), That Congress be memorialized to take such action as will provide the soil-bank program with such additional funds as may be necessary to allow all farmers an opportunity to participate in the program; be it further

"Resolved, That a copy of this resolution be forwarded to all Members of Congress from South Carolina.

INEZ WATSON,  
"Clerk of the house."

By Mr. CHAVEZ:

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Banking and Currency:

"Senate Joint Memorial 6

"Joint memorial memorializing the Congress of the United States to exert its efforts on behalf of the agricultural and livestock industries of New Mexico

"Whereas the agricultural and livestock industries of New Mexico, due to the prolonged and extreme drought conditions that now exist in this State, are in extreme financial difficulties; and

"Whereas users of contract workers in the 11 Western States under the present work contract between Mexico and the United States are now being inspected by the United States Department of Labor to determine if all employers are meeting the maximum housing requirements out in the work contract; and

"Whereas the maximum housing requirements are excessive according to present standards, nonetheless, if such standards are not met, a \$10,000 fine and a sentence of 1 year in jail may be imposed and the contract workers taken away; and

"Whereas the minimum housing standards are presently adequate, suitable, and equal in quality to others provided for domestic workers in the area, and under present economic conditions on farms and ranches of this area are all that can be financially afforded; and

"Whereas this legislature is of the opinion that the enforcement of the rigid maximum compliance regulations on housing will add more economic burdens to the already severely depressed agricultural and livestock industries of New Mexico: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the Congress of the United States of America be hereby memorialized to earnestly exert its efforts with the United States Department of Labor on behalf of the economy of the agricultural and livestock industries of New Mexico in order that the maximum compliance regulations on housing under the work contract agreement between the United States Government and Mexico be eased and that housing suitable to the climate and of equal quality provided for domestic workers be acceptable; be it further

"Resolved, That a copy of this memorial be transmitted to the Congress of the United States and addressed to the Members of Congress from the State of New Mexico.

"JOE M. MONTOYA,

"President of the senate.

"GRACE McAFFEE,

"Chief clerk, senate.

"DONALD D. HALLAM,

"Speaker, house of representatives.

"FLOYD CROSS,

"Chief clerk, house of representatives."

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of New Mexico, identical with the foregoing, which was referred to the Committee on Banking and Currency.

A joint resolution of the Legislature of the State of New Mexico; to the Joint Committee on Atomic Energy:

"House Joint Memorial 7

"Joint memorial memorializing the congressional delegation from New Mexico to have an Atomic Energy Commission use their best efforts to have an Atomic Energy Commission uranium concentrate buying station established in New Mexico.

"Whereas New Mexico has the largest proven uranium reserves in the entire world; and

"Whereas New Mexico is the logical center for the uranium industry in the United States; and

"Whereas under the present circumstances, it is necessary for millers of uranium ore to ship their product to Grand Junction, Colo., at great expense and inconvenience; and

"Whereas great benefits would accrue to the State of New Mexico and a savings to the Atomic Energy Commission and to the United States of America if a uranium concentrate buying station were established in this State; Now, therefore, be it

*Resolved by the Legislature of New Mexico:* That the congressional delegation from New Mexico be urged to use their best efforts to have an Atomic Energy Commission uranium concentrate buying station established in New Mexico; and be it further

*Resolved:* That a copy of this memorial be sent to each member of the congressional delegation from New Mexico.

"DONALD D. HALLAM,

"Speaker, house of representatives.

"FLOYD CROSS,

"Chief clerk, house of representatives.

"JOE M. MONTOYA,

"President, senate.

"GRACE McAFFEE,

"Chief clerk, senate.

"Approved by me this 13th day of February 1957.

"EDWIN L. MECHEM,

"Governor, State of New Mexico."

RESOLUTION OF OREGON STATE SENATE

Mr. NEUBERGER. Mr. President, I have received from the Oregon State Senate a copy of Senate Memorial No. 1, concerning the termination law for the Klamath Indian Reservation in Oregon, Public Law 587 of the 83d Congress.

This memorial, among other findings, calls for the enactment of legislation postponing the effective date of the termination program so that a substitute comprehensive plan may be provided which will protect the irreplaceable timber resources of the Klamath Reservation as well as the interests of the Klamath tribe.

On January 9 I have introduced S. 469, cosponsored by the senior Senator from Oregon [Mr. MORSE], which would provide a postponement of termination for the purpose of making such changes. Hearings have been held, and I expect that the Senate Committee on Interior and Insular Affairs will soon report this legislation to the Senate. I also plan to introduce legislation to provide for the purchase of the timber stands of the Klamath Reservation from the tribe so that they may be added to the national forests for long-range, sustained yield management in the best interests of the Indians and of the economy of the area in which the reservation is located.

I ask unanimous consent, on behalf of my colleague, the senior Senator from Oregon [Mr. MORSE] and myself that Senate Memorial No. 1, adopted by the Oregon State Senate on February 7, 1957, be printed in the CONGRESSIONAL RECORD.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and, under the rule, was ordered to be printed in the RECORD, as follows:

*To the Honorable Senate and the House of Representatives of the United States of America, in Congress assembled:*

We, your memorialists, the Senate of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas under Public Law 587 of the 83d Congress, it is provided for termination of the Klamath Indian Reservation; and

Whereas as a part of said legislation it is further provided that an appraisal shall be made of the assets of said tribe, to be completed in February 1957, after which the members of said tribe shall have the opportunity to elect to withdraw from said tribe and convert their interest into money, immediately upon completion of said appraisal; and

Whereas said policy may lead to a forced liquidation of a fine stand of pine timber, does not provide for sustained yield, and is opposed by the management specialists employed to put said act into effect; and

Whereas said bill does not provide for a period of rehabilitation wherein the Indians on said reservation will be prepared intellectually and emotionally to become full-fledged members of our society; and

Whereas said law does not provide for a guaranteed fair market value of said resources, does not reserve to the members of the tribe the right to bid on the assets of the reservation, and does not make any provision regarding hunting and fishing rights: Now, therefore, be it

*Resolved by the Senate of the State of Oregon:* That the Congress of the United States is hereby urged to provide stopgap legislation extending the period of time in which Public Law 587 is to become effective; be it further

*Resolved:* That the Oregon Members of the United States and House of Representatives promote and support such legislation; be it further

*Resolved:* That a substitute comprehensive law be enacted, providing for liquidation of the assets of the Klamath Tribe over an extended period of time, for protection of the timber resources on a sustained yield basis, for education and rehabilitation of the members of the tribe at the cost of the Federal Government, and for continued consultation with the members of the tribe regarding promulgation and carrying out of the proposed legislation; and be it further

*Resolved:* That the secretary of state of the State of Oregon be and hereby is directed to send a copy of this memorial to the Honorable Dwight D. Eisenhower, President of the United States, to the Honorable Richard M. Nixon, Vice President of the United States, to the Honorable Frederick A. Seaton, Secretary of the Interior of the United States, to the President and Chief Clerk of the United States Senate, to the Speaker and the Chief Clerk of the House of Representatives of the United States, and to all Members of the Oregon congressional delegation in the Congress of the United States.

Adopted by senate February 7, 1957.

[SEAL]

ZYLPHA ZELL BURNS,  
Chief clerk of senate.  
BOYD R. OVERHULNE,  
President of senate.

RESOLUTIONS OF MINNESOTA LEGISLATURE

Mr. NEUBERGER. Mr. President, the junior Senator from Minnesota [Mr. HUMPHREY] is unavoidably away from the Senate today on business, and has asked me to bring the following matter to the attention of the Senate. He has just received a resolution from the secretary of state of the State of Minnesota. This resolution passed the Minnesota Legislature on February 7 and was approved by the Governor on February 11. It memorializes the President of the United States, the Secretary of Defense, and the Secretary of the Army to reconsider a recently announced policy requiring 6 months of active duty training of members of the National Guard, to the end that more realistic and workable requirements, agreeable to the State, be prescribed.

The junior Senator from Minnesota [Mr. HUMPHREY] also received another resolution from the secretary of state of the State of Minnesota which I bring to the attention of the Senate. This resolution passed the Minnesota Legislature on February 6 and was approved by the Governor on February 11. It memorializes the President of the United States and the Congress of the United States to take such steps as may be necessary to secure a removal of all military facilities and activities from Minneapolis-St. Paul International Airport-Wold-Chamberlain Field, located in Hennepin County, Minn.

On behalf of the junior Senator from Minnesota [Mr. HUMPHREY], I ask unanimous consent that the text of these resolutions be printed at this point in the RECORD and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Armed Services:

"Resolution 1

"Resolution memorializing the President of the United States, the Secretary of Defense, and the Secretary of the Army to reconsider a recently announced policy requiring 6 months of active duty training of members of the National Guard, to the end that more realistic and workable requirements, agreeable to the State, be prescribed

"Whereas the Minnesota National Guard, in Minnesota's 100 years of statehood, has a distinguished record of service to the State and Nation in war and peace and its continued existence in strength and effectiveness, and, its status as both a Federal and State force is vital to the State and the Nation; and

"Whereas the qualifications for membership therein are, under the United States Constitution, the exclusive responsibility of the State; and

"Whereas no changes in the qualifications of National Guard membership should be effected by the Federal Government without the consent of the State; and

"Whereas a directive has recently been issued by the Department of Defense and the Secretary of the Army, establishing a policy, to become effective April 1, 1957, which will require all non-prior-service enlistees in the National Guard to perform 6 months of active military training as a condition of enlistment; and

"Whereas the purported intent of this change in policy is to improve the training and the combat readiness of the National Guard, which is an objective the State and the military authorities thereof are constantly striving to achieve; and

"Whereas it is believed a compulsory 6 months active training program for all members of the National Guard will not gain the desired objectives as to training and readiness for the reasons that such a program is difficult to reconcile in the educational and employment planning of our young men and will so greatly reduce the rate of enlistments as to make it impossible for the National Guard to fulfill its responsibilities to the State and Nation and under such a program there is serious question that it can long survive; and

"Whereas it would appear that there should be a common ground for the establishment of a practical and workable solution to the enlistment and requirements of the National Guard which will be acceptable both to the State and Federal Government: Now, therefore be it

*Resolved by the house of representatives, the senate concurring,* That the President of the United States, the Secretary of Defense and the Secretary of the Army, reconsider the action which has been taken in prescribing a compulsory 6 months training program for all non-prior-service members of the National Guard and in collaboration with the Governor and the adjutant general of Minnesota, and those of other States, establish realistic and workable policies relative to the enlistment and training of the National Guard, which will assure its continued maintenance of strength and effectiveness in the State and Nation's plan of national defense; be it further

*Resolved,* That the secretary of state of the State of Minnesota, be instructed to transmit copies of this joint resolution to the President of the United States, the Secretary of Defense and the Secretary of the Army, and to each Member of Congress of the United States from the State of Minnesota.

A. I. JOHNSON,

*Speaker of the house of representatives.*

KARL F. ROLVAAG,

*President of the senate.*

"Passed house of representatives February 6, 1957.

G. H. LEAHY,

*Chief clerk, house of representatives.*

"Passed senate February 7, 1957.

H. Y. TERRY,

*Secretary of the senate.*

"Approved February 11, 1957.

ORVILLE L. FREEMAN,

*Governor of the State of Minnesota.*

"Filed February 11, 1957.

JOSEPH L. DONOVAN,

*Secretary of the State of Minnesota.*

To the Committee on Interstate and Foreign Commerce:

**Resolution 2**

"Resolution memorializing the President of the United States and the Congress of the United States to take such steps as may be necessary to secure a removal of all military facilities and activities from Minneapolis-St. Paul International Airport-Wold-Chamberlain Field, located in Hennepin County, Minn.

"Whereas the Minneapolis-St. Paul Metropolitan Airports Commission is a public corporation created, organized, and operating under the laws of the State of Minnesota, Minnesota Statutes 1953, sections 360.101-360.125;

"Whereas such commission acting under and as required by the act creating it did on August 14, 1944, take possession of Minneapolis-St. Paul International Airport-Wold-Chamberlain Field and did on that date take over the operation, management,

maintenance, and development of such field, and has at all times since and is now in possession of such field and operating, managing, maintaining, and developing the same;

"Whereas such field was established as a civil airport and at all times since such establishment has been operated as a civil airport, to which commercial airlines have been and are carrying on very extensive passenger, mail, and cargo operations;

"Whereas the military—Army, Navy, Air Force, Marines, and Minnesota National Guard—have facilities in the vicinity of such field and are engaged in military aviation activities to, from, and in the vicinity of such field, including as a part thereof the operation of jet military aircraft;

"Whereas the operation of jet military aircraft by the military resulted in several crashes during the spring of 1956 resulting in loss of life and destruction of property;

"Whereas military aviation operations at such field are deemed by the commission as detrimental to the safe and efficient operation of the airport as a civil airport, and constitute a constant hazard to residents living in the cities of Minneapolis and St. Paul and the village of Richfield and to all others living in the general vicinity of the airport;

"Whereas the commission has gone on record from time to time as opposed to the continuance of said military aviation activities at such field and in connection therewith has suggested to the military that their facilities and activities be removed to another site well away from the populated areas of the cities and village aforesaid;

"Whereas a removal of the military from such airport will necessitate action by the Congress of the United States with the approval of the President of the United States: Now, therefore, be it

*Resolved by the Legislature of the State of Minnesota,* That the President of the United States and the Congress of the United States be requested to do all in their power to bring about the removal of all military facilities and activities from Wold-Chamberlain Field and from the vicinity thereof to a site to be acquired and facilities to be constructed by the Government well away from the cities of Minneapolis and St. Paul and populated areas in the vicinity thereof; be it further

*Resolved,* That the Secretary of State of the State of Minnesota be instructed to transmit copies of this resolution to the President of the United States and to each Member of Congress from the State of Minnesota.

A. I. JOHNSON,

*Speaker of the house of representatives.*

KARL F. ROLVAAG,

*President of the senate.*

"Passed house of representatives February 1, 1957.

G. H. LEAHY,

*Chief clerk, house of representatives.*

"Passed senate February 6, 1957.

HY TORREY,

*Secretary of the senate.*

"Approved February 11, 1957.

ORVILLE L. FREEMAN,

*Governor of the State of Minnesota.*

"Filed February 11, 1957.

JOSEPH L. DONOVAN,

*Secretary of the State of Minnesota.*

#### RECOGNITION OF THE PRESENT HUNGARIAN GOVERNMENT—CONCURRENT RESOLUTION OF NORTH DAKOTA LEGISLATURE

Mr. YOUNG. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, Senate Concurrent Resolution F, as approved by the 35th Legislative Assembly, State of North Dakota, on January 8, 1957. The resolution opposes

recognition of the present Hungarian Government as being nonrepresentative of the people of Hungary.

There being no objection, the concurrent resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

#### Senate Concurrent Resolution F

A concurrent resolution memorializing the Government of the United States not to recognize the Kadar regime as the present Hungarian Government.

Whereas the valiant efforts on the part of the Hungarian people to secure for themselves a free and independent government have been repressed by the forces of the Russian Government in order to retain its control over the Hungarian people; and

Whereas the act of the Russian Government in killing so many thousands of unarmed Hungarian civilians has shocked the entire world; and

Whereas the present Government of Hungary which is the Kadar regime is merely a puppet government of Soviet Russia and does not represent the people of Hungary, but is used in carrying out Russian policies of world domination: Now, therefore, be it

*Resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein),* That the Government of the United States do not recognize the Kadar regime as the present Government of Hungary and; be it further

*Resolved,* That copies of this resolution be forwarded by the secretary of the senate to the President of the United States, the Secretary of State of the United States, and to each member of the North Dakota congressional delegation.

CLYDE DUFFY,  
President of the senate.  
VIC GILBREATH,  
Secretary of the senate.  
B. J. WOLF,  
Speaker of the house.  
GERALD L. STARR,  
Chief clerk of the house.

#### REPEAL OF TRANSPORTATION TAX, AND PENALTY FOR PER DIEM CHARGES—RESOLUTIONS

Mr. YOUNG. I ask unanimous consent to have printed in the RECORD two resolutions adopted by the Northwest Shippers Advisory Board at its 34th annual meeting held at St. Paul, Minn., January 31, 1957. These resolutions suggest the repeal of the transportation tax on passenger, sleeping car accommodations, and freight, and support of legislation which will give the Interstate Commerce Commission authority to impose penalty per diem charges in periods of emergency.

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

#### RESOLUTION ADOPTED BY THE NORTHWEST SHIPPERS ADVISORY BOARD AT ITS 34TH ANNUAL MEETING, ST. PAUL, MINN., JANUARY 31, 1957

##### REPEAL OF TRANSPORTATION TAX

Whereas the transportation tax on passenger and sleeping car accommodations was a war measure to discourage travel; and

Whereas the transportation tax on freight was a war measure to increase revenue for the conduct of World War II; and

Whereas inasmuch as the assessment of these taxes places an undue burden on the shipping and traveling public and further handicaps common carriers in their efforts

to meet competition of private transportation; and

Whereas this unfavorable situation has been further aggravated by successive increases in freight charges: Therefore, be it

*Resolved*, That the Northwest Shippers Advisory Board instruct its secretary to transmit its opposition to these taxes to all Members of Congress from the States comprising this board area and to members of the Senate and House Committees on Interstate and Foreign Commerce.

#### PENALTY PER DIEM CHARGES

*Resolved*, That this board go on record as supporting legislation which is presently pending before Congress which will give the Interstate Commerce Commission authority to impose penalty per diem charges in periods of threatened emergency: Now, therefore, be it

*Resolved*, That the Northwest Shippers Advisory Board instruct the Secretary to transmit this resolution to members of the Senate and House Committees on Interstate and Foreign Commerce and all congressional members of the board area States.

#### THIRTY-NINTH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. YOUNG. Mr. President, the Ukrainian people are now celebrating the 39th anniversary of the proclamation of Ukrainian independence. In that connection, I ask unanimous consent that a letter from Dr. Anthony Zukowsky, president of the North Dakota Branch of Ukrainian Congress Committee of America, Inc., be printed in the RECORD. I also ask unanimous consent that a Ukrainian Independence Day declaration signed by many residents of Ukrainian descent and the transcript of a radio broadcast presented over a North Dakota radio station on the significance of Ukrainian independence be likewise printed in the RECORD.

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

UKRAINIAN CONGRESS  
COMMITTEE OF AMERICA, INC.,  
Bismarck, N. Dak., February 9, 1957.

Hon. MILTON R. YOUNG,  
United States Senator, Senate Office  
Building, Washington, D. C.

DEAR SENATOR YOUNG: We are privileged to communicate to you, as a friend of long standing of groups and peoples fighting for freedom and against the threat of Communist conquest of the world, that many communities of our State have held a solemn celebration of the 39th anniversary of the proclamation of the Ukrainian Independence in Kiev on the 22d day of January 1918.

In connection with our celebrations in our State which went on simultaneously with the dignified marking of Ukrainian Independence Day in the Nation's Capital by prayers being read by members of the Ukrainian Church hierarchy in the United States Senate and in the House of Representatives, many communities have unanimously adopted a statement of unity of purpose in the fight for the liberation of our Ukrainian brothers enslaved within the Communist empire, the text of Ukrainian Independence Day declaration and speech given, we submit herewith for your possible utilization in your legislative activities, and I would appreciate your inserting these statements, including this letter, into the CONGRESSIONAL RECORD as a matter of public record.

Respectfully yours,

Dr. ANTHONY ZUKOWSKY,  
President, UCCA, State Branch of  
North Dakota.

#### UKRAINIAN INDEPENDENCE DAY DECLARATION

We, Americans of Ukrainian descent, gathered at a celebration of the 39th anniversary of the proclamation of the free, sovereign, independent and democratic Ukrainian National Republic by act of its parliament and government on January 22, 1918, hereby appeal to the conscience of the free world and to all free and freedom-loving nations to help the people of Ukraine enslaved by the colonial empire of Communist Russia to reassert their independence and once again join the proud ranks of free nations.

We protest on this anniversary of Ukrainian independence against the employment by Communist Russia of Ukrainian nationals in the ranks of the Soviet armed forces to crush the liberation movements of other nations and to be ordered to slaughter people rising and bidding for freedom. We also wish to call attention of the people of these United States to the fact that the fate of Ukrainians living in the so-called satellite countries or people's democracies is no better than within the Soviet Union. Most recent reports assert that about a quarter of a million Ukrainians in Poland are being subjected to persecution along with Jews, Byelorussians and others. This fact has been editorially reported in the New York Times of January 10, 1957, and should serve as a warning to the free world that in spite of ostensible ideological differences, the dictators of the satellite countries are dedicated partners of the Kremlin in the crimes of oppression, extermination and genocide committed upon people seeking freedom and constituting a threat to the colonial empire run by Moscow.

Ukrainians in their enslaved homeland and their blood-brothers scattered throughout the free world will never give up the fight until Ukraine is once again united, free and sovereign just like during the time of proclamation of the acts of independence and unity in Kiev on January 22, 1918 and 1919.

This community of Americans of Ukrainian descent in the city of Bismarck, N. Dak., hereby goes on record as being of one heart and purpose with the freedom-seeking people of Ukraine until the day of final liberation.

Ann E. Palaniuk, Pearl M. Basaraba, Mary Shypkoski, Myri Gawrylow, Anna York, Oleksa Gawrylow, John N. Ewoniuk, William N. Kordonow, Sam Ewoniuk, Matt Hawerluk, Metro Dolyniuk, Steve Klem, Katie Logus, Mr. and Mrs. Mike Fedora, Mrs. Mary Makaruk, Wasyl Fedora, John Basaraba, Stephen Dolyniuk, Peter Kordon.

#### SIGNIFICANCE OF UKRAINIAN INDEPENDENCE DAY CELEBRATION, 39TH ANNIVERSARY OF RE-NEWED UKRAINIAN INDEPENDENCE

(Speech given by Steve F. Hiebichuk, vice president of State Branch of UCCA, Inc., over stations KFYR, Bismarck, N. Dak., KDIX, Dickinson, N. Dak., and KLPM, Minot, N. Dak., January 27, 1957)

On January 22, 1918, at the close of World War I, the Ukrainian people reached another milestone in their historic development when they established a united, democratic, and independent republic. The event was of epochal significance not only for the Ukrainians, but for the whole of Eastern Europe as well. After almost two centuries of foreign domination by Russia and Austria, Ukraine finally attained its full freedom and independence.

The young republic, which was prompt to call an all-national parliament, the Ukrainian Central Rada, promulgated a series of liberal laws affecting the social and economic life of the population and assuring all minorities of equal rights as full-fledged citi-

zens, but Ukraine could not enjoy for long peace and prosperity in freedom.

Although the Red leaders, Lenin and Trotsky, recognized the independence and sovereignty of Ukraine, Bolshevik Russia unleashed its newly organized Red army and in a series of invasions and large-scale battles, succeeded in destroying the young independent State of Ukraine, and imposed upon the Ukrainian people—by force and terror so well demonstrated now in Hungary—the oppressive yoke of Russian communism. Even such a marked event as the union of all Ukrainian lands by an act of union of January 22, 1919, a year after the proclamation of independence, could not sustain the Ukrainian people in their effort to preserve their hardly won freedom in the face of the numerically superior forces of Communist Russia. By the end of 1920, the vast Ukrainian lands—with the exception of western Ukraine, Carpatho-Ukraine, and Bukovina and Bessarabia—were subjected to the totalitarian domination of Moscow.

The free world has lived to regret the downfall of the Ukrainian National Republic before the onslaught of Communist aggression. Thus, the great French statesman Georges Clemenceau admitted in 1924 that France and the Allied Powers had made a grave mistake in 1918-1919 by withholding armed aid from the Ukrainians in their fight against aggression and conquest by Moscow. Had this error not been committed, said Clemenceau, the world would not be facing such a dangerous enemy.

The martyrdom of the Ukrainian people under the Bolshevik regime has been measured by countless crimes committed against them by Moscow. But neither mass executions of Ukrainian patriots and deportations of millions of Ukrainians to Siberia, nor forcible Russification and outright genocide could ever break the determination of the Ukrainian people to regain their freedom and independence.

During and after World War II, the vast Ukrainian underground forces, led by the Ukrainian Insurgent Army (UPA), challenged Moscow's domination by stubborn and systematic resistance to Russia. Even in the Soviet slave-labor camps of Vorkuta, Norilsk, Karaganda, and others, the Ukrainian political prisoners have been bold and recalcitrant defenders of freedom and human decency, and have staged bloody strikes and rebellions that have shaken the entire system of Soviet slave labor camps in 1953 through 1956.

It is the spirit of independence that keeps the Ukrainian underground forces alive even today and the Ukrainian people united against the alien rule of Moscow. In May 1956, the Ukrainian partisans attacked several Soviet military supply trains in Ukraine. During the Hungarian revolution in November 1956, Ukrainian freedom fighters blew up Soviet supply trains en route to Hungary at the railroad stations of Stanislav, Kolo-maya, Nadvirna, and Vorokhta in western Ukraine and in Carpatho-Ukraine. At the critical hour in Hungary, many Ukrainians from the Soviet armies not only refused to fight against the Hungarians, but went over to the latter's side with tanks and ammunition and joined the Hungarians in their struggle against the Russians.

Today, as Ukrainians the world over commemorate the 39th anniversary of Ukrainian independence, the free world must take cognizance of the plight of the Ukrainian people under Russian tyranny. For all these long years, the Ukrainians were almost alone and unaided in their struggle against Moscow. Russian tyranny, as evidenced in Hungary, is by no means limited to Ukraine; it threatens to spread in Asia and in the Middle East, and indeed, to the Western Hemisphere.

The celebration of the anniversary of the renewal of Ukrainian independence is the occasion for us Americans to think of the

future of the world, of the future of our America. Admiration alone for freedom fighters in Ukraine and Hungary and elsewhere behind the Iron Curtain will not help these people to get rid of Russian domination. We must do more than that if we still believe in the principle that all nations, however great, however small, should be free and independent.

#### RESOLUTION OF EXECUTIVE COMMITTEE OF NORTH CAROLINA DENTAL SOCIETY

Mr. SCOTT. Mr. President, I present, for appropriate reference, a resolution adopted by the executive committee of the North Carolina Dental Society, relating to taxation of self-employed persons. I ask unanimous consent that the resolution may be printed in the RECORD.

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

Whereas corporate employees covered by an approved pension plan are not required to pay income tax on the employer's contribution to the pension fund, under the present provisions of the Internal Revenue Code; and

Whereas self-employed individuals are not granted a similar privilege under the Internal Revenue Code in respect to amounts they might set aside in a retirement fund; and

Whereas the Jenkins-Keogh bills (H. R. 9 and 10) seek to correct this existing tax inequity: Therefore be it

Resolved, That the executive committee of the North Carolina Dental Society, on behalf of the membership of the society, endorses the Jenkins-Keogh bills (H. R. 9 and 10) in principle; firmly convinced that enactment of this legislation would not only correct existing tax inequities under the present Internal Revenue Code, but would strengthen the economy of the Nation by providing the proper incentive to sound savings practices on the part of self-employed individuals; and be it further

Resolved, That the 1,050 dentist-members of the North Carolina Dental Society strongly urge the 85th Congress to enact this proposal into law without delay and request the support of the North Carolina congressional delegation in the achievement of this objective.

#### REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 94. A bill for the relief of Lee Chong Talk (Rept. No. 73);

S. 96. A bill for the relief of Corazon A. Manayan (Rept. No. 74);

S. 97. A bill for the relief of Dr. Cheng-en Lu (Rept. No. 75);

S. 184. A bill for the relief of Mary C. Frederick (Rept. No. 76);

S. 185. A bill for the relief of Mary Palanuk (Rept. No. 77);

S. 271. A bill for the relief of Johannes Sukevainen (Rept. No. 78);

S. 589. A bill for the relief of Margaret Kwei Chang (Margaret Hua-Chen Kwei) (Rept. No. 79);

S. 615. A bill for the relief of Josephine Ray (Rept. No. 80);

S. 753. A bill for the relief of Georgiana Ching Hsien (Liang) New (Rept. No. 81);

S. 827. A bill for the relief of Guillermo B. Rigonan (Rept. No. 82); and

S. 890. A bill for the relief of Redentor Ligot Romero (Rept. No. 83).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 189. A bill for the relief of Peter V. Bosch (Rept. No. 84);

S. 288. A bill for the relief of Esther Guagliardo (Rept. No. 85);

S. 407. A bill for the relief of Julian D. Dycalco (Rept. No. 86);

S. 493. A bill for the relief of Irene Montoya (Rept. No. 87); and

S. 797. A bill for the relief of John Leary (Rept. No. 88).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 120. A bill for the relief of James F. Walsh (Rept. No. 89); and

S. 649. A bill for the relief of Yee Chung Fong Ming, Yee Chung Nom Ming, and Gee Shee Ming (Rept. No. 90).

#### REFERENCE OF SENATE BILL 156 TO COURT OF CLAIMS—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution, referring to the Court of Claims the bill (S. 156) for the relief of M. F. Comer Bridge and Foundation Co. and submitted a report (No. 91) thereon.

The resolution (S. Res. 97) was placed on the calendar, as follows:

Resolved, That the bill (S. 156) entitled "A bill for the relief of M. F. Comer Bridge & Foundation Co." now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims: and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

#### REPORT BY COMMITTEE ON THE JUDICIARY ENTITLED "PATENTS, TRADEMARKS, AND COPYRIGHTS" (S. REPT. NO. 72)

Mr. O'MAHONEY. Mr. President, from the Committee on the Judiciary, I submit a report entitled "Patents, Trademarks, and Copyrights," and ask unanimous consent that it may be printed.

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from Wyoming.

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Eva Kelly Bowring, of Nebraska, to be a member of the Board of Parole;

Dorothy McCullough Lee, of Oregon, to be a member of the Subversive Activities Control Board;

Albert M. Morgan, of West Virginia, to be United States attorney for the northern district of West Virginia;

Chester A. Weidenburner, of New Jersey, to be United States attorney for the district of New Jersey;

Antonio C. Baza, of Guam, to be United States marshal for the district of Guam; and

Thomas James Donegan, of New York, to be a member of the Subversive Activities Control Board.

By Mr. BUTLER, from the Committee on the Judiciary:

Leon H. A. Pierson, of Maryland, to be United States attorney for the district of Maryland.

By Mr. SALTONSTALL, from the Committee on Armed Services:

E. Perkins McGuire, of Ohio, to be an Assistant Secretary of Defense;

Robert Dechert, of Pennsylvania, to be General Counsel of the Department of Defense, vice Mansfield D. Sprague;

Mansfield D. Sprague, of Connecticut, to be an Assistant Secretary of Defense, vice Gordon Gray, resigned;

Maj. Gen. Donald Prentice Booth, Army of the United States (brigadier General, U. S. Army), to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Brig. Gen. Marvin Edward Kennebeck (colonel, Regular Air Force, Medical), United States Air Force, for temporary appointment as major general in the United States Air Force;

Vice Adm. James L. Holloway, Jr., United States Navy, to be Chief of Naval Personnel and Chief of the Bureau of Naval Personnel in the Department of the Navy, and also for commands and other duties determined by the President, in the rank of vice admiral while so serving;

Lt. Gen. Walter Leo Weible, Army of the United States (major general, U. S. Army), Lt. Gen. William Kelly Harrison, Jr., Army of the United States (major general, U. S. Army), and Lt. Gen. Ralph Julian Canine, Army of the United States (major general, U. S. Army), to be placed on the retired list with the rank of lieutenant general.

Mr. SALTONSTALL. Mr. President, in addition, I also report favorably 3,790 names for temporary and permanent appointment and promotion in the Air Force and Air Force Reserves. Included in this group are 104 general officers and 3,686 officers in grades from major to second lieutenant. In the Navy there are 73 flag officers for temporary and permanent promotion and 1 vice admiral for retirement, as well as 9,455 officers for temporary and permanent promotion in the grade of captain and below. In the Marine Corps there are the names of 2 lieutenant generals to be retired, 26 general officers for temporary and permanent promotion, and 1,988 officers for temporary and permanent appointment in the grade of lieutenant colonel and below.

All of these names have already appeared in the CONGRESSIONAL RECORD, so to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The VICE PRESIDENT. The nominations will lie on the desk, as requested by the Senator from Massachusetts.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. HENNINGS:

S. 1234. A bill for the relief of Benjamin Barron-Aragon; to the Committee on the Judiciary.

By Mr. IVES:

S. 1235. A bill for the relief of Eleftherios (Loukas) Moschos; and

S. 1236. A bill to incorporate the National Academy of Design; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. MORSE):

S. 1237. A bill to provide for national scholarships for college and university undergraduate study; to the Committee on Labor and Public Welfare.

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

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

S. 1238. A bill to amend title II of the Agricultural Act of 1956 so as to provide for the utilization of surplus agricultural products through the use in motor fuels of alcohol manufactured from agricultural products grown on farms in the United States; to the Committee on Agriculture and Forestry.

By Mr. MANSFIELD (by request):

S. 1239. A bill to amend section 2 of the Missing Persons Act, so as to provide that benefits thereunder shall be available to certain members of the Philippine Scouts; to the Committee on Armed Services.

By Mr. DIRKSEN (by request):

S. 1240. A bill for the relief of Panagiotis Tullios; and

S. 1241. A bill for the relief of Edward Martin Hinsberger; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 1242. A bill to amend the National Science Foundation Act to authorize in certain cases the award of scholarships and graduate fellowships to individuals who are not citizens of the United States; to the Committee on Labor and Public Welfare.

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

By Mr. SMITH of New Jersey:

S. 1243. A bill for the relief of Domenico Mascalino; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 1244. A bill for the relief of Teiko Watanabe Holderfield; to the Committee on the Judiciary.

S. 1245. A bill to provide a right-of-way to the city of Alamogordo, a municipal corporation of the State of New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. THURMOND (for himself and Mr. TALMADGE):

S. 1246. A bill to provide for the revestment of certain lands or interests therein acquired for the Clark Hill Reservoir, Georgia, by the reconveyance of such lands or interests therein to the former owners thereof; to the Committee on Public Works.

By Mr. WILEY:

S. 1247. A bill to provide that epilepsy shall no longer be a cause for excluding aliens from admission into the United States; to the Committee on the Judiciary.

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

By Mr. ERVIN:

S. 1248. A bill for the relief of Fred G. Clark;

S. 1249. A bill for the relief of Martha A. Calvert; and

S. 1250. A bill for the relief of John S. Adams (also known as Ivan T. Atanasoff); to the Committee on the Judiciary.

By Mr. ELLENDER:

S. 1251. A bill for the relief of Florinda Mellone Garcia; to the Committee on the Judiciary.

By Mr. YOUNG (by request):

S. 1252. A bill for the relief of Miss Alstje J. Van Dyken; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1253. A bill for the relief of Myung Ok Shin; and

S. 1254. A bill to accelerate consideration by the courts of criminal proceedings involving treason, espionage, sabotage, sedition, and subversive activities, and to increase to 15 years the statute of limitations applicable to such offenses; to the Committee on the Judiciary.

By Mrs. SMITH of Maine (for herself and Mr. PAYNE):

S. 1255. A bill to amend the act of August 3, 1956, relating to the payment of annuities to widows of judges; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 1256. A bill for the relief of Harlan D. Conkey; and

S. 1257. A bill for the relief of Dr. Pao-Shu Chen; to the Committee on the Judiciary.

By Mr. MARTIN of Iowa:

S. 1258. A bill for the relief of M. Sgt. Robert A. Espe; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 1259. A bill to amend the Dependents' Medical Care Act to entitle certain retired members of the uniformed services to the same benefits as certain dependents of members of the uniformed services; to the Committee on Armed Services.

S. 1260. A bill for the relief of Frank Deakins; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 1261. A bill for the relief of Richard Edward Wylie; to the Committee on the Judiciary.

S. 1262. A bill to amend the Federal Water Pollution Control Act in order to remove the \$250,000 limitation on construction grants under such act; to the Committee on Public Works.

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

By Mr. ALLOTT (for himself and Mr. MANSFIELD):

S. 1263. A bill to permit weekly newspapers to suspend publication for not more than two issues in any one calendar year without loss of second-class mail privileges; to the Committee on Post Office and Civil Service.

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

By Mr. CASE of New Jersey:

S. 1264. A bill to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CASE of South Dakota:

S. 1265. A bill to supplement the lease-purchase provisions of the Public Buildings Act of 1949 by establishing a Federal Building Finance Administration to provide a self-financing means for the construction of certain Federal buildings and certain public-school buildings, and for other purposes; to the Committee on Public Works.

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

By Mr. THYE:

S. 1266. A bill authorizing the construction of local flood-protection works on the Mississippi River at St. Paul and South St. Paul, Minn.; to the Committee on Public Works.

By Mr. MORSE (for himself, Mr. MURRAY, Mr. NEELY, and Mr. McNAMARA):

S. 1267. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mrs. SMITH of Maine:

S. J. Res. 59. Joint resolution relating to Father's Day; to the Committee on the Judiciary.

(See the remarks of Mrs. SMITH of Maine when she introduced the above joint resolution, which appear under a separate heading.)

By Mr. CHAVEZ:

S. J. Res. 60. Joint resolution to provide for the establishment of a United States Women's Armed Services Academy, and for other purposes; to the Committee on Armed Services.

By Mr. MARTIN of Iowa:

S. J. Res. 61. Joint resolution to designate the 4th day of May as Teachers Day; to the Committee on the Judiciary.

By Mr. YOUNG:

S. J. Res. 62. Joint resolution authorizing the President to issue a proclamation designating the first Sunday of February of each year as Chaplains' Day; to the Committee on the Judiciary.

By Mr. GOLDWATER (for himself and Mr. HAYDEN):

S. J. Res. 63. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act; to the Committee on Armed Services.

## RESOLUTIONS

The following resolutions were submitted and reported:

Mr. STENNIS submitted Senate Resolution 96 relating to appointments to the Supreme Court, which was referred to the Committee on the Judiciary.

(See resolution printed in full where it appears under a separate heading.)

Mr. EASTLAND, from the Committee on the Judiciary, reported (S. Res. 97) referring to the Court of Claims the bill (S. 156) for the relief of M. F. Comer Bridge & Foundation Co., which was placed on the calendar.

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

## SCHOLARSHIPS FOR COLLEGE AND UNIVERSITY UNDERGRADUATE STUDY

Mr. CLARK. Mr. President, 10 days ago, the senior Senator from Oregon [Mr. MORSE] introduced, on his own and my behalf, the bill (S. 1134) to authorize a program of Federal financial assistance for primary and secondary education.

Today I introduced, on behalf of the senior Senator from Oregon [Mr. MORSE] and myself, a companion bill which would provide Federal assistance in the field of higher education.

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

The bill (S. 1237) to provide for national scholarships for college and university undergraduate study, introduced by Mr. CLARK (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement explaining the nature of the bill and the reason for urging its passage, together with a summary of the bill.

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

There is now widespread recognition that education in this Nation is in crisis. It is a crisis that should never have been allowed to develop. If the Nation had taken the advice, years ago, of many far-seeing people—and among the outstanding of these was the senior Senator from Alabama [Mr. HILL]—the Federal Government would long since have accepted its responsibilities in the field of education and would have been in a position to deal with our present difficulties before they developed.

I believe there is now general agreement that deterioration in education is not merely a matter of State and local concern, but a matter of fundamental concern to the whole Nation. It is now recognized that the States and local governments simply do not have from their own resources sufficient money to meet all the needs of a rapidly expanding school population. I come from a relatively wealthy city, and yet I know that the tax resources of my city are stretched to the breaking point. State and local tax systems are neither flexible enough nor productive enough, and the pressing educational needs and local tax resources are spread unequally among States and among school districts. Consequently, it is acknowledged that the Federal Government must accept its share of responsibility for action to meet our national educational needs.

The contention which the Senator from Oregon and I present today is that acceptance of Federal responsibility should not be permitted to stop with primary and secondary education. There is as great a need for Federal action in the field of higher education.

Many of our colleagues have recognized this fact. The Senator from New Jersey [Mr. CASE] has introduced a bill for aid to junior colleges. The Senator from North Dakota [Mr. LANGER] has proposed a bill for Federal loans to college and university students. The Senator from Washington [Mr. MAGNUSON] has proposed loans for the training of teachers. The Senator from Minnesota [Mr. HUMPHREY] has introduced a bill for both Federal scholarships and loans for higher education. The Clark-Morse bill would authorize a scholarship program similar in some respects to that proposed by the Senator from Minnesota but differing in some important particulars.

In its interim report issued last November, President Eisenhower's Committee on Education Beyond the High School, headed by Mr. Devereux C. Josephs, presented again the cold statistics which measure the need for us to act, as a nation, in higher education.

The Committee said: "A study of the current American manpower situation clearly points up two closely related facts. First, of our Nation's most talented high-school graduates who do not go on to college, approximately 100,000 each year are deterred chiefly for financial reasons, perhaps another 100,000 chiefly by lack of motivation. Second, there is a serious shortage of trained and competent persons in almost every field."

A comprehensive report prepared in the Legislative Reference Service of the Library of Congress summarizes the findings of a number of recent studies. It concludes that "Fewer than half of the upper 25 percent and only 6 out of 10 of the top 5 percent of high-school graduates are obtaining the higher education needed for full development of their potential usefulness to society."

This is a tragic waste of the most precious resource of our Nation. We have programs for the conservation of soil, and of forests, and of minerals—yet we have no Federal program, or even a national policy, to prevent the needless waste of a large part of the finest talent of every generation.

Happily, there have been many instances in the life of our country where a man born in a log cabin and educated only in a little red schoolhouse has risen to national leadership. But these are the exceptional cases. In the main, and certainly in the most highly specialized fields, an individual can realize his highest potential only through higher education.

The loss of 200,000 highly capable students is first of all a series of individual tragedies. But it is far more than that. To use the words of the National Science Foundation in its annual report to the Congress, it is "an appalling loss to the Nation."

A year ago, the junior Senator from Arkansas told this body, "In this period of competitive coexistence with the Soviets, the intelligence and training of our population may well be the key to our survival."

And yet, every year brings forth new and alarming evidence that the Soviets are surpassing us in the education of trained specialists—particularly scientists and engineers.

Mr. Allen Dulles, Director of the Central Intelligence Agency, has told us that in this decade the number of graduates in the basic physical sciences, including engineering, in the Soviet Union will be one-third greater than in the United States. In 1950 we were graduating almost twice as many engineering students as was the Soviet Union—52,000 against 28,000—thanks largely to Federal aid under the GI bill of rights. But in the next 5 years, the U. S. S. R. more than doubled its annual number of graduates to 63,000. In the same period, the number being graduated each year in the United States declined to 23,000. Since then, the gap between our two countries has continued to widen.

Last Friday, Dr. Edward Teller, who had so much to do with development of the hydrogen bomb, said that in 10 years scientific supremacy will pass from the United States to the Soviet Union because of Soviet superiority in scientific manpower.

Let me read the words of Marshal Bulganin, delivered at the 20th Communist Party Congress in Moscow a year ago this month:

"Our country now has an army of specialists numbering over 5,500,000. Specialists are our gold reserve. We are proud of them and we value them. It is no wonder that certain public figures in the capitalist states are not without concern that their own countries are behind us in the training of specialists.

"Under the sixth 5-year plan the number of specialists to graduate from higher and secondary schools will considerably increase. Altogether 4 million specialists are to graduate. That is nearly as many as were trained during the last two plans.

"Higher schools are to supply more than 650,000 engineers for industry, transport, building, and agriculture. This is twice as many as the fifth 5-year plan produced."

In the same speech, he announced that all tuition fees were to be abolished in higher education.

This illustrates the value placed upon higher education by our antagonists in the great world struggle. It illustrates the intensive, concentrated effort they are putting into outstripping the rest of the world in the advanced training of their most able young people.

This great Communist effort is the ominous backdrop against which we must examine the waste of talent in America.

I desire to call special attention to the fact that higher education is not only free in the Soviet Union but additional allowances and perquisites are granted on an extensive scale to the most capable students. I hope we will never have to admit that in America—the land of opportunity—there is in truth less opportunity for the children

of the poor than there is in Communist Russia. That would be a shame upon our Nation.

But we do not rest our case solely upon the dreadful challenge of Communist education. Regardless of the Soviets, if America does not provide opportunity for all our children it is a shame in any case. It is the genius of America that there shall be equal opportunity. It is repugnant to our tradition that the privilege of higher education should be subject to a means test. Yet, for perhaps 400,000 young people—half of the 800,000 superior students who should now be in college but have dropped out—the means test for higher education is a reality today.

And there is no reason to think that this situation will correct itself. The cost of higher education is rising rapidly. Tuition fees are being increased in many institutions. A recent study of 35 institutions showed that all but 6 had raised their rates in the last 2 years. The difficulties that now force 100,000 students a year to drop out are becoming not less but greater. Yet as college enrollment grows these are the young people whom the Nation can least afford to lose.

Now—what is the answer?

In all of the many studies that have been made on this subject over the past decade, no real solution has ever been advanced except to use a portion of the growth in our national income, through the Federal budget to provide scholarships to our ablest students who cannot otherwise go on to college. I quote again the findings of these studies, as summarized in the report of the Legislative Reference Service: "The nationwide shortage of highly educated manpower is critical in many fields. There are various estimates of the amount available and the amount needed for scholarships, but it appears that the amount needed is at least three times as great as the amount available. Data suggest that awarding a sufficient number of scholarships would cause three-fourths instead of only one-half of the top 27 percent of high-school graduates to enter college."

"According to findings from a current study of a nationwide sampling of 13,669 students the principal reason for dropouts from college after the first year is economic problems."

I command to each Member of this body this excellent report by Mr. Charles A. Quattlebaum, which contains a wealth of background information on the need for assistance to students in higher education.

The bill which the Senator from Oregon and I are submitting today would meet this problem directly. It would provide 50,000 scholarships a year—enough for half of those who now drop out for economic reasons. The aid would be continued during the student's undergraduate years, provided that he remained in good standing at an accredited institution. Both the scholarships and the available funds would be apportioned among the States on the basis of the number of high school graduates in each State, and the State, rather than the Federal Government, would administer the program, subject to Federal standards. The student would have freedom of choice as to his course of study and his choice of a university, within or outside his own State. He could go to a public university, a private college or a church-supported institution, and he could select any course leading to a baccalaureate degree.

Many persons have proposed scholarships for science and engineering alone. While there is no question as to the imperative need for scientists and engineers, there is need for scholars and trained leaders in every field. Western civilization developed not only through the physical sciences, but through the social sciences, the humanities, and the arts. In the pervasive contest between freedom and communism, we must defend and enrich western civilization through

the growth and dissemination of knowledge in all fields.

Even in regard to science and engineering, the important thing is to enlarge the pool of able, qualified young people who as undergraduates receive intellectual stimulation and scholastic discipline over a broad range of subjects. From this enlarged pool, a greater number of potential scientists, engineers, and leaders in other fields can be selected for advanced training in their specialties.

Our bill is designed to get the greatest number of able young people into college at the least cost, while still retaining freedom of choice on the part of the student. Consequently, the amount of each scholarship would be determined on the basis of the cost of his particular course of study, and his resources and need, taking into account the extent to which he can earn his own way. It is sometimes suggested that a flat grant be made, unrelated to need or that need alone be considered without taking into account the difference in the cost of attending different institutions. We think the greatest economy will be achieved if both factors are considered. Based on these criteria, the awards would range from zero to \$1,000, with the average in each State not to exceed \$500. This is somewhat less than the average amount awarded by the National Merit Scholarship Corporation, which uses the same criteria, and it is considerably less per student than is allowed under the GI bill.

Our program will cost up to \$25 million the first year and rise to \$100 million by the fourth year when it is in full operation. It may be argued by some that now is not the time to spend for purposes such as these because it would help to unbalance the budget and, hence, would be inflationary. To this argument we reply that the Nation must determine how our available resources will be distributed among various social purposes—industrial expansion, consumer goods, housing, highways, education, and so on. If it is suggested that purposes as vital as education have to be neglected because inflationary pressures arising in other fields are too great, then it is up to us to take measures to check the inflationary pressures in the fields where they arise—not permit education to be sacrificed. And I would add that expenditures for the education of our ablest young people are the type of expenditures that ultimately pay for themselves, through the added wealth and income and tax revenues that a more highly trained citizenry creates.

Finally, our bill contains what we hope are adequate safeguards that the scholarships will be awarded solely to the most highly qualified persons, on the basis of merit only, through the maximum use of objective methods of selection which rule out favoritism. We have also included as strong a prohibition against Federal control or supervision of higher education as anyone has so far been able to compose. If stronger or clearer language can be drawn to dispel this bugaboo of Federal control, which has so long blocked progress in education we would welcome that language.

Almost 10 years ago, President Truman's Commission on Higher Education proposed a system of Federal scholarships and said, "The Federal Government assumes responsibility for supplementing State and local efforts in military defense against the Nation's enemies without; surely it may as justifiably assume responsibility for supplementing State and local efforts against educational deficiencies and inequalities that are democracy's enemies within." That Commission proposed Federal scholarships for 20 percent of our college students—a proportion somewhat higher than we propose. President Truman subsequently recommended a scholarship program to the Congress.

Now, almost a decade later, President Eisenhower's Committee on Education Beyond the High School is again studying this issue. I quote three of the preliminary conclusions of this Committee:

"Our ideals and the increasing complexity of our civilization require that each individual develop his or her talents to the fullest. We must find ways of eliminating the waste of talent inherent in the fact that tens of thousands of our superior high school graduates do not go on to college."

"There must be promptly formulated an explicit, considered policy as to the role of the Federal Government in education beyond the high school. \* \* \* In recent years the Federal Government has spent more than a billion dollars annually in educational activities beyond the high school, and yet no overall policy exists."

"Even with the best possible utilization of existing resources, additional financial support must be provided if the additional millions in the population are to be enabled to develop their talents to the fullest. It is already crystal clear that post-high school education will cost much more in total as each year advances."

The senior Senator from Oregon and I submit that the Congress need wait for no further studies. The needs are clear. We should proceed at this session of the Congress to recognize the national interest in higher education and the imperative demands of our national security.

We should wait no longer. We submit that in our massive competitive struggle with the Soviet Union, we dare not wait.

There follows a summary of our bill:

#### SUMMARY OF CLARK-MORSE BILL, NATIONAL SCHOLARSHIP ACT OF 1957

Section 1 is the short title of the bill, "National Scholarship Act of 1957."

Section 2 is a declaration of purpose, stating that the national interest and the national security of the United States require the fullest development of the talents of its young men and women.

Section 3 defines certain terms used in the act.

Section 4 establishes a National Scholarship Council in the Department of Health, Education, and Welfare, consisting of the United States Commissioner of Education as Chairman and 12 members appointed by the President and confirmed by the Senate.

Section 5 authorizes the Council to establish rules and regulations and assign administrative responsibility to the Commissioner of Education except where it is specifically delegated to the Council.

Section 6 provides for State participation in the program. Any State desiring to participate may do so by establishing a State commission on national scholarships and submitting a State plan which is approved by the Council. The plan will provide for the selection of individuals to be awarded national scholarships, and determination of the amount of each award. In the event any approved plan is altered so that it no longer meets these requirements, the Council may, after a hearing, determine that a State is no longer eligible to participate, and until the State again becomes eligible the Council will perform the functions of the State commission.

Section 7 authorizes 50,000 new scholarships per year. They shall be allocated among the States in proportion to the number of secondary school graduates in each State. Each State shall also be allocated an amount equal to \$500 per scholarship winner per year.

Section 8 provides that each candidate for a national scholarship who meets standards of eligibility established by his State shall apply to the State commission.

Section 9 provides that each State commission shall select from eligible candidates those most highly qualified, on the basis of merit only, as indicated by scholastic achieve-

ment and aptitude and academic promise. Objective measures shall be used as far as possible. Each State commission shall employ such selection methods as may be prescribed by the Council.

Section 10 provides that each scholarship winner shall report to the State commission the course he has selected and will provide information as requested as to his need for financial assistance. This shall include information which the council may prescribe to be collected from all individuals holding national scholarships. Each scholarship winner shall have freedom of choice as to his course of study, provided that it leads to a baccalaureate degree.

Section 11 provides that the State commission shall determine the amount of the award based upon the cost of undertaking the proposed course of study, the financial resources of the individual taking into account what he can earn, and the amount of assistance he needs. These determinations shall be based upon objective measures of cost, resources, and need. No award shall exceed \$1,000 per academic year, and in instances where no financial need exists the scholarship may be awarded without a stipend.

Section 12 provides that the scholarship payment shall be granted for the time normally required to complete the undergraduate curriculum, if the recipient remains in good standing in his institution.

Section 13 authorizes appropriations for scholarships amounting to \$25 million in the first fiscal year rising to \$100 million in the fourth and subsequent years, and for administrative expenses of the council and the commissioner.

Section 14 provides that scholarship winners shall have freedom to choose any institution of higher education which will admit him, in his own or another State.

Section 15 establishes the administrative procedures for payment. The check will be transmitted through the institution, which will transmit it to the student upon certifying that the recipient is pursuing his work in his designated field and is in good standing.

Section 16 directs the council to study the desirability of a comparable program of financial aid for graduate work and to make recommendations to the Congress. It also provides for regular reports on the effectiveness of the act and on needed revisions.

Section 17 authorizes employment of experts and consultants.

Section 18 prohibits the exercise of any direction, supervision or control by any Federal representative over the curriculum or program of instruction of any educational institution or over its administration or personnel.

Mr. CLARK. Mr. President, the bill which the senior Senator from Oregon and I have just introduced, read together with the education bill which he and I sponsored and which was introduced on February 7, is intended to be a comprehensive answer to the problem of Federal aid to education.

This particular bill would provide 50,000 national scholarships a year, to eliminate some of the shocking waste which results from the fact that 100,000 highly qualified American boys and girls each year are unable, after completing their high-school education, to continue with higher education in college because of lack of financial means, and another 100,000 drop out of school for lack of motivation to utilize their talents to the greatest extent.

In the face of the enormous strides which are being made by Russia with

respect to the problem of education, the senior Senator from Oregon and I feel most strongly that we can afford to delay no longer in placing the full force of the Federal Government behind a program to make it possible for American boys and girls to be trained, not only as engineers and scientists, but for all the many careers with respect to which we are at present suffering from an enormous lack of skilled and specialized manpower.

**AMENDMENT OF AGRICULTURAL ACT OF 1956, RELATING TO UTILIZATION OF SURPLUS AGRICULTURAL PRODUCTS**

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a bill to provide for the utilization of surplus agricultural products through the use in motor fuel of alcohol manufactured from agricultural products.

Today in the House of Representatives, my friend, the able Representative from western Iowa, Mr. BEN JENSEN, is introducing a companion bill, identical in text with the one I have just sent to the desk. Mr. JENSEN is also placing in the CONGRESSIONAL RECORD on the House side a statement which we have jointly prepared, pointing out directly how alcohol blends in motor fuels can eliminate the surplus problem in connection with agricultural products in the course of not more than 3 years, and probably in 1 or 2 years, depending upon the percentage of commercial alcohol used in the motor fuel blends.

I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, the text of the bill which I have introduced.

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

The bill (S. 1238) to amend title II of the Agricultural Act of 1956 so as to provide for the utilization of surplus agricultural products through the use in motor fuels of alcohol manufactured from agricultural products grown on farms in the United States, introduced by Mr. MUNDT (for himself and Mr. YOUNG), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.*, That title II of the Agricultural Act of 1956 (relating to disposal of surplus agricultural products) is amended by inserting at the end thereof a new section as follows:

**"USE IN MOTOR FUELS OF ALCOHOL MANUFACTURED FROM AGRICULTURAL PRODUCTS**

"SEC. 213. (a) As used in this section—

"(1) The term 'agricultural product' means any agricultural product grown on farms within the United States.

"(2) The term 'motor fuel' means any petroleum product (including gasoline, kerosene, naphtha, benzine, and crude oil) which (A) has a specific gravity of 36° or above, Baumé scale, and (B) is suitable for use as fuel in an internal-combustion engine.

"(3) The term 'United States' means the various States of the United States, the Territories of Alaska and Hawaii, and the District of Columbia.

"(b) (1) Beginning 6 months after the effective date of this section, it shall be unlawful for any person to sell motor fuel in interstate or foreign commerce unless at least 2 percent, by volume, of such motor fuel is alcohol manufactured from agricultural products.

"(2) Beginning 18 months after the effective date of this section, it shall be unlawful for any person to sell motor fuel in interstate or foreign commerce unless at least 5 percent, by volume, of such motor fuel is alcohol manufactured from agricultural products.

"(3) Any person violating the provisions of paragraph (1) or (2) of this subsection shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned for not more than 1 year, or both. Each sale of motor fuel in violation of paragraph (1) or (2) of this subsection shall constitute a separate offense.

"(c) Subsection (b) of this section shall not apply to sales of motor fuel during any period prescribed in a proclamation by the President declaring that, for purposes of this section, agricultural products from which alcohol is produced are not in surplus.

"(d) This section shall take effect on the first day of the first month which begins more than 10 days after the date of its enactment."

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

Mr. MUNDT. I am very happy to yield to the great agricultural expert, the distinguished Senator from North Dakota.

Mr. YOUNG. I wish to compliment the Senator from South Dakota for introducing the bill. It proposes one of the real solutions of the agricultural surplus problem. If he does not mind, I should like very much to join him as a cosponsor of the bill.

Mr. MUNDT. I should be very happy to have the distinguished Senator associate himself with me in the introduction of the bill.

**AMENDMENT OF NATIONAL SCIENCE FOUNDATION ACT OF 1950**

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to amend section 10 of the National Science Foundation Act of 1950.

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

The bill (S. 1242) to amend the National Science Foundation Act to authorize in certain cases the award of scholarships and graduate fellowships to individuals who are not citizens of the United States; introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. JACKSON. Mr. President, the amendment to the law I propose would authorize the awarding of scholarships and graduate fellowships for scientific study or work in special cases to individuals who are not citizens of the United States, where, in the judgment of the Foundation, the national interest can thereby be served. My amendment defines such special cases as outstanding students who have not yet had an opportunity to become citizens of the United States, but who have expressed their desire to do so.

It is not necessary to remind the Senate that all of us are, at one stage or another, products of the Old World.

This Nation is great today because it has been accessible to young men and women from abroad. Here they could fulfill their hopes and aspirations, bettering their own lot, and at the same time improving their new environment. The contributions of people from the Old World are legion.

Among the young men and women who are coming to this country there are some of exceptional talent in the sciences. And, Mr. President, there is a shortage of scientists in this country. Our deficiencies are quantitative, but they are also qualitative. In the words of James R. Killian, Jr., president of the Massachusetts Institute of Technology:

We have an acute shortage of scientists whose creative and conceptualizing powers are exceptional. There is, indeed, a shortage of numbers in many but not all fields of science and engineering; we could better cope with such a shortage did we not also have an even more severe shortage of quality, depth, adaptability, and up-to-dateness.

Where there is outstanding talent among persons coming to this country, we should see that no time is lost in its development. A few scholarships and fellowships, judiciously awarded, might turn up another von Neumann, another Teller, another von Karmen, or another Wigner.

With this in mind, I believe this amendment could contribute significantly—possibly decisively—to our national security and to our industrial progress.

**AMENDMENT OF IMMIGRATION AND NATIONALITY ACT RELATING TO VICTIMS OF EPILEPSY**

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill to correct an unfortunate defect in our present immigration laws.

The bill is very simple. It would simply strike from the list of the present disqualifications against admission of aliens to the United States the illness known as epilepsy.

At present, aliens are ineligible to receive visas if they are afflicted with, in the words of the law, "psychopathic personality, epilepsy, or a mental defect."

But the best medical evidence today confirms that there is no justification whatsoever for leaving epilepsy in the same category with psychopathic personality or mental defect.

Fortunately, modern medical science has brought an ever-increasing number of cases of epilepsy under control.

In any event, an epileptic may be a genius, or a person of average or low intelligence. There should be no automatic barrier against the epileptic. He should be judged on his individual merits and qualifications and condition.

As background for my introduction of this bill, I should like to point out that in the 84th Congress there was enacted Private Law 687, to admit into the United States Mrs. Charlotte Muhlfeldt Jahnke, the wife of a citizen of Grafton, Wis.

Mrs. Jahnke, an epileptic, would have been excluded from the United States because section 212 (a) (4) of the Immigration and Nationality Act, had not the

special Wiley bill—S. 2104—been enacted to permit her admission.

The fact that Congress passed that law, the fact that the President signed the law, is in my judgment, ample confirmation of the soundness of the more general legislation proposed today.

What we permitted in one case, we should now permit as a matter of general policy; namely, a fair break for otherwise qualified epileptics.

I send to the desk a brief supplementary statement which I have prepared on this subject, and ask unanimous consent that it be printed at this point in the RECORD.

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

The bill (S. 1247) to provide that epilepsy shall no longer be a cause for excluding aliens from admission into the United States, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. WILEY is as follows:

STATEMENT BY SENATOR WILEY

The case for this bill has been well made by the National Epilepsy League, headquartered at 130 North Wells Street in Chicago. The league has done invaluable work throughout the United States on behalf of people afflicted with epilepsy; yes, on behalf of their families as well—families which too often suffer untold heartache because of wrong public and private attitudes toward the epileptic.

FINDINGS OF SCIENCE

It is reported that some 1½ million people in the United States suffer from epilepsy in some form or another.

Fortunately, during the past two decades science has made tremendous strides in research into epilepsy and in treatment and rehabilitation. The disease has been determined to be a symptom of brain damage. It manifests itself in periodic lapses of consciousness and/or muscular control.

Epilepsy cases may vary tremendously in degree. Fortunately, through modern medical treatment, 80 percent of cases respond to medication. In over half of these instances seizures are reported to be completely prevented. Let me repeat that fact. In more than half of these cases seizures are completely prevented.

WISCONSIN IN VANGUARD OF MODERN ATTITUDE

I am delighted to say that a number of States of the Union have, in the light of modern medical evidence, revised what have heretofore been completely obsolete and discriminatory laws. Wisconsin, for example, has been an outstanding example. The 1955 meeting of the State legislature, with the full cooperation of our able State medical society, made a number of extremely important revisions in Badger State laws which had heretofore discriminated unnecessarily against the epileptic.

Unfortunately, a great many other States still have on their books a host of laws which were written in a bygone day when epilepsy was neither understood nor controlled.

THE LARGER MEANING OF TODAY'S BILL

In urging action today on this modest immigration bill to amend title 8, United States Code, section 182 (a) (4), I am doing no more than to permit the relatively few individuals who might desire to emigrate to our country to become eligible for possible admission.

By enacting this law we will take a great forward step. We will signify to ourselves

and to the world that we are bringing our laws up to date—and, I hope, our attitudes.

Passage of this law will, we believe, be a significant green light for the entire movement in the United States designed to assure justice for the epileptic.

This is the authoritative judgment of the National Epilepsy League. It is the judgment of thinking, civic-minded individuals who have devoted a great amount of personal resources—time and energy—toward assuring justice for the epileptic.

BILL SHOULD NOT BE MISINTERPRETED

But let me point out quite clearly that if an epileptic alien does suffer from a mental disease or from mental retardation, such an alien would continue to be denied admission.

In other words, the epileptic would still have to meet the other standards which the United States has set. But we would no longer automatically impose a complete bar—a bar which is not justified.

We all recognize that there must be numerous standards maintained as regards the admission of aliens. But this definitely should not be an automatic standard of denial of entry.

BILL DOES NOT OPEN THE FLOODGATES

I do not, of course, presume myself to have any particularly expert knowledge in this field of medical science. Nor do I presume myself to be an expert in immigration law as such.

I do count, however, most heavily on the judgment of experts whom I do respect in both of these fields—and who support this proposal. Again, I should like to answer pointblank the very basic question: "Does this bill, so to speak, open the floodgates to a mass of what might be regarded by some people as undesirable individuals?"

The answer—I repeat—is that it definitely does not. It does not make available a single additional quota number as such, over and above present quota limitations. It does not open the floodgates, so to speak.

It simply means that in the future, a number of individuals—(a group which will probably numerically be very, very small) may—I emphasize—may be admitted. These will be persons who otherwise will qualify completely in terms of all of the other strong limitations in our immigration laws, but who might have been disqualified by the present prohibition against epileptics. It is this comparatively small group of individuals who will henceforth be eligible for admission.

PAST WILEY EFFORTS FOR HANDICAPPED

Let me point out that my interest in this matter is part and parcel of my overall interest in the subject of justice for the handicapped, a matter which is evidenced by my fight down through the years on a great many other fronts.

Witness my efforts on behalf of: National Employ the Physically Handicapped Week which, like many other advances, is due to the pioneering efforts of the American Federation for the Physically Handicapped under President Paul Strachan, here in Washington. Second, injury funds for encouragement of the employment of the physically handicapped. Ending of cruel job discrimination against handicapped veterans, against the bind—whether veterans or non-veterans, and against other afflicted persons and on other fronts as well.

SUMMARY

Let us move ahead now to blot a totally wrong stigma against these, and other handicapped, a stigma born of ignorance and superstition.

Let us now help the epileptic to stand on his own feet and take his rightful place in the community, rather than being shunted off like a pariah.

Let us help him to help himself or herself.

Let us no longer say, in effect, to an epileptic child:

"You must live under a cloud all your life—a cloud of public ignorance, indifference and/or public distaste or fear."

Let us bring epileptic youngsters, particularly, into the sunshine of understanding and friendship and help.

Young and old, let us deal with them with justice, in the true American tradition.

AMENDMENT OF WATER POLLUTION CONTROL ACT

Mr. ALLOTT. Mr. President, on behalf of myself, and my colleague, the junior Senator from Colorado (Mr. CARROLL), I introduce, for appropriate reference, a bill to amend the Federal Water Pollution Control Act in order to remove the \$250,000 limitation on construction grants under such act.

The purpose of this bill is to eliminate one of the provisions of this important measure, which discriminates against the larger cities. The provisions of Public Law 660, which became a law during 1956, strike me as discriminatory to cities over 100,000 population, though adequately assisting smaller towns and cities.

I appreciate the fact that the pollution-control program of a single metropolis could take all of the authorized appropriation for a full year of the construction grant program authorized by this law. Therefore, the limitation in section 6 (d) would appear to have some merit whereby "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." But to go further and say that, as a matter of law, any city contemplating a project in excess of \$830,000 must be content with a smaller percentage of Federal assistance than a city which is building a project of \$800,000 is patently unfair.

Aside from the fact that it is known and demonstrable that the per capita cost of local government increases as the size of the locality increases, it would seem that the purpose of this kind of program should be to encourage elimination of pollution wherever it is found. If the greater need is found to be in metropolitan centers, the administrator of the program should be allowed to direct the assistance there. It is my understanding that the greater pollution problem is generally connected with the larger cities. It is then unrealistic to restrict the effectiveness of the water pollution-control program to the smaller communities. I submit that it is not only unrealistic but unfair, and I ask that the Senate give serious consideration to the possibility of correcting the legislation we passed last year when we included this provision limiting grants for construction to a maximum of \$250,000.

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

The bill (S. 1262) to amend the Federal Water Pollution Control Act in order to remove the \$250,000 limitation on construction grants under such act, introduced by Mr. ALLOTT (for himself

and Mr. CARROLL), was received, read twice by its title, and referred to the Committee on Public Works.

**PERMISSION FOR WEEKLY NEWS-PAPERS TO SUSPEND PUBLICATION WITHOUT LOSS OF SECOND-CLASS MAIL PRIVILEGES**

Mr. ALLOTT. Mr. President, on behalf of myself and the Senator from Montana [Mr. MANSFIELD], I introduce for appropriate reference, a bill to permit weekly newspapers to suspend publication for 2 weeks a year without loss of second-class mailing privileges.

This bill is identical to the one introduced in the last Congress by the very able Senator from Montana, and I am pleased that he has agreed to join me in cosponsoring this measure today.

The rural areas of Montana have much in common with the rural areas of my own State of Colorado. Both are dotted by many small communities which are served by small weekly newspapers. Often these newspapers are only a 1- or 2-man shop.

In most cases these small publishers are literally chained to their jobs, because Federal regulations governing second-class mailing privileges, plus State laws relating to legal advertising, require that they continue publishing week after week, continuously and without interruption.

These publishers do not have the trained personnel to permit them to rotate their employees so that they can enjoy an annual 1- or 2-week vacation.

Mr. President, the proposed legislation which the Senator from Montana and I are introducing is permissive in character. It merely gives the individual publisher the right to suspend publication for 2 weeks each year if he so chooses.

Rural America is still the storehouse of democracy. The voices of our rural citizens must be heard, and they must have an instrument by which their audience can be reached.

The small weekly editors across the country, who are near to the people and reflect their thoughts, have provided an irreplaceable medium of news and independent editorial opinion.

It seems to me that every measure should be taken to strengthen the small local press—not discourage it. Centralization of the press and news media in general is a most dangerous thing.

The tendency has been toward more centralization and consolidation, and it is time we did something to encourage and stimulate the small independent news outlets.

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

The bill (S. 1263) to permit weekly newspapers to suspend publication for not more than two issues in any one calendar year without loss of second-class mailing privileges, introduced by Mr. ALLOTT (for himself and Mr. MANSFIELD), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

**SELF-FINANCING PUBLIC BUILDING PROGRAM**

Mr. CASE of South Dakota. Mr. President, I introduce, for appropriate reference, a bill designed to help break the log-jam that has developed in the construction of needed office, post office, and public school buildings.

The bill is entitled "A bill to supplement the lease-purchase provisions of the Public Buildings Act of 1949 by establishing a Federal Building Finance Administration to provide a self-financing means for the construction of certain Federal buildings and certain public school buildings, and for other purposes."

The bill would create a Federal Building Finance Administration which would have the General Services Administration, the Post Office Department, and local public-school districts for clients. It would be authorized to sell revenue bonds to finance construction of Federal office and post office buildings and also to disburse such funds, plus some appropriated funds for the construction of public school buildings on a lease-purchase basis.

The Federal office and post office buildings would largely have to meet the requirements of the Public Buildings Act and the Lease-Purchase Act, which this bill is intended to supplement.

The public school buildings would have to be recommended by a State advisory committee, similar to the requirement for construction of hospitals under the Hill-Burton Act. Thus, both the determination of need and all control as to the educational features would be left with the States and the local school districts.

To prevent neglect of any area, the Administration would be required to give priority to the construction of two post office buildings in each congressional district over the period of the 3 years following enactment.

To insure coordination of the issuance of bonds with Treasury financing plans and general governmental policies, the bill establishes a 6-man advisory board consisting of 3 members appointed with the advice and consent of the Senate, plus the Secretary of the Treasury, the Postmaster General, and the Administrator of the General Services Administration, or their designees.

The bonds outstanding at any one time could not exceed \$5 billion. Their repayment would be the obligation of the rental clients—which would be, of course, the Federal Government, which already is incurring responsibility for rents for the inadequate quarters these buildings would displace, and public school districts that have been approved by a State agency.

Repayment of the funds used to construct school buildings to rent to school districts on the lease-purchase basis would be assured by making ineligible for further projects States where delinquency in repayment reached 5 percent.

This plan would make it possible for school districts unable to finance construction through local bond issues to meet their school building needs in much the same way that farmers unable to get

local credit, but with earning power, get loans from the Farmers Home Administration.

Thus, the school construction feature, while not Federal aid in the customary sense of making outright grants or gifts, would meet what my observation has indicated to be the real problem. Many districts can raise current payments, but cannot float large bond issues.

The bill does require a local contribution of 10 percent. That may be cash, an approved site, or, to the extent applicable, design and architectural plans. I believe this will help many more really needy districts than grant-in-aid plans which require large local matching bond issues.

Mr. President, the breakdown in the operations of the Lease-Purchase Act presents a crisis. I started work on this bill some time ago, when it appeared that this breakdown was developing. I had not anticipated that a complete suspension of operations under that act would take place this soon, but it has. Tomorrow, committees of both the Senate and House are starting hearings on that situation. I venture to offer this bill as providing one way by which to solve some complex problems.

Mr. President, I ask unanimous consent to have the text of the bill printed at this point in the RECORD.

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

The bill (S. 1265) to supplement the lease-purchase provisions of the Public Buildings Act of 1949 by establishing a Federal Building Finance Administration to provide a self-financing means for the construction of certain Federal buildings and certain public-school buildings, and for other purposes, introduced by Mr. CASE of South Dakota, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

*Be it enacted, etc., That this act may be cited as the "Federal Building Finance Act of 1957."*

**DEFINITIONS**

SEC. 2. As used in this Act—

(a) The term "Administration" means the Federal Building Finance Administration established by this Act.

(b) The term "Director" means the Director of Federal Building Finance appointed pursuant to section 3 (b) of this Act.

(c) The term "Board" means the Advisory Board established by section 3 (c) of this Act.

(d) The term "fund" means the Federal building finance fund established by section 4 (a) of this Act.

(e) The term "State" means any State, Alaska, Hawaii, Puerto Rico, Guam, the Virgin Islands, the District of Columbia, American Samoa, or the Canal Zone.

(f) The term "State school authority" means the board of education or other agency or officer of any State primarily responsible for the supervision of public elementary and secondary schools within such State, or, if there is no such officer or agency, an officer or agency of such State designated by the governor thereof or by State law.

(g) The term "local school authority" means the board of education or other legally constituted local school authority having administrative control and direction of free public education in a city, county, township,

school district, or political subdivision of any State, and includes any State agency which directly operates and maintains public schools. If a separate public authority has responsibility for the provision or maintenance of school facilities for any local educational agency or the financing of the construction thereof, such term includes such other authority.

(h) The term "school facility," except as otherwise provided in this paragraph, means any building used or to be used chiefly for classroom use by any primary or secondary school operated by any local school authority, and includes any related facility (including initial equipment, machinery, and utilities necessary or appropriate for school purposes). Such term does not include any (1) athletic stadium or other structure or facility intended primarily for use for athletic exhibitions, contests, games, or other events for which admission is to be charged to the general public, (2) off-site improvement, or (3) structure or facility designed for use exclusively for any special activity, such as a single-purpose auditorium or gymnasium.

(i) The term "construction," when used in relation to any school facility, means the preparation of drawings and specifications for such facility; erecting, building, acquiring, altering, remodeling, improving, or extending such facility; and the inspection and supervision of the construction of such facility.

#### ADMINISTRATION ESTABLISHED

SEC. 3. (a) There is hereby established in the executive branch a Federal Building Finance Administration, which shall be subject to supervision by the President, but which shall not be a part of or supervised by any other department or agency in the executive branch. The principal office of the Administration shall be located in the District of Columbia, but it may establish such branch and regional offices at other places in the United States as may be determined by the Director to be necessary to fulfill the responsibilities imposed upon it by this Act.

(b) Subject to policies promulgated by the Advisory Board, the Administration shall be administered by the Director, who shall be appointed by the President, by and with the advice and consent of the Senate, and whose annual rate of basic compensation shall be \$20,000. The Director may appoint and fix the compensation of such officers and employees of the Administration, and make such expenditures, as may be necessary to carry out the responsibilities of the Administration under this Act.

(c) There shall be within the Administration an Advisory Board which shall determine the policies of the Administration in the execution of its responsibilities under this Act. The Board shall be composed of—

(1) the Secretary of the Treasury, or an officer of the Department of the Treasury designated by the Secretary to represent the Department of the Treasury;

(2) the Postmaster General, or an officer of the Post Office Department designated by the Postmaster General to represent the Post Office Department;

(3) the Administrator of General Services, or an officer of the General Services Administration designated by the Administrator to represent the General Services Administration; and

(4) two members appointed from private life by the President, by and with the advice and consent of the Senate.

Individuals serving as members of the Board pursuant to paragraphs (1), (2), and (3) shall so serve without additional compensation. Individuals appointed as members of the Board pursuant to paragraph (4) while so serving shall receive basic compensation at the annual rate of \$17,500. The Board shall select a chairman from among its members.

(d) Neither the Director nor any member of the Board appointed under paragraph (4) of subsection (c) may engage in any other business, vocation, or employment while so serving.

(e) There are hereby authorized to be appropriated to the Administration such sums as may be required for the performance of its administrative functions under this Act.

#### FEDERAL BUILDING FUND

SEC. 4. (a) There shall be established on the books of the Treasury a Federal building finance fund, which shall be composed of (1) the proceeds of the sale of such obligations as may be issued from time to time by the Administration pursuant to subsection (b), and (2) such additional sums, not exceeding \$300,000,000 for any fiscal year, as may be appropriated thereto for the purpose of financing school construction pursuant to section 5 of this act.

(b) The Administration is authorized from time to time to issue interest-bearing obligations in such amounts as may be required to yield proceeds sufficient to carry into effect the provisions of this act, except that the face value of all obligations so issued and outstanding shall not at any time exceed \$5,000,000,000. Such obligations shall be the obligations of the Administration, and shall be issued upon such terms and conditions as the Administration may prescribe, except that each such obligation shall (1) plainly state that it is not an obligation of the United States, is not guaranteed as to principal or interest by the United States, and does not constitute a debt or obligation of the United States, and (2) bear interest at the rate prescribed by section 201 (d) of the Social Security Act for obligations which may be purchased for the account of the Federal old-age and survivors insurance trust fund. Notwithstanding the provisions of such section, the managing trustee of such fund is authorized from time to time to invest in obligations issued under this subsection such sums from the Federal old-age and survivors insurance trust fund as the director may determine to be necessary to carry into effect the provisions of this act. The Federal Reserve banks are authorized to act as depositories, custodians, or fiscal agents of the Administration in the performance of its powers under this act.

(c) All obligations issued by the Administration under subsection (b) shall be exempt, both as to principal and interest, from all taxation (except estate, inheritance, and gift taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority.

(d) The director is authorized to expend from the fund from time to time such sums as may be required to fulfill the obligations of the Administration under any construction contract or agreement entered into by it in conformity with the provisions of section 5 or section 6 of this Act. All sums received by the Administration under any such contract or agreement shall be deposited in the fund, and shall be available for (1) the repayment of the principal amount of any obligation issued by the Administration, (2) the payment of interest due upon any such obligation, and (3) expenditure by the Administrator to fulfill the duties of the Administration under any other construction contract or agreement entered into in conformity with the provisions of this act.

#### SCHOOL CONSTRUCTION CONTRACTS

SEC. 5. (a) Whenever any local school authority determines that (1) it has need for any additional school facility and (2) the acquisition, construction, or improvement of such facility cannot be financed by any means other than by a school construction contract executed under this section, such authority may prepare a detailed plan for

the acquisition, construction, or improvement of any school facility in conformity with the requirements of this section.

(b) Each such plan shall include:

(1) the name and address of the local school authority requiring such school facility.

(2) the name and address of the local school authority which will become a party to any contract executed under this section and will be responsible for the repayment of any sum advanced by the Administration thereon, if such authority is not the authority named under paragraph (1).

(3) evidence satisfactory to the Administration as to the legal capacity of such local school authority to enter into and to be bound by any such contract.

(4) a statement explaining the nature and extent of the need so to be satisfied.

(5) a description of the measures taken by such authority to finance the construction of such school facility by other means, and the reasons why such construction cannot be financed by any means other than that authorized by this section.

(6) a description of the site upon which the contemplated school facility would be constructed under such plan, and complete architectural and engineering plans and specifications for any school facility the construction of which is contemplated by the plan.

(7) a detailed analysis of the estimated total cost of the execution of such plan, together with a statement of the basis upon which such estimate was prepared.

(8) evidence satisfactory to the Administration of the willingness and capacity of the local school authority which would become a party to any contract executed under this section to furnish not less than 10 per centum of such total cost through (A) the application of funds available to such authority, (B) the furnishing of land suitable for use as a site for any school facility the construction of which is contemplated by the plan, or (C) the rendition of architectural or engineering services incident to such construction, which land or services shall not be credited for such purpose at any value in excess of that determined by the Administration to be reasonable.

(9) a statement of the term in which such local school authority will repay in conformity with the provisions of this section any sum advanced by the Administration for the execution of such plan.

(c) Each such plan shall be deemed an approved plan if (A) it has been approved by the State school authority of the State within which the local school authority which prepared such plan is situated and (B) the Administrator of General Services has approved the architectural and engineering plans and specifications for any school facility the construction of which is contemplated by the plan, and the site upon which such contemplated facility is to be constructed.

(d) The Administration is authorized to advance from the fund to any local school authority such sum as may be required to carry into execution any approved plan prepared in conformity with this section upon the execution of a contract between the Administration and the local school authority concerned which:

(1) requires such local school authority to convey to the Administration, before the making of any such advance, marketable title in fee simple to the land upon which any school facility financed in whole or in part by such advance is to be constructed.

(2) requires such local school authority to transfer to the Administration title to such school facility in such manner and at such time as the Administration shall prescribe.

(3) requires such local school authority to repay the sum so advanced, together with interest on the unpaid balance of such

sum at the rate or rates specified by the Director, by equal annual installment payments made for not less than 10 or more than 25 years.

(4) requires such local school authority to make adequate provision for the care, maintenance, and utilization of such school facility until the completion of such payments.

(5) upon the completion of such payments, requires the Administration to convey to such local school authority title to such school facility and to the land conveyed to the Administration pursuant to paragraph (1).

(6) provides that all laborers and mechanics employed by contractors or subcontractors on construction work performed in the execution of the plan shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a-276a-5), and that every such employee shall receive compensation at a rate not less than  $1\frac{1}{2}$  times his basic rate of pay for all hours worked in any workweek in excess of 8 hours in any workday or 40 hours in the workweek, as the case may be. The Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan No. 14 of 1950 (15 F. R. 3176; 64 Stat. 1267), and section 2 of the act of June 13, 1934, as amended (40 U. S. C. 276c).

(7) contains such other terms and conditions as the Administration determines to be necessary to protect the interests of the United States and to secure the performance by such local school authority of its obligations under such contract.

(e) No contract executed under this section may provide for any advance of funds in any amount in excess of 90 percent of the estimated total cost of the execution of the plan for which such advance is to be made. No contract shall be executed by the Administration under this section with any local school authority of any State at any time which—

(1) the aggregate unpaid balance of all indebtedness to the Administration theretofore incurred by such local school authority equals or exceeds \$2,500,000; or

(2) such local school authority is in default in the performance of its obligations under any contract between such local school authority and the Administration previously executed under this act; or

(3) the aggregate amount of the annual installment payments due but unpaid upon all contracts in effect between the Administration and local school authorities of such State exceeds 5 percent of the aggregate amount of all sums advanced by the Administration under all such contracts then in effect.

(f) Except as specifically provided by this section, nothing contained in this act shall authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or prescribe any requirement with respect to, any (1) State school authority, local school authority, or school to or on behalf of which any funds have been or may be advanced pursuant to this section, or (2) curriculum or program of instruction of any school or school system.

(g) No money advanced by the Administration under this section to any local school authority for the execution of any plan may be expended by such authority for any purpose not required for the execution of such plan. Whoever, being an officer, employee, or agent of any local school authority, willfully appropriates to his own use any money so advanced, or expends or attempts to expend, or combines or conspires with any other person to expend, any

money so advanced for any purpose not required for the execution of such plan, with knowledge that such expenditure is not so required, shall be fined not more than \$10,000, or imprisoned not more than five years, or both.

#### FEDERAL CONSTRUCTION AGREEMENTS

SEC. 6. (a) Whenever the Administrator of General Services determines that (1) the need for public-building space for permanent activities of the Federal Government in any particular area cannot be satisfied by the utilization of any available property owned by the Federal Government, and (2) no means other than an agreement authorized by this section is available to provide such space, he may prepare in conformity with the provisions of this section a detailed plan for the acquisition, construction, or improvement of such structures or facilities as he determines to be required to satisfy such need. Whenever the Postmaster General determines that (1) the need for public-building space for postal purposes in any particular area cannot be satisfied by the utilization of any available property owned by the Federal Government, (2) the receipts of the post office serving such area exceed \$10,000 per year, and (3) no means other than an agreement authorized by this section is available to provide such space, he may prepare in conformity with the provisions of this section a detailed plan for the acquisition, construction, or improvement of such structures or facilities as he determines to be required to satisfy such need. Such plans may be prepared with respect to needs occurring within any State.

(b) Each such plan shall include:

(1) the name of each department, agency, or activity of the Federal Government requiring the space to be provided thereunder.

(2) a certificate of need for such space executed by the head of each such department, agency, or activity, together with a statement explaining nature and extent of the need so to be satisfied.

(3) a description of the measures taken by or on behalf of such department, agency, or activity to obtain such space by other means, and the reasons why such space cannot be provided by means other than that authorized by this section.

(4) the certificate of the Administrator of General Services, or in the case of needs of the postal service the certificate of the Postmaster General, that suitable space required to meet such need is not owned by the Federal Government, and cannot be obtained through the rental of private property at a cost commensurate with the costs to be incurred by the using department, agency, or activity under the terms of the plan.

(5) a description of all property to be acquired, and each structure or facility to be acquired, constructed, or improved pursuant to the plan.

(6) a detailed analysis of the estimated total cost of the acquisition, construction, or improvement contemplated by the plan, together with a statement of the basis upon which such estimate was prepared.

(7) a statement of the sum to be paid annually under the plan by each using department, agency, or activity of the Federal Government in repayment of the sums advanced by the Administration for the execution of such plan.

(8) a statement of the amount of any rent and other housing costs currently being paid by each such department, agency, or activity for building space which would not be paid if the plan were to be executed.

(9) a statement by the Director of the Bureau of the Budget that the execution of the plan is necessary and in conformity with the policy of the President, which statement shall be based upon budgetary and related considerations and shall not constitute ap-

roval of the specific terms or provisions of any proposed agreement or of the selection of any particular contractor for the execution of any part of the plan.

(c) Each such plan shall be deemed to be an approved plan upon the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which such plan is transmitted to the Committees on Public Works of the Senate and the House of Representatives, unless between such date of transmittal and the expiration of such period there has been passed by either House of the Congress, by the affirmative vote of a majority of the authorized membership of that House, a resolution stating in substance that such House does not approve such plan.

(d) The Administration is authorized to advance from the fund to the Administrator of General Services, or to the Postmaster General, as the case may be, such sum as may be required to carry into execution any approved plan prepared by such officer under this section in conformity with an agreement entered into with such officer under which such officer undertakes to repay such sum, together with interest on the unpaid balance of such sum at the rate or rates specified by the Director, by equal annual installment payments made for not less than 10 or more than twenty-five years in compliance with the requirements of this section. Appropriated funds now or hereafter available for the payment of rent and related charges for premises by any department, agency, or activity of the Federal Government occupying any public building space provided through the execution of such plan shall be available to such officer for application to such annual installment payments.

(e) Upon the execution of such agreement with respect to any approved plan prepared by the Administrator of General Services, or the Postmaster General, as the case may be, such officer is authorized to (1) acquire such real and personal property and to enter into such contracts as may be required to carry such plan into effect, and (2) apply to the discharge of obligations so incurred money advanced by the Administration under such agreement. Except as otherwise specifically provided by this section, all contracts entered into by the Administrator of General Services or the Postmaster General under this section with any private contractor shall be executed and carried into effect in compliance with all requirements of law applicable to like contracts executed by such officer under which the obligations of the United States are to be discharged through the payment of appropriated funds.

(f) No agreement entered into pursuant to subsection (d) upon any approved plan shall provide for the payment to the Administration by the Administrator of General Services or the Postmaster General of any annual installment payment which exceeds 15 per centum of the fair market value of the property to be supplied pursuant to such plan, determined as of the date of execution of such agreement or, in the case of any plan contemplating the future construction of any structure or facility, the date of completion of such construction.

(g) For three years after the date of enactment of this Act, the Administration in entering into agreements for the financing of approved plans prepared under this section shall give priority to approved plans for the construction of not more than two additional post office buildings within each congressional district for which plans for such buildings shall have been prepared and reported to the Congress as eligible projects under the Public Buildings Act of 1949 (40 U. S. C. 352-355).

#### GENERAL POWERS OF THE ADMINISTRATION

SEC. 7. (a) The Administration, in the performance of its duties and in the exercise

of its authority under this Act, shall have power—

(1) to promulgate such rules and regulations as may be necessary to carry into effect the provisions of this act;

(2) to adopt, alter, and use a seal which shall be judicially noticed;

(3) to issue interest-bearing obligations of the United States subject to the provisions of this act;

(4) to enter into, and perform its obligations and enforce its rights under, contracts and agreements authorized by sections 5 and 6 of this Act;

(5) to accept, hold, and convey title to real and personal property incident to the performance of such obligations and the enforcement of such rights;

(6) to sue and be sued in any court of record of a State having general jurisdiction, or in any district court of the United States, in any case or controversy arising from the execution or with respect to the performance of any contract executed under section 5 of this Act, except that no attachment, injunction, garnishment, or similar process, mesne or final, shall be issued against the Director, the Administration, or its property; and

(7) in the event of any default on the part of any local school authority upon its obligations under any contract executed under section 5 of this Act, to assign, lease, or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions as the Director determines to be reasonable, any property the title to which is held by the Administration to secure the performance by such local school authority of its obligations under such contract.

(b) In administering the provisions of this Act, the Administration is authorized to utilize the services and facilities of any department or agency in the executive branch of the Government. Payment for such services and facilities may be made in advance or by way of reimbursement, as may be agreed upon by the Director and the head of the department or agency concerned.

#### REPORTS

SEC. 8. (a) The Administration shall transmit to the Congress in January of each year a report which shall contain a full and complete description of all operations conducted under this act during the preceding calendar year. Such report shall contain information with respect to—

(1) offices established, and personnel employed, by the Administration;

(2) the nature and extent of the utilization by the Administration during such year of services and facilities of other departments and agencies of the Federal Government;

(3) the financial status of the fund;

(4) outstanding obligations of the Administration;

(5) contracts and agreements entered into by the Administration under sections 5 and 6 of this Act during the preceding calendar year;

(6) the status of any construction undertaken for the execution of any plan for which any advance of funds has been made under section 5 or section 6 of this Act;

(7) the nature and extent of any default on the part of any department or agency of the Federal Government, or on the part of any local school authority, under any such contract or agreement in effect;

(8) action taken by the Administration with respect to any such default; and

(9) facts concerning the termination, during the preceding calendar year, of any such contract or agreement.

(b) Such report may contain such recommendations for such additional legislation as the Administration may consider necessary or desirable to improve the administration of this Act.

#### AMENDMENT OF FAIR LABOR STANDARDS ACT

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes. I ask unanimous consent that the bill, together with a section-by-section analysis of the bill may be printed in the RECORD.

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

The bill (S. 1267) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes, introduced by Mr. MORSE (for himself, Mr. MURRAY, Mr. NEELY, and Mr. McNAMARA) was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

#### S. 1267

A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes.

*Be it enacted, etc.* That this act may be cited as the "Fair Labor Standards Amendments of 1957."

#### FINDINGS AND DECLARATION OF POLICY

SEC. 2. Section 2 of the Fair Labor Standards Act of 1938, as amended (hereinafter referred to as the "Act"), is amended to read as follows:

"SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce or in any activities affecting commerce, of labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers (1) causes commerce and the channels and instrumentalities of commerce to be used to spread and perpetuate such labor conditions among the workers of the several States; (2) burdens and affects commerce and the free flow of goods in commerce; (3) constitutes an unfair method of competition in commerce; (4) leads to labor disputes burdening and obstructing commerce and the free flow of goods in commerce; and (5) interferes with the orderly and fair marketing of goods in commerce.

"(b) It is hereby declared to be the policy of this act, through the exercise by Congress of its power to regulate commerce among the several States and with foreign nations, subject only to the limitations expressly prescribed in this act, to correct and as rapidly as practicable to eliminate the conditions above referred to in industries engaged in commerce or in the production of goods for commerce or in any activity affecting commerce without substantially curtailing employment or earning power."

#### DEFINITIONS

SEC. 3. (a) Subsection (j) of section 3 of such Act, defining the term "produced," is amended to read as follows:

"(j) 'Produced' means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this Act an employee shall be

deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any process or occupation necessary to the production thereof in any State."

(b) Subsection (m) of section 3 of such Act, defining the term "wage," is amended to read as follows:

"(m) 'Wage' paid to any employee includes the reasonable cost, as determined by the Secretary of Labor, to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees: *Provided*, That the cost of board, lodging, or other facilities shall not be included in the wage paid to any employee if the furnishing of such facilities is an incident of and necessary to his employment and such facilities are practicably available only from the employer."

(c) Section 3 of such Act is further amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following new paragraphs:

"(p) 'Activity affecting commerce' includes any activity in commerce, necessary to commerce, or competing with any activity in commerce, or where the payment of wages at rates below those prescribed by this act burdens or obstructs or tends to burden or obstruct commerce or the free flow of goods in commerce.

"(q) 'Hired farm labor' includes the labor of any person employed on a farm, except the labor of the farmer and his immediate family.

"(r) 'Farm enterprise' comprises all tracts of land, whether contiguous or not, under one management, located in a county and immediately adjacent counties on which any of the operations enumerated in paragraph (f) of this section is carried on.

"(s) 'Man-day' means any day on which hired farm labor is performed.

"(t) 'American vessel' includes any vessel which is defined as a 'vessel of the United States' in title 18, United States Code, section 9, or which is documented or numbered under the laws of the United States."

#### SPECIAL INDUSTRY COMMITTEES FOR PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 4. Subsection (a) of section 5 of such Act is amended to read as follows:

"(a) The Secretary of Labor shall as soon as practicable appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce or employed in or about or in connection with any enterprise where their employer is engaged in any activity affecting commerce, or the Secretary may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce or employed in or about or in connection with any enterprise where their employer is engaged in any activity affecting commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees with respect to whom such committee was appointed are employed and residents of the United States outside of Puerto Rico and the Virgin Islands. In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees shall be subject to the provisions of section 8."

#### MINIMUM WAGES

SEC. 5. (a) Subsection (a) of section 6 of such Act is amended by inserting after the

words "for commerce" and before the words "wages at" a comma and the following: "and every employer who is engaged in any activity affecting commerce shall pay to each of his employees employed in or about or in connection with any enterprise where he is so engaged."

(b) Subsection (c) of section 6 of such Act is amended by inserting after the words "for commerce" and before the words "only for" a comma and the following: "or employed in or about or in connection with any enterprise where his employer is engaged in any activity affecting commerce."

#### MAXIMUM HOURS

SEC. 6. (a) Subsection (a) of section 7 of such Act is amended by inserting after the words "for commerce" and before the words "for a workweek" a comma and the following: "and no employer who is engaged in any activity affecting commerce shall employ any of his employees employed in or about or in connection with any enterprise where he is so engaged."

(b) Subsection (b) of section 7 of such Act is amended by striking out clause (3) thereof.

(c) Section 7 of such Act is further amended by striking out subsection (c) thereof.

#### WAGE ORDERS IN PUERTO RICO AND THE VIRGIN ISLANDS

SEC. 7. (a) Subsection (a) of section 8 of such Act is amended by inserting after the words "for commerce" and before the words "is to reach" in the first sentence the following: "or in any activity affecting commerce"; and by inserting after the words "for commerce" and before the words "in any such industry" in the next to the last sentence the following: "or in any activity affecting commerce."

#### CHILD LABOR PROVISIONS

SEC. 8. Subsection (c) of section 12 of such Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and no employer who is engaged in any activity affecting commerce shall employ any oppressive child labor in or about or in connection with any enterprise where he is so engaged."

#### EXEMPTIONS

SEC. 9. (a) Subsection (a) of section 13 of such Act is amended by striking out clauses (4), (8), (9), (10), (11), (12), (13), and (15) thereof, by renumbering clauses (1), (2), (3), (5), (6), (7), and (14) as clause (1), (2), (3), (4), (5), (6), and (7), respectively, and by amending such clauses to read as follows:

"(1) any employee employed in a bona fide executive, administrative, or professional capacity (as such terms are defined and delimited by regulations of the Secretary of Labor); or (2) any employee employed in any retail or service establishment by an employer having neither more than four such establishments nor more than a total annual dollar volume of sales of goods or services of \$500,000: *Provided*, That a 'retail or service establishment' shall mean an establishment not more than 25 per centum of whose annual dollar volume of sales of goods or services (or of both) is for resale or is made to customers who are engaged in a mining, manufacturing, transportation, commercial, or communications business; or (3) any employee employed in any establishment engaged in laundering, cleaning, or repairing clothes or fabrics by an employer having neither more than four such establishments nor more than a total annual dollar volume of sales or servicing of \$500,000: *Provided*, That not more than 25 per centum of such employer's annual dollar volume of sales or servicing shall be made to customers who are engaged in a mining, manufacturing, transportation, commercial, or communications business; or (4) any employee employed in the catching, taking, harvesting, cultivating, or farming of any kind of fish,

shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal or vegetable life, including the going to and returning from work and loading and unloading when performed by any such employee; or (5) any employee employed in agriculture during any calendar quarter, by a farm enterprise which used less than 400 man-days of hired farm labor during each of the preceding four quarters other than labor performed by members of the family of a farmer-operated enterprise; or (6) any employee to the extent that such employee is exempted by regulations or orders of the Secretary of Labor issued under section 14; or (7) any employee employed as a seaman on a vessel other than an American vessel: *Provided*, That an employee employed as a seaman on an American vessel shall be paid not less than the rate that will provide the employee, for the period covered by the wage payment, wages equal to compensation at the minimum hourly rate prescribed by section 6 for all hours during which he was actually on duty (not including off-duty periods aboard ship when the employee rendered no service)."

(b) Subsection (b) of section 13 of such Act is amended by striking out clauses (1), (4), and (5) thereof, by renumbering clauses (2) and (3) as clauses (1) and (2), and by amending such clauses, and inserting a new clause (3), to read as follows:

"(1) any employee of an express company, sleeping car company, refrigerator car company or carrier by railroad subject to the provisions of Part I of the Interstate Commerce Act; or (2) any employee of a carrier by air subject to the provisions of title II of the Railway Labor Act; or (3) any employee employed as a seaman on an American vessel."

(c) Subsection (c) of section 13 of such Act is amended to read as follows:

"(c) The provisions of this section shall not apply with respect to any employee employed in agriculture who is exempt under clause (5) of subsection (a) of this section, if such employee is employed outside of school hours for the school district where such employee is living while so employed, or to any employee employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

(a) Subsection (d) of section 13 of such Act is amended to read as follows:

"(d) The provisions of sections 6, 7, and 12 shall not apply to any employee engaged in the delivery of newspapers to consumers at their residences: *Provided*, That section 12 shall not apply to any employee otherwise engaged in the delivery of newspapers to consumers when such employee is employed outside of school hours for the school district where such employee is living while he is so employed, and such employee is 16 years of age or over."

#### EFFECTIVE DATE

SEC. 10. This Act shall take effect upon the expiration of 90 days from the date of its enactment.

The section-by-section analysis presented by Mr. MORSE is as follows:

#### SECTION-BY-SECTION ANALYSIS

Section 1, title: This section simply sets forth the proposed official title of the proposed bill, namely, "The Fair Labor Standards Amendments of 1957."

Section 2, findings and declaration of policy: This section amends the findings and declaration of policy contained in section 2 of the present Fair Labor Standards Act by making clear that "labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers" ought to be corrected and as rapidly as practicable eliminated, not only in "industries engaged in commerce or in the production of goods for commerce," as now provided in the

act, but also in "industries engaged in \* \* \* any activity affecting commerce." The act is to be applied broadly and liberally in such a way as to effectuate the carrying out of its remedial and humanitarian purposes, "subject only to the limitations expressly prescribed in this act."

Section 3, definitions: Subsection (a) of this section amends the definition of the term "produced" contained in section 3 (j) of the present Fair Labor Standards Act to read as it did before the 1949 amendments to the act were enacted. Prior to these amendments "produced" was defined as including, not only production of goods itself, but also "any process or occupation necessary to the production thereof." In 1949 this phrase was amended to read, "any closely related process or occupation directly essential to the production thereof," with the result that workers were excluded from the protection of the act if their work was not in a process "closely related" or in an occupation "directly essential" to production. This restrictive change would be revoked by the proposed bill, and the original language of section 3 (j) of the act would be restored.

Subsection (b) of section 3 amends the definition of "wage" contained in section 3 (m) of the present Fair Labor Standards Act by adding to it a new, clarifying proviso. Under the present law, the reasonable cost, as determined by the Secretary of Labor, of board, lodging, or other facilities customarily furnished by an employer to his employees is included in the employees' wages for the purpose of determining whether they have been paid in compliance with the minimum wage and maximum hours provisions of the act. The proposed proviso specifies that the cost of such facilities is not to be taken into account "if the furnishing of such facilities is an incident of and necessary to \* \* \* employment and such facilities are practicable available only from the employer."

Subsection (c) of section 3 adds a number of new definitions to section 3 of the present Fair Labor Standards Act. Each of them must be read in conjunction with changes that the bill proposes to make in other sections of the act.

Paragraph (p) must be read together with the changes proposed to be made in the basic provisions of the act dealing with minimum wages, maximum hours, and child labor. It proposes a new basis of coverage by these provisions. Its effect is to extend the protection of the standards provided for in the act, not only to employees who are "engaged in commerce or in the production of goods for commerce," but also to employees who are employed by an employer who is "engaged in any activity affecting commerce." As defined in this paragraph, "activity affecting commerce" includes "any activity in commerce, necessary to commerce, or competing with any activity in commerce, or where the payment of wages below those prescribed by this act burdens or obstructs or tends to burden or obstruct commerce or the free flow of goods in commerce." This definition is substantially similar to that contained in the National Labor Relations Act, and the effect of its inclusion is to make the basic coverage of the Fair Labor Standards Act substantially similar to the coverage of that act.

Paragraphs (q), (r), and (s) define three new terms which are used in the revised exemption applicable to employees employed in agriculture, which is proposed in section 8 (a) of the bill (see clause (5), p. 4). Read in this context, these terms are designed to distinguish between the large-scale, industrialized types of agricultural enterprises whose employees would be brought within the protection of the Fair Labor Standards Act and the small or family-operated farms that would continue to be exempt from the minimum wage and maximum hours provisions of the act. Paragraph (q) defines the term "hired farm labor" as including the la-

bor of any person employed on a farm, "except the labor of the farmer and his immediate family." Paragraph (r) defines a "farm enterprise" as comprising "all tracts of land, whether contiguous or not, under one management, located in a county, and immediately adjacent counties" on which farm operations, as defined in section 3 (f) of the act, are carried on. Paragraph (s) defines the term "man-day" as meaning "any day on which hired farm labor is performed."

The term "American vessel," which is defined in paragraph (t), is used in the revised exemptions applicable to seamen which are proposed in section 8 of the bill (see clause 7, subsection (a), and clause (3), subsection (b), p. 4). As defined in this paragraph, the term includes any vessel defined as a "vessel of the United States" under title 18, United States Code, section 9, or which is "documented or numbered under the laws of the United States." Vessels of the United States, as defined in the code section referred to, are not limited to vessels belonging to the United States, but include vessels belonging to any citizen of the United States or to any corporation created by or under the laws of the United States or of any State, Territory, District, or possession of the United States.

**Section 4, special industry committees for Puerto Rico and the Virgin Islands:** This section amends section 5 of the present Fair Labor Standards Act to authorize the appointment of special industry committees to recommend the minimum rate or rates of wages to be paid under section 6 of the act to employees in Puerto Rico and the Virgin Islands who are employed in or about or in connection with any enterprise where their employer is engaged in any activity affecting commerce. Taken together with sections 5 (c) and 7 (a) of the bill, this section applies to the fixing of minimum wage rates in Puerto Rico and the Virgin Islands the same coverage tests, based on activities of the employer, rather than activities of the employees, as the bill applies to the minimum wage, maximum hours, and child-labor provisions of the act (see secs. 5 (a), 6 (a), and 8 of the bill). The present tests of coverage, based on whether the employee is "engaged in commerce or in the production of goods for commerce," however, would also be retained.

**Section 5, minimum wages:** Subsection (a) provides that the minimum wage prescribed by section 6 of the Fair Labor Standards Act shall be paid, not only by every employer to each of his employees who is "engaged in commerce or in the production of goods for commerce," but also by every employer who is "engaged in any activity affecting commerce" to each of his employees who is "employed in or about or in connection with any enterprise" where his employer is so engaged. It thus adds to the present coverage tests based on each individual employee's activity a new test based on the activity which is being engaged in by his employer. If the employer is engaged in any activity affecting commerce, his employees employed in or about or in connection with any enterprise where he is so engaged will be covered by the minimum wage provisions of the act, regardless of the activity in which the individual employees may be engaged.

Subsection (b) of section 5 amends section 6 (c) of the present Fair Labor Standards Act, which gives effect to minimum wage rates specified in special industry wage orders in the case of employees in Puerto Rico and the Virgin Islands. Under the provisions of the bill these rates are extended to employees "employed in or about or in connection with any enterprise" where their employer is "engaged in any activity affecting commerce." These rates will, of course, continue to apply to each employee who is "engaged in commerce or in the production of goods for commerce."

**Section 6, maximum hours:** Subsection (a) extends the coverage of the maximum-hours provisions of the Fair Labor Standards Act to employees who are employed by any employer who is engaged in any activity affecting commerce in exactly the same way in which the minimum-wage provisions would be extended to such employees, as explained in the discussion of section 5 (a) of the bill above.

Subsection (b) strikes out of the Fair Labor Standards Act the provision contained in section 7 (b) (3) thereof, by which employers are exempted from compliance with the maximum hours provision "for a period or periods of not more than 14 workweeks in the aggregate in any calendar year in an industry found by the Secretary of Labor to be of a seasonal nature." The only overtime exemptions will be in section 13 (b).

Subsection (c) strikes out of the Fair Labor Standards Act the provisions contained in section 7 (c) thereof, by which employers engaged in certain agricultural processing operations enjoy total or partial exemptions from the act's maximum hours provisions. As noted above, the only overtime exemptions to be continued under the bill will be in section 13 (b).

**Section 7, wage orders in Puerto Rico and the Virgin Islands:** This section provides for changes in the scope of "commerce" for Puerto Rico and the Virgin Islands similar to those already noted.

**Section 8, child-labor provisions:** This section extends the coverage of the child-labor provisions of the Fair Labor Standards Act to employers who are engaged in any activity affecting commerce in substantially the same way in which the minimum-wage provisions are extended to the employees of such employers, as explained in the discussions of section 5 (a) of the bill above.

**Section 9, exemptions:** Subsection (a) strikes out eight of the exemptions from the minimum-wage and maximum-hours provisions of the Fair Labor Standards Act that are now provided for in section 13 (a) of the act. These eight exemptions are the following:

(a) Clause (4), applicable to employees of certain retail establishments processing goods;

(b) Clause (8), applicable to employees of certain weekly, semiweekly, and daily newspapers;

(c) Clause (9), applicable to employees of local transit companies;

(d) Clause (10), applicable to employees engaged in certain agricultural processing operations within the "area of production";

(e) Clause (11), applicable to switchboard operators employed in public telephone exchanges having up to 750 stations;

(f) Clause (12), applicable to employees of taxicab companies;

(g) Clause (13), applicable to employees in retail or service establishments engaged in handling telegraphic messages under an agency or contract arrangement with a telegraph company; and

(h) Clause (15), applicable to employees of small logging operations.

Subsection (a) also renumerates the remaining seven clauses of section 13 (a) of the present Fair Labor Standards Act that would be retained. Thus renumbered, clauses (1), (2), (3), (5), (6), (7), and (14) would become clauses (1), (2), (3), (4), (5), (6), and (7), respectively.

Finally, subsection (a) amends these clauses as follows:

1. Clause (1) eliminates the present exemption for outside salesmen;

2. Clause (2) eliminates the exemption for employees of chain or large independent retail and service enterprises and for employees of enterprises in the selling and service fields that do an essentially non-retail business, even though they do make

some retail sales or perform some retail service functions. The exemption would be limited to employees employed in a retail or service establishment "by an employer having neither more than four such establishments nor more than a total annual dollar volume of sales of goods or services of \$500,000." An establishment would be deemed to be a "retail or service establishment", for purposes of this exemption, only if not more than 25 percent of its annual dollar volume of sales of goods or services is for resale or is made to customers who are engaged in a mining, manufacturing, transportation, commercial, or communications business. Under the proposed bill, however, the small corner grocery store, cleaning and pressing establishment, neighborhood drugstore, and the like, would continue to be exempt;

3. Clause (3) revises the exemption applicable to employees of laundering, cleaning, and repairing establishments in a manner substantially similar to that in which the exemption applicable to employees of retail and service establishments is proposed to be revised. Employees of the large industrial and commercial laundries and cleaning establishments would no longer be denied the protection of the minimum wage and maximum hours provisions of the Fair Labor Standards Act. The small home laundry, however, would continue to be exempt;

4. Clause (4) eliminates the present exemption applicable to fish and seafood processing (fish and seafood canning are already covered by the minimum wage, but exempt from the maximum hours provisions of the Fair Labor Standards Act), but retains the exemption applicable to fishing and gathering of seafood and other aquatic forms of animal or vegetable life;

5. Clause (5) limits the exemption for employees employed in agriculture so as to bring within the minimum wage and maximum hours provisions of the Fair Labor Standards Act employees of large, industrialized agricultural enterprises, while leaving the small, farmer-operated farm exempt. The exemption would be limited to employees employed during any calendar quarter by a farm enterprise which used less than 400 man-days of hired farm labor during each of the preceding four quarters other than labor performed by members of the family of a farmer-operated enterprise;

6. Clause (6) continues without change the exemption included in the present law for learners, apprentices, and handicapped workers pursuant to orders issued by the Secretary of Labor under section 14 of the Fair Labor Standards Act;

7. Clause (7) eliminates the exemption for seamen employed on American vessels which is now contained in the law. It also provides that the compensation these employees receive must amount to not less than the minimum hourly rate prescribed in section 6 of the Fair Labor Standards Act for all hours during which they are actually on duty (not including off-duty hours aboard ship when they render no service). Seamen on other than American vessels continue to be exempt from both the minimum wage and maximum hours provisions of the act. Under subsection (b), seamen on American vessels are exempt from the maximum hours provisions.

Subsection (b) strikes out three of the exemptions from the maximum hours provisions that are now contained in section 13 (b) of the Fair Labor Standards Act. These three exemptions are the following:

(a) Clause (1), applicable to motor vehicle employees subject to section 204 of the Motor Carrier Act of 1935;

(b) Clause (4), applicable to employees engaged in canning fish, shellfish, or other aquatic forms of animal or vegetable life, or byproducts thereof; and

(c) Clause (5) applicable to outside buyers of poultry, eggs, cream, or milk, in the raw or natural state.

Subsection (b) also renumerates the two remaining clauses of section 13 (b) of the Fair Labor Standards Act that would be retained. Thus renumbered, clauses (2) and (3) would become clauses (1) and (2). A new clause (3) would be added. The new clauses (1), (2), and (3) would provide as follows:

1. Clause (1) exempts from the maximum hours provisions employees of express, sleeping car, refrigerator car, and railroad carrier companies subject to part I of the Interstate Commerce Act;

2. Clause (2) continues to exempt from the maximum hours provisions employees of carriers by air subject title II of the Railway Labor Act; and

3. Clause (3) exempts from the maximum hours provisions seamen employed on American vessels (see discussion of proposed revised clause (7) of section 13 (a) of the act, above).

Subsection (c) amends the exemptions from the child-labor provisions contained in section 13 (c) of the Fair Labor Standards Act. Aside from minor language changes, its principal effect is to limit the exemption for children employed in agriculture to those who are employed on small, farmer-operated farms. Such employees may be employed only outside school hours for the school district where they are living while so employed. The exemption for children employed as actors or performers in motion pictures or theatrical productions, or in radio or television productions, which is contained in section 13 (c) of the present act, is continued.

Subsection (d) continues the exemption from the minimum wage, maximum hours, and child-labor provisions of the Fair Labor Standards Act which is now applicable to employees engaged in the delivery of newspapers to the consumer, but specifies that such delivery to the consumer must be at his residence. An exemption from the child-labor provisions would also be provided for employees otherwise engaged in the delivery of newspapers to consumers, for example, as newsboys, but only if they are more than 16 years of age and are so employed outside of school hours for the school district where they are living while so employed.

Section 10, effective date: This section specifies that the changes in the Fair Labor Standards Act proposed in the bill shall take effect 90 days from the date of the bill's enactment.

#### PROPOSED LEGALIZATION OF FATHER'S DAY

Mrs. SMITH of Maine. Mr. President, as an American woman, I sometimes feel just a little embarrassed at the deification accorded us by the male population. Philip Wylie, in his *Generation of Vipers*, wonders if we have not been more hindered than aided by what he calls all this momism. I am all for loving and honoring our mothers. I am in favor of the legislation passed by the Congress in 1917 legalizing Mother's Day.

As far as I can gather, it seems that the Congress has been guilty now for 40 years of the worst possible oversight, to say the least, perpetrated against the gallant fathers, young and old, of our land.

As a daughter, as a woman, and as a United States Senator, I must say as strongly as I know how, that the conduct of the Congress in this regard should cause us to hide our faces in shame. And here is why:

Either we honor both our parents, mother and father, or let us desist from

honoring either one. But to single out just 1 of our 2 parents and omit the other is the most grievous insult imaginable.

Congress represents all of our citizens, men and women. At least, I always thought so. But instead of considering the feelings of both men and women, you gentlemen have only considered your own feelings; you were too self-conscious to honor yourselves, as fathers, so every year you have pigeonholed every resolution introduced in this Chamber to legalize this fine American institution, now firmly established and observed, which the people affectionately call Father's Day.

As the only woman Member of this august body, I feel certain I speak for the women in the country when I say to you here and now, "Gentlemen, you are mistaken. You did wrong when you failed to pass the Father's Day resolutions year after year. Mothers are proud that you have designated a day for them. But they are filled with chagrin that you have rejected their life partners, their sweethearts, the protectors of their land and their homes, the fathers of their children."

Begone your small, sensitive feelings, gentlemen. Respond to the call of more than 100 million American citizens who look to you, after all these years, to rectify this slur on our manhood. You might say this is too insignificant a matter to waste time upon, when we face the gravest perils of history in the world today. You could not be more mistaken. The peril we face in today's world is the lessening of respect for law and order, for home and integrity, for the sanctity of family ties. The enemies of free people today have no respect for the head of the home. Their God is the state. Ours is the individual. Let us, then, pay homage to the head of our home. Let us revere the morality, the religion which is the responsibility of the father, the head of our family system.

Father's Day was founded in the church. In 1910, the Ministerial Union of Spokane, through Mrs. John Bruce Dodd of that city, founded Father's Day. One of the Ten Commandments in our Bible reminds us to "Honor thy father and thy mother." We can do no less, gentlemen, than obey that Bible, which is the foundation stone of this free Republic.

And so, Mr. President, today I introduce, for appropriate reference an equal-rights joint resolution, which will authorize the President of the United States to proclaim the third Sunday of each June as Father's Day throughout all the 48 States and in all our possessions around the world, for if we have a Mother's Day, then the inescapable logic and equity of equal rights must be invoked by legalizing Father's Day.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 59) relating to Father's Day, introduced by Mrs. SMITH of Maine, was received, read twice by its title, and referred to the Committee on the Judiciary.

#### PRINTING OF REPORT ON EFFECTS OF ADDITIONAL DIVERSION OF WATER FROM LAKE MICHIGAN AT CHICAGO (S. DOC. NO. 28)

Mr. CHAVEZ. Mr. President, I present a letter from the Assistant Chief of Engineers for Civil Works, Department of the Army, transmitting a report from the Secretary of the Army prepared at the request of the Director of the Bureau of the Budget to meet a need for information on the subject of the effect on the Great Lakes and St. Lawrence River of an increase of 1,000 cubic feet per second in the diversion at Chicago, together with illustrations. I ask unanimous consent that the report be printed as a Senate document, and referred to the Committee on Public Works.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

#### 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. KNOWLAND:

Address by him at Lithuanian Independence Day anniversary in Chicago, Ill., on February 17, 1957.

##### By Mr. CHAVEZ:

Address delivered by him before 42d annual meeting of American Association of State Highway Officials at Atlantic City, N. J., on November 27, 1956.

##### By Mr. FLANDERS:

Address delivered by him before the Vermont State Legislature on February 13, 1957.

##### By Mr. RUSSELL:

Testimony by Senator TALMADGE before the Subcommittee on Constitutional Rights of the Senate Committee on Judiciary, February 16, 1957.

##### By Mr. BUTLER:

Statement by him on the anniversary of Lithuanian independence.

#### PROTOCOL TO INTERNATIONAL CONVENTION FOR NORTHWEST ATLANTIC FISHERIES—REMOVAL OF INJUNCTION OF SECRECY

Mr. JOHNSON of Texas. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive F, 85th Congress, 1st session, a protocol to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, which protocol was signed at Washington under date of June 25, 1956, for the United States of America and nine other governments, and that the protocol, together with the President's message, be referred to the Committee on Foreign Relations and that the President's message may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the injunction of secrecy will be removed, and the protocol, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will

be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the protocol to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, which protocol was signed at Washington under date of June 25, 1956, for the United States of America and nine other governments.

I transmit also, for the information of the Senate, the report by the Secretary of State with respect to the protocol.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, February 18, 1957.

(Enclosures: 1. Report of the Secretary of State. 2. Certified copy of the protocol to the International Convention for the Northwest Atlantic Fisheries.)

**TWO ANSWERS TO MOSCOW—EDITORIAL FROM THE NEW YORK TIMES**

Mr. SMITH of New Jersey. Mr. President, in connection with the pending debate over our so-called Middle East policy and the Eisenhower doctrine, I ask unanimous consent to have published in the body of the RECORD, because of the importance of the matter, an editorial from the New York Times of last Friday, February 15, entitled "Two Answers to Moscow."

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

**TWO ANSWERS TO MOSCOW**

The Soviet propaganda offensive against the Eisenhower doctrine has received two prompt and conclusive answers. One was given yesterday by the Steering Committee of the United Nations General Assembly, which refused to dignify the Soviet charges against this doctrine, and the whole American foreign policy, as worthy of consideration. The other was given by the Senate Foreign Relations and Armed Services Committees, which voted, 20 to 8, to confirm the President's authority to use both American troops and American money to implement this doctrine in the Middle East.

The resolution adopted by the two Senate committees is somewhat less precise and on some points more restrictive than the text proposed by the administration and approved an overwhelming bipartisan majority in the House of Representatives. But lest the partisan wrangling of a few Democratic Senators create a false impression abroad, it must be emphasized that in substance this resolution also provides for full congressional support of that doctrine and the warning it sounds against Communist aggression in the Middle East. It may still be hoped that the full Senate will follow the House and restore the original wording. But if an effort toward that end should threaten further delay, it would be better if both Houses adopted the committee version with as near unanimity as possible, in order to demonstrate that in substance the whole country stands behind the President's program.

Such a decisive vote would carry more conviction abroad, and thereby make the doctrine more effective as a deterrent to war, than any hairsplitting over a few words. This is all the more true because this hair-

splitting is being done not over the doctrine itself but primarily over the domestic constitutional issue involving the President's powers as Commander in Chief of the Armed Forces and the prerogative of Congress to declare war.

The President's power to use the Armed Forces outside of the United States to defend the country against aggression is and remains unchallenged. But because American interests have become so worldwide that an attack even far removed from our shores can constitute a deadly danger to our security, because we have assumed special obligations to resist aggression under the United Nations Charter, and because President Truman's use of our forces in honoring these obligations in Korea without specific congressional sanction aroused Republican rightwing criticism—perhaps also because Mr. Eisenhower is a military man leaning over backward to avert suspicions of military usurpation—the President has sought prior congressional authorization for the exercise of his constitution powers.

In substance there is only a verbal difference between the two versions of the resolution before Congress, with the Democratic version obviously designed to uphold President Truman's action in Korea. For this effort Mr. Truman himself has little thanks, and urges his partisans to back President Eisenhower. Mr. Truman had to act immediately in an emergency; President Eisenhower's move is designed to avert an emergency. But the Democratic version may also hide a contrary reservation hinted at by its author, Senator MANSFIELD, who declared that any action in the Middle East must be taken within our constitutional processes.

This could imply, in emulation of Republican rightwing contentions, that any action to put our preparation to use Armed Forces into practice is subject to another prior congressional approval, which might entail another prolonged debate when the emergency is upon us. It is the duty of the Senate to make plain that, if the Democratic version is finally adopted by Congress, the constitutional processes on this issue will have been completed and that the President will then in fact be authorized to act, on his own responsibility, but without delay or further challenge.

**DR. JOHN VON NEUMANN**

Mr. JACKSON. Mr. President, in the passing of Dr. John von Neumann a week ago Friday, science and the free world suffered a tragic loss.

As a member of the Joint Committee on Atomic Energy and as chairman of its Subcommittee on Military Applications, it was my honor to know Dr. von Neumann, and to have the benefit of his wise counsel. This, I can assure the Senate, was an honor indeed.

His scientific talents were famed the world over. His contributions to this scientific century were monumental. They continue to benefit both the security of our country and the free world, and the welfare of all mankind.

His was the rare combination of the genius of the scientific mind, on the one hand, and the genius of good judgment, on the other. His scientific counsel was supported by an intuitive appreciation of political, economic, and social institutions. He not only grasped the limitless future of science, but he deeply comprehended the nature of the human community in which science must be applied. He was impelled to exploit science to the maximum to save our free institutions

and to make possible a better world for people everywhere.

Dr. von Neumann's life is another reminder of the priceless contribution made by those among us who were not born in the United States, but who sought America as a place of opportunity for freemen. Born in Budapest, Hungary, he shared the birthplace of three other great scientific spirits—Dr. Edward Teller, father of the H-bomb, Dr. Theodore von Karman, dean of aeronautical scientists, and Dr. E. P. Wigner, pioneer designer of nuclear reactors. The achievements of Dr. von Neumann should cause us all to reflect upon one of the greatest sources of our strength—men and women who have come to our country from the Old World, who do not hesitate to challenge the unknown.

Mr. President, in concluding my remarks on Dr. von Neumann, I ask unanimous consent that two editorials in praise of his life and record be printed at this point in the RECORD. These editorials are from the Washington Star of Monday, February 11, 1957, and from the Washington Post of Tuesday, February 12, 1957.

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

[From the Washington Evening Star of February 11, 1957]

**DR. VON NEUMANN**

The Atomic Energy Commission has not exaggerated in describing the death of Dr. John von Neumann as an "irreplaceable loss to the Commission, to science, and to the Nation." For he was a man of unique and very great genius, genius of the kind that expresses itself not only in the formulation of far-reaching abstract theory, but also in the translation of such theory into the tangible substance of operating reality. In that respect, like few other individuals, he played a key role in shaping the fast-changing, revolutionary character of our age.

Almost as soon as he arrived in this country from Hungary in 1930, which was long before he became a member of the AEC, Dr. von Neumann began to contribute significantly to our national life and security. As one of the world's most brilliant mathematicians, a scientist in the purest sense, he probably did more than any other man—certainly more than any other American—in the fabulous and rather mind-reeling business of designing and building computing machines. He was called not for nothing, the human brain behind the development of electronic brains, those marvelous but hard-to-understand contrivances that answer within a matter of days or months mathematical problems whose solution would otherwise require several lifetimes of human effort. Because of what he accomplished in such fields as this, his impact on our era was a major one in terms of developing atomic weapons and the hydrogen bomb, or in terms of harnessing nuclear energy for industrial power and similar beneficent purposes.

It is sad to think that Dr. von Neumann was only 53 years old when he died. Yet, in his tragically too-brief lifetime, he rendered service to the United States on a scale of incalculable value. This was not the land of his birth, but he was one of its most distinguished and priceless parts even before becoming a naturalized citizen in 1937. His AEC colleagues mourn his loss in a way that the whole Nation has reason to mourn his loss—as a human being full of personal charm, warmth, a sense of humor, and tremendous mental gifts. It probably will be a long time before we see his like again.

[From the Washington Post and Times Herald of February 12, 1957]

JOHN VON NEUMANN

The untimely death of John von Neumann is a loss not only to the laboratory and seminar but to the world of affairs where he played so large and honorable a role. Dr. von Neumann had been a valued adviser to the Government long before his appointment to the Atomic Energy Commission in 1954. Not the least of his services was his warm defense of J. Robert Oppenheimer in that most painful of loyalty controversies.

Through much of his career Dr. von Neumann was as celebrated among scientists as he was unknown to the public. Yet he was one of the rarest of scientists; his mind dwelt in the abstract universe of mathematics, but his feet were firmly on earth. We owe to his genius the development of electronic calculators, a theory of games which has proven a useful economic tool, and even an improved method of weather forecasting.

Dr. von Neumann's life is, as President Eisenhower rightly stressed, an example of how American society has been enriched by refugees from other lands. A native of Hungary, he came to this country from Germany in the 1930's; Dr. von Neumann was a key figure in the virtual league of nations that enabled America to construct an atomic bomb. Those who would close our doors of asylum might ponder how empty America's pantheon of science would be if this were literally a land without aliens.

#### RUSSIAN OPPRESSION OF ARMENIA

Mr. SALTONSTALL. Mr. President, Communist Russia seized the country of Armenia in December 1920, but on February 18, 1921, just 36 years ago, the Armenians rose up and regained their freedom.

Unfortunately, the overwhelming force of the aggressor made their independence relatively brief, and since that time they have been subjected to Russian oppression. However, we know that the desire for liberty remains strong and undying in the hearts of Armenians, and we may hope that the day will come before too long when Armenia will once again join the number of free and independent nations of the world.

#### DEATH OF JUDGE EDWIN M. HOLDEN, OF THE IDAHO SUPREME COURT

Mr. CHURCH. Mr. President, I learned recently, with great regret, of the death of a personal friend who was one of Idaho's illustrious citizens, Judge Edwin M. Holden. Judge Holden came to Idaho from Iowa in 1896, and commenced the practice of law at Idaho Falls. From that time forward, he rendered a lifetime's service to his State and country. He was a veteran of the Spanish-American War, in which he fought as a lieutenant in the Army. In 1932, he was elected to the Supreme Court of Idaho, where he served with great distinction until his retirement on July 17, 1950. Several times during that period he was chief justice of the court. With the passing of Judge Holden,

Idaho has lost a worthy citizen who will be sorely missed, but long remembered by all who knew him.

#### LITHUANIAN INDEPENDENCE DAY

Mr. MARTIN of Pennsylvania. Mr. President, on Saturday, February 16, more than 1 million Americans of Lithuanian origin observed Lithuanian Independence Day—the 39th anniversary of the establishment of the Republic of Lithuania as a free and independent nation.

In the homeland of their ancestry this historic anniversary is commemorated only in the hearts of the courageous Lithuanian people. There is no independence in Lithuania today, no freedom, no justice. Since 1940 that ancient land of culture has been held captive by the savage tyranny of Communist aggression.

Lithuania is oppressed and persecuted by the armed might of a foreign invader, but the spirit of independence has not been crushed. It lives on to inspire hope that the day of liberation may be close at hand. Sustained by faith in God and the righteousness of their cause the brave people of Lithuania look forward with complete confidence to the eventual triumph of honor and justice.

We who enjoy the blessings of freedom can help them maintain the tradition of freedom that is sacred to all men of good will. As Americans we may be proud that the United States has never recognized the conquest of Lithuania and the other Baltic States. We support their just claim to free and independent sovereignty.

In recognition of Lithuanian Independence Day I extend greetings to my fellow Americans of Lithuanian descent and join them in prayer for the speedy restoration of Lithuania to its rightful place of honor among the free nations of the world.

Mr. CLARK. Mr. President, I wish to commend my colleague from Pennsylvania for the very fine remarks he has just made with respect to Lithuanian Independence Day. I ask unanimous consent to have my comments on the same subject incorporated in the RECORD at this point 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 CLARK

It is a privilege to join in paying tribute to the people of Lithuania, whose Independence Day was marked on February 16. The State of Pennsylvania, which I represent, has among its citizens 40,000 who are of Lithuanian descent, and the growth and development of the State owes much to the labor, the talent, and the devotion of these people.

Lithuania stands with her sister Baltic States as a symbol around which all freedom-loving people may unite in giving the lie to Soviet claims that the West is imperialistic and Russia the friend of captive colonies. Lithuania was a prospering nation, proudly independent since the end of World War I. It was a nation which was flourishing in every sphere of activity—economic, political, social, and cultural. But it was an obstacle to Russia's westward expansion. The Soviets

imposed a mutual-assistance pact on it in 1939, claiming fear of the Nazis, but using the opportunity to station Soviet troops on Lithuanian soil. Next came outright conquest in June 1940, followed by ruthless suppression of opposition and single-slate elections which set up a Communist government. In August 1940 that puppet government asked the Supreme Soviet of the Soviet Union to admit Lithuania as a Soviet republic within the U. S. S. R.

Since World War II, the entire Lithuanian nation has been remolded in the Soviet image. Sovietization was carried out with the most brutal methods—mass deportations and arrests, slave labor, forced collectivization, terror and suppression. During the recent suppression of the Hungarian revolt, reports coming out of Hungary indicated that the people of that nation had not forgotten the treatment given to the Baltic States by the Soviets, who were again using the weapons of deportation, false arrest, slave labor, to penalize the freedom fighters.

The revolutionary events behind the Iron Curtain during the past several months have brought a thrill of hope to all of us who cherish liberty. They have demonstrated as nothing could the truth that there never has been an imperialism so ruthless and implacable as Soviet imperialism; and they have added a new dimension to our celebrations this year of such historic milestones as Lithuanian Independence Day.

Freedom and independence must one day come to Lithuania again. It must return to the dignity of democracy which it was developing in every sphere of life in the 22 years between its gaining of political independence and its loss of that independence to Soviet tyranny. The people of the United States have never recognized the legality of Lithuania's annexation by the Russians, and we must continue to support Lithuania's moral cause for independence, freedom, and the enjoyment of all those human rights which are dear to us.

##### OUR HOPES FOR GALLANT LITHUANIA

Mr. KUCHEL. Mr. President, 39 years ago last Saturday the Republic of Lithuania was proclaimed as an independent nation, marking the end of more than a century of oppression and subjugation by czarist Russia. The anniversary of this event again finds this unfortunate nation, with a glorious history going back to the Middle Ages, dominated and suppressed by Communist Russia.

The short-lived freedom of Lithuania was terminated by heartless infringement of the sovereignty of the Lithuanian people. In violation of every treaty and in disregard of all the principles of decency, the Communists under the cloak of a mutual-assistance pact lowered the Iron Curtain around Lithuania and ruthlessly undertook to sovietize this gallant country.

During the period of Communist domination, thousands upon thousands of Lithuanians have become martyrs in the cause of liberty. But residents of America and other nations where Lithuanians now live have kept alive the spirit of freedom. The United States, which is committed to the restoration of the independent Republic of Lithuania, steadfastly has refused to recognize the tyrannical annexation.

Today, as Lithuanian-Americans recall the short-lived freedom of their homeland, I join in the hope that Lithuania one day will arise from enslavement.

ment and that the light of liberty has not been permanently extinguished for the people of that tortured country.

#### THE HELLS CANYON DAM

Mr. NEUBERGER. Mr. President, on February 15, a letter was sent to the Federal Power Commission by Secretary of the Interior Fred A. Seaton to notify this agency that the Bureau of Reclamation is studying the feasibility of the Pleasant Valley site in the Hells Canyon section of the Snake River for multipurpose development.

The Secretary also disclosed that a special report of the Bureau of Reclamation proposes a high storage dam at the Pleasant Valley site, which would flood out the little Hells Canyon project proposed by the Idaho Power Co. In his letter, the Secretary told the Commission that the detailed study of the high Pleasant Valley Dam was undertaken "in the light of the need for development of additional flood control capacity in the Snake River Basin."

Mr. President, the Pleasant Valley Dam proposal of Secretary Seaton has inadvertently exposed the gigantic hoax involved in the Federal Power Commission decision to license three small Idaho Power Co. dams where the Federal Hells Canyon Dam should be built. Members of the Senate will recall that the Eisenhower administration assented to the Federal Power Commission decision that Idaho Power dams with 1 million acre-feet of flood control storage were "best adapted to a comprehensive plan" for development of the Columbia River Basin.

But now, Mr. President, Secretary Seaton says that more flood control must be built into the Snake River Basin, and he supports further study of a high Pleasant Valley Dam which would flood out 1 of the 3 Idaho Power sites. His action is clearcut evidence that the three Idaho Power dams are not the best possible development.

Senators on the other side of the aisle will remember how the Eisenhower administration used its influence last year to line up a nearly solid Republican vote against the development of needed storage by a high Hells Canyon Dam, the dam which had been recommended by the planning experts of the Corps of Engineers. Now Mr. Seaton has destroyed the illusion voiced by administration spokesmen that the FPC-licensed Idaho Power projects were the best development of Hells Canyon power and flood control potentials. Obviously if high Pleasant Valley Dam—which would inundate Idaho Power's little Hells Canyon site—provides these greater benefits, then the Federal Power Commission has been guilty of licensing inferior development in the Hells Canyon area.

I want to make it clearly understood, Mr. President, that my comments on the Secretary of the Interior's proposal for a high dam at Pleasant Valley do not imply that such a substitute for Hells Canyon is in line with the best development. In my opinion, it is not.

Why does Mr. Seaton propose a storage dam 34 miles downstream from the Hells Canyon site when the Army Corps of Engineers, in its 308 Report as well as the Bureau of Reclamation within the Interior Department itself, recommended such development at the specific and definite Hells Canyon site?

This is a question which the Secretary and his assistants will have to be prepared to answer when the Senate Committee on Interior and Insular Affairs holds hearings next month on the Hells Canyon authorization bill.

Mr. President, two wrongs do not make a right. When this story is told, and the full facts about the storage potential of the Middle Snake River are brought out, Congress will want to authorize the high dam at Hells Canyon which is the best project in this or any other river in the Nation, thus rectifying the grave mistake made by the Federal Power Commission in licensing the partial and wasteful projects of the Idaho Power Co.

Now the Supreme Court of the United States has been asked to review these licenses granted by the Federal Power Commission. The National Hells Canyon Association, representing many groups of citizens in the Northwest, has petitioned the Supreme Court for a writ of certiorari to review this case which is of such vital and irreversible importance to the Northwest and to river-basin development throughout the Nation. The States of Oregon and Washington have filed with the Court briefs *amicus curiae* in support of this petition for Supreme Court review. Mr. President, it is inconceivable to me how the administration could possibly justify opposing grant of certiorari and seek to block review of this case by the Supreme Court. The sincerity of the administration's purported restudy of the storage potential of the middle Snake River will be tested by its attitude toward Supreme Court review of the license granted by the Federal Power Commission. I repeat, the Pleasant Valley project which the Secretary of Interior claims to be seriously considering would submerge the site of one of the three dams covered by the licensed projects before the Supreme Court. It would be wholly inconsistent with the license. The fact that it is being studied proves that the FPC's conclusions concerning comprehensive development, upon which the license was granted, are erroneous and plainly inadequate even to the present administration, which is no friend of comprehensive, multipurpose river development.

The administration cannot consistently both maintain that it is restudying this whole issue and simultaneously oppose review by the Supreme Court, under the Federal Power Act, of the FPC decision which is wholly inconsistent with the high Pleasant Valley project allegedly under study. The people of the Columbia River Basin will await with great interest the position of the Eisenhower administration spokesmen toward this case.

In conclusion, Mr. President, I ask that there be printed in the RECORD certain excerpts from the brief of the State of

Oregon in the Supreme Court in support of the petition for certiorari in the Hells Canyon case.

The PRESIDING OFFICER (Mr. REVERCOMB in the chair). Is there objection?

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

IN THE SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1956—NATIONAL HELLS CANYON ASSOCIATION, INC., ET AL., PETITIONERS, v. FEDERAL POWER COMMISSION, RESPONDENT

(On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia)

BRIEF OF THE STATE OF OREGON AS AMICUS CURIAE IN SUPPORT OF THE PETITION FOR ISSUANCE OF THE WRIT

#### *Interest of the State of Oregon*

The interest of the State of Oregon in the questions presented in this case is dual, economic on the one hand and governmental on the other.

#### *Economic interest*

The greatest single existing and potential asset to the economy of the State of Oregon is the hydroelectric energy, reclamation and navigation potential of the Columbia River and its tributaries. Full-scale integrated development of the resource potential of the river system is the keystone to the future economic well-being of the inhabitants of this State.

Prior to large scale developments on the river and its tributaries, the economy of the State was, and to a considerable extent remains, lumber and agricultural based. Both such activities are highly seasonal in nature and productive employment therein fluctuates greatly throughout the year.

The availability of low-cost hydroelectric energy and abundant, pure water are the primary attractions offered by the State to industry. Commercial and industrial growth in the State in recent decades, particularly investment in metals and chemicals projects has tended very closely to parallel utilization of low-cost hydroelectric energy. Greater diversification of commercial activity made possible thereby has tended markedly to stimulate the economy of the State as a whole and has had the additional and highly beneficial effect of leveling out peaks and valley in employment.

Even though it forms the backbone of commercial and industrial growth in the area, the Columbia in its natural state is at the same time one of the greatest threats to the economy of the region by reason of violent annual flooding. The ratio of peak runoff to average minimum flow is approximately 10 to 1. On a river the size of the Columbia, such a ratio is unusual and creates critical flood dangers. The tragedy of the 1948 Vanport flood is a solemn reminder of the power of the river to destroy the things that its otherwise beneficial qualities make possible. During 1956 the region narrowly escaped an equally extensive and potentially far more damaging flood.

The full potential of the river system is as yet less than one-third realized, notwithstanding the extent of the existing investment. Maximum development of remaining sites and the integration of such development with existing facilities is of crucial importance to the State and to its people. The channelling of these economic problems within the confines of litigation concerning a particular project must not be permitted to minimize the relationship that each proposed project has to comprehensive development. Integration of each such project into the existing system for the coordinate purposes of reclamation, navigation and especially for flood control storage and power

generation is an underlying factor that must not escape the Court's attention.

The future economic health of the State of Oregon may hinge in large part upon the decision in this case. \* \* \*

#### Governmental interest

The Legislature of the State of Oregon through the years has enacted various statutes relating to the development of water resources, regulation of public utility rates and services, preservation of fish and game resources, licensing of hydroelectric projects, stimulation of hydroelectric energy development, and various other matters of general public concern.

These functions are, as they of necessity must be, carried on against the framework of Federal activity in the same fields. The primacy of Federal jurisdiction relegates State development and administration in such matters to a status ancillary to and, wherever possible, coordinated with, Federal action.

The Federal Power Commission for a variety of reasons, mostly fiscal, has itself been unable actively to engage in full-scale comprehensive study and planning in connection with reclamation, irrigation, hydroelectric generation and flood control aspects of regional development. *City of Tacoma* (10 FPC 424, 92 PUR NS 79 (1951)). The Department of the Army, Corps of Engineers, and the Department of the Interior, Bureau of Reclamation, have long been actively engaged in large-scale regional studies and, from time to time, acting under specific authorizations from Congress, have published comprehensive plans for development and utilization of resources, flood control and related matters. As a result, both implicitly by these congressional authorizations and actually by long-standing custom, the responsibility for the preparation of such comprehensive plans has been exercised by these two agencies. The past practice of the Commission has been to rely upon, and on occasion to specifically adopt, plans developed by its sister agencies. The present case strongly suggests a departure from this long-standing practice.

In order to develop an effective program of State action in these areas, it is essential that the legislature of the State concerned have reasonably certain knowledge as to which Federal agency is responsible for planning and the extent to which other Federal agencies may deviate from comprehensive plans once developed. Whenever a State, relying upon the existence of an approved comprehensive plan developed by either the Corps of Engineers or the Bureau of Reclamation, has expended money and constructed projects designed to coordinate with existing or proposed Federal projects, the possibility that a separate agency of the Federal Government might have under its statutes latitude in the implementation of the plan sufficient to negate or render valueless all or a part of the State's existing or proposed program can cause economic stagnation. The same thing is true, of course, of the programs of State administrative bodies which have been given responsibility for such matters by existing legislation.

In this case the most important single provision of the Federal Power Act with respect to these matters is in serious dispute. Until this court speaks authoritatively on the question, the present hamstringing uncertainty will continue to exist. The case presents itself in a fashion proper for authoritative interpretation, and we feel that the situation clearly justifies such action. \* \* \*

#### Summary of argument

1. By reason of the primacy of Federal regulation, the State of Oregon in the execution of its laws is influenced and concerned on a continuing basis by the action of Federal regulatory agencies, particularly the Federal Power Commission. The State has

a legitimate and pressing need to have disputed questions involving the scope and nature of the powers of the Federal Power Commission resolved so that the State may with reasonable certainty proceed in its own legislative and administrative activities.

2. The case involves questions of far-reaching public significance arising under the Federal Power Act (41 Stat. 1077, as amended; 16 U. S. C. A., sec. 791 et seq.). The administration of this act is of peculiar and sensitive importance to the State of Oregon and to its inhabitants by reason of the importance of the Columbia River and its tributaries to the economy of the Pacific Northwest and of the State of Oregon.

3. The case involves interpretation and application of portions of the Federal Power Act upon which this court has not heretofore authoritatively spoken and related questions as to which this court has heretofore reserved judgment.

#### Argument—Public significance of the problem

The Constitution reserves to the Federal Government paramount responsibility for comprehensive development of the Columbia Basin. Without authorization from the Congress, Oregon (and the other States of the region) cannot successfully assert effective control over reclamation, navigation, and hydroelectric development on the Columbia and its tributaries. *First Iowa Hydroelectric Cooperative v. Federal Power Commission* (328 U. S. 152, 66 S. Ct. 906 (1946)); *Federal Power Commission v. State of Oregon* (349 U. S. 435, 75 S. Ct. 832 (1955)).

The Congress by the Federal Power Act has delegated to the Federal Power Commission its authority to license non-Federal projects. But in so doing it has by section 10 (a) strictly confined the powers of the Commission so as to protect the interests of the States and their people in sound, comprehensive, long-range development of their critical natural resources. This mandate for full utilization of those resources is at once an expression by Congress of its understanding of the dependence of our people on such optimum development and a clear-cut recognition of the responsibility which is the concomitant of its constitutionally delegated powers. To construe section 10 (a) as anything but an expression of congressional sensitivity to the profound economic consequences to the regions involved of comprehensive river development is to ignore the entire legislative history and background of the Federal Power Act.

This case has aspects which cut far deeper than does a case involving review of an ordinary administrative order. The licensing power exercised by the Federal Power Commission under part I of the act is wholly dissimilar in nature to its rate-regulating powers under part II of the act and to the powers of the Interstate Commerce Commission and other Federal agencies to issue certificates of necessity and to regulate rates. An application for a motor-carrier certificate of public convenience and necessity before the Interstate Commerce Commission, denied today, may tomorrow be granted upon a showing of changed circumstances. New carriers may be authorized to enter service upon development of additional traffic. This may be accomplished in a matter of weeks or, at most, months. An order of the Interstate Commerce Commission or of the Federal Power Commission fixing utility or carrier rates and charges may be modified from time to time to accommodate changing circumstances or to adjust for errors in the original order.

It is not so with a Federal Power Commission license granted for utilization of a river damsite. Once the license has been exercised, circumstances will not permit the correction of error or accommodation for changes, except in the most limited fashion. The licensee, the people of the region, utility

consumers and the economy of the States involved must adjust to the project, whether it turns out to be suited to comprehensive regional development or not.

With only partial development of the potential of major storage sites, the maximum utilization of existing project facilities, the engineering features of many of which have been designed to coordinate with full stream regulation potentialities of subsequently developed sites, may never be realized. Modification and downgrading of other potential sites may be necessitated, threatening additional underutilization of overall basin potential. Any compromise with full-scale development at a primary project site will have compounding flood-control, navigation, and hydroelectric generation impact upon the remainder of the system, existing and potential. The opportunity to make certain that the Federal Power Commission has given proper attention to such matters in a particular case exists only once. This is such an occasion.

If, as has been most strenuously urged, the order of the Federal Power Commission in this case is violative of the basic principle of comprehensive development so explicitly enunciated by the Congress in section 10 (a) of the act, it cannot hereafter be corrected without enormous financial sacrifice and economic waste—perhaps not at all. Section 10 (a) forms the very heart of the act insofar as the proper stewardship of the economic interests of the people of the State of Oregon are concerned. Clearly the public importance of seriously disputed questions arising thereunder is such as to justify the court in granting certiorari so that an authoritative interpretation may be made.

#### The question has not heretofore been authoritatively determined

The present case rests squarely upon an interpretation of section 10 (a) of the Federal Power Act. This provision has never heretofore been authoritatively interpreted by this court.

#### Conclusion

We have shown that the State of Oregon and its inhabitants have a significant present and long-range interest in a correct resolution of the presented problems, that certainty in such matters is of great public concern, that this court has heretofore noted the importance of the questions and has not authoritatively spoken thereon. For these reasons and the reasons set out in greater detail above, we most respectfully urge the court to issue the prayed for Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit.

Very respectfully submitted.

ROBERT Y. THORNTON,  
Attorney General of Oregon.  
SALEM, OREG., February 14, 1957.

#### PROPOSED TAX COMMISSION

Mr. WILEY. Mr. President, I have pointed out on several occasions on the Senate floor the splendid reaction which I have received from all over our Nation on behalf of my bill, S. 769. This is the bill which I have introduced—with 14 cosponsors—to create a Federal Tax Commission, along the lines of previous Hoover Commission studies.

My earlier comments on this subject may be found in the January 22 CONGRESSIONAL RECORD, beginning on page 822, in the January 23 RECORD, beginning on page 890, and in the January 30 RECORD, beginning on page 1256.

#### OTHER TAX STUDY BILLS

My bill, S. 769, is similar to a measure, H. R. 41, which has been introduced in

the House of Representatives, by Representative FREDERIC COUDERT, of New York. It should be noted that Mr. COUDERT was an author of original proposed legislation along this line, as witness his bill, H. R. 10788, which he introduced on April 25, 1956.

I should also like to note that my colleague, the senior Senator from Maryland [Mr. BUTLER] likewise introduced a measure for this purpose in the form of Senate Joint Resolution 167, which he introduced on May 9, 1956.

These and other expressions of legislative interest in this subject will, I feel, ultimately find fruit in the enactment of some form of Tax Commission legislation.

In my judgment, it is inescapable that this type of research action should be undertaken by the Congress. Why? Because there is no other feasible alternative to meeting the enormously complicated tax problem.

We cannot forever legislate piecemeal on the tax subject, merely adding and subtracting in bits and pieces to the present tax hodgepodge.

#### OUR GOALS IN REVISING TAXES

We need consistency in taxes, simplicity, justice, and equity, rather than inconsistency, needless complexity, injustice, and discrimination.

We need to make taxes a spur for free enterprise, an incentive, a stimulus not a straitjacket.

#### MY INQUIRIES FOR BUSINESSMEN'S REACTIONS

I have previously indicated on the Senate floor that I was writing to a goodly number of leading businessmen throughout the United States, together with other leaders of our private enterprise system—tax lawyers and others—in order to secure their reactions on this subject.

I have done so, particularly with the view of contracting heads of United States corporations, because I feel that probably no single group in American society can see more clearly the heavy impact of taxes—open and hidden taxes—than the men who lead American free enterprise.

It is these men who are the responsible trustees of vast corporate assets. It is these men who must answer to the 8 million stockholders of the United States. It is these men who are responsible for the tens of millions of jobs in American companies.

In writing to them for their reactions, I indicated that I clearly understood that some, in responding, might prefer that their comments be construed as solely in confidence. After all, they are not tax experts as such, and some of them might feel that this is basically a legislative task on which Congress itself can make up its own mind.

I desire to have printed in the RECORD the texts of the initial answers.

In the instances where I am permitted to cite the names of the responding individuals, I have gladly done so. In those instances where my correspondents preferred to communicate, while withholding permission for the use of their names, naturally I have gladly respected their wishes. The latter groups' views, how-

ever, are nonetheless helpful and informative.

In any event, the letters appear in full with the exception of minor omissions for sake of brevity only.

#### LETTER FROM INVESTORS' LEAGUE

Finally, as an additional illustration of the widespread approval which has come from many spokesmen of free enterprise, I send to the desk the text of a welcome letter which I have received from Mr. William Jackman, president of the Investors' League. I congratulate all of my civic-minded correspondents for their contributions.

I ask unanimous consent that all of these communications be printed at this point in the body of the CONGRESSIONAL RECORD.

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

WESTERN ELECTRIC CO., INC.,  
New York, N. Y., February 11, 1957.

Hon. ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR WILEY: Thank you for your letter of January 31, 1957, asking for my views with respect to the bill introduced by you in the United States Senate which provides for the establishment of a Hoover-style Federal Tax Commission to make a study of our complicated tax structure and make suggestions for improvement. I have read with interest the reprint from the CONGRESSIONAL RECORD, which was enclosed with your letter, setting forth the text of the bill and your views as to the need for legislation of this character.

I am in complete sympathy with and heartily endorse the underlying purpose and objectives of the proposal as stated in the first section of the bill. Taxes in one form or another reach every home and every business concern in America and have a direct bearing on the economic health and way of life in this country. Unquestionably many improvements can be and should be made in our complex tax structure and it is most gratifying to me that the attention of Congress has been directed to the need for this vitally important action.

I wish you every success in this most important undertaking.

Sincerely yours,

ARTHUR B. GOETZE,  
President.

CITIES SERVICE CO., INC.,  
New York, N. Y., February 8, 1957.

The Honorable ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: Thank you for your invitation to comment on your proposal to establish a Hoover-style Federal Tax Commission to undertake a study of our whole tax system and make recommendations to the Congress respecting that system.

Over the years, you and I and other adult Americans have witnessed a number of valiant efforts by conscientious citizens and Members of Congress to do something about our topheavy tax structure. None of these efforts have borne notable results. Perhaps this indicates only the magnitude of the problem, for certainly there is no gainsaying the sincerity of those who have earnestly tried to grapple with it. It has been a tragic fact, however, that little has been accomplished, while the problems multiply and the need for tax reforms becomes more acute each year.

Every thoughtful American will want to support an energetic approach to this highly

important issue. It is a privilege to wish you every success in your endeavor.

Sincerely yours,

W. ALTON JONES,  
Chairman of the Board.

GENERAL MOTORS CORP.,  
Detroit, Mich., February 15, 1957.  
The Honorable ALEXANDER WILEY,  
The United States Senate,  
Washington, D. C.

MY DEAR SENATOR: This is in reply to your letter of January 31 asking me for my views in respect to your proposal to establish a Federal Tax Commission to make a comprehensive study of the entire Federal tax structure.

In my opinion your proposal has great merit. Since 1939 Congress has been faced with one emergency after another requiring additional funds for national defense with the main consideration being taxes that would yield the revenue without regard to the long-run effect of the tax structure being created.

Federal tax receipts from the public today are approximately 10 times what they were only 20 years ago and we now have a grossly unfair tax structure which in the long run is bound to handicap the rate of increase in our economic productivity. Furthermore, the way in which these taxes are levied in many cases results in a pyramiding of the taxes to the ultimate consumer. For example, one calculation of the ultimate cost of taxes in the retail price of an automobile indicates it is probably as much as 30 percent. In a number of other products of a far less essential nature than automobiles, the effective ultimate tax burden in the retail price to the consumer is considerably less than 30 percent.

The burden of the cost of government which properly should be levied as a business cost and hence be incorporated in the cost of living should not be a function of the form of business enterprise. However, an effective corporate net income tax rate in excess of 50 percent combined with personal income taxes on dividends paid out clearly results in a different tax burden upon the business done by corporations in contrast to the same volume of business when it is done by proprietorships, partnerships, or cooperatives. This is clearly unsound and in the long run will create economic distortions.

All of these problems and the many others involved in this issue are extremely complex and will necessitate long and careful study which the established committees of Congress are hardly in a position to undertake on a year-to-year basis. A commission such as you propose on the other hand could concentrate on the real issues involved, and I am sure that both the public and the Members of Congress would be greatly enlightened as a result of their deliberations and findings. Accordingly, I trust that Congress will see fit to pass your proposed measure, S. 769.

Sincerely yours,

H. H. CURTICE, President.

FORD MOTOR CO.,  
Dearborn, Mich., February 13, 1957.  
The Honorable ALEXANDER WILEY,  
United States Senate, Washington, D. C.

DEAR SENATOR WILEY: \* \* \* I agree with you that high Federal taxes are one of the biggest problems facing industry and our economy generally. Consequently, I am in complete sympathy with any and every effort having the objective of ameliorating and improving our complicated and burdensome tax system. If the Hoover-style Federal Tax Commission, which you have proposed, can make a contribution to this end, I am certain that every taxpayer in this country will be very grateful.

While I am in complete sympathy with the objectives which you have outlined in your letter, I do not believe that I am qualified

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to judge whether the type of commission which you propose is the best medium for accomplishing those objectives, nor whether such a commission approach is compatible with the prerogatives of the Treasury Department or the tax-writing committees of the Congress. Therefore, while I see no objection to the idea of a Federal Tax Commission, I cannot say that this approach is the only one or the best for accomplishing the much needed tax reform and tax relief which is so much desired by all taxpayers.

Very sincerely,  
HENRY FORD, President.

NOPCO CHEMICAL CO., INC.,  
Harrison, N. J., February 15, 1957.  
Re your letter February 12, 1957, on proposed  
Tax Commission.

The Honorable ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

MY DEAR SENATOR WILEY: I cannot endorse too highly the bill to establish a Hoover-type Commission on Federal Taxation. The statement you made in introducing this bill covers essential ground that must appeal to every United States citizen.

There is no doubt in my mind that the time is here now to take action on this bill. From the experts down to the most bewildered taxpayer all must welcome a definitive start on the awful maze of Federal taxation.

Its importance for the preservation of the United States way of life is very great. It will do a great deal not only to streamline the whole tax system, but will help to create respect and indeed backing for the just and even imposition of taxes.

Sincerely yours,  
T. A. PRINTON,  
Chairman of the Board.

RADIO CORPORATION OF AMERICA,  
New York, N. Y., February 6, 1957.  
The Honorable ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: Thank you for your letter of January 31 relative to a Federal Tax Commission to take a new high-level look at our tax structure.

The only body of law which every day affects each of us in practically everything we do is the tax law. Directly or indirectly, the tax law can influence what we eat, where we live, what we wear, what we do for a living, even what we do for entertainment.

I believe it would be in the public interest to undertake a high-level review and study of our tax structure to determine whether present tax law is adequate to serve the American people today and in the years ahead, or whether new law is needed in light of our constantly expanding and changing economy.

\* \* \* \* \*

With kindest personal regards.  
Sincerely,  
DAVID SARNOFF,  
Chairman of the Board.

BETHLEHEM STEEL CO., INC.,  
Bethlehem, Pa., February 14, 1957.  
The Honorable ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR WILEY: \* \* \* I am inclined to agree with you that our present Federal tax laws are a chaotic hodge-podge, but it seems to me that you are better qualified than I to judge whether an overall look would better be taken by a commission or by a committee or committees of the Congress.

I am glad that you and other Members of the Congress feel that something should be

done and are interesting yourselves in the problem. That is to me an important and significant development.

Sincerely,  
E. G. GRACE, Chairman.

UNITED STATES STEEL CORP.,  
New York, N. Y., February 13, 1957.  
Senator ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

MY DEAR SENATOR WILEY: \* \* \* There have been several proposals in the past for civilian and congressional commissions to study fiscal policy. We think a commission which would study fiscal policy and tax policy together would be most helpful. We think it would be most effective if the commission were to be made up of congressional, executive department, and non-Governmental civilian membership of sufficient stature to command nationwide respect for its recommendations.

Sincerely yours,  
ROGER M. BLOUGH,  
Chairman, Board of Directors.

THE TEXAS CO.,  
New York, N. Y., February 14, 1957.  
The Honorable ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: I received your letter of January 31, relative to your proposal to establish a Hoover-style Federal Tax Commission. As my experience does not include that of being a tax expert. I referred this to our legal and tax people for their consideration. While this has resulted in some delay in replying, it indicates the serious consideration which we have been happy to give to the matter.

We believe there is a good deal of merit in your proposal, and that it would be very useful to have the benefit of an objective study of our tax system by a group of thoroughly experienced, unbiased, and otherwise qualified people, and their recommendations as to what changes would be in the best interest of the Nation as a whole. The difficulty of making such a study would come principally from finding people who are sufficiently detached from specialized interests and who could devote the time necessary to the making of so thorough a study. There would, of course, be efforts on the part of many groups to influence the character of the individuals to be appointed and subsequently to affect the nature of the report. However, if fully qualified people could be obtained, the results should be well worth while.

So far as the oil industry is concerned, I am confident that such a study would show that, contrary to the impression which many people have, our industry is paying, or its products are bearing, a higher proportion of the total revenues collected by Federal, State, and local governments than nine-tenths, if not all, of the other industries of the country. This would tend to promote a greater appreciation of the contribution which our industry makes to the national welfare, and a more sympathetic consideration of its problems. It would, I am sure, also give a special emphasis to the importance of the depletion allowance in maintaining our oil reserves at a satisfactory level and thus contributing to our national security.

Responding to your request that I indicate the use which I am agreeable to have you make of this reply, I should be glad to have you use it in any manner you desire, except that I should like to have it used as a whole and would prefer that no quotations or excerpts be made from it.

I greatly appreciate your giving me the opportunity to express these views upon your

proposal. With kind regards and best wishes, I am

Sincerely yours,

AUGUSTUS C. LONG,  
Chairman of the Board.

BOEING AIRPLANE CO.,  
Seattle, Wash., February 13, 1957.  
Hon. ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: I have read with genuine interest your bill (S. 769) which provides for establishing a Hoover-type Commission on Federal Taxation. This should be an effective way of focusing national attention on this important problem.

Your proposal has my enthusiastic endorsement and, if passed by Congress, I hope that you will make a determined effort to see that constructive suggestions made by the Commission are enacted into law.

Sincerely yours,

WILLIAM M. ALLEN,  
President.

THE FIRESTONE TIRE & RUBBER CO.,  
Akron, Ohio, February 14, 1957.  
The Honorable ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR WILEY: \* \* \* I appreciate your inviting my views on the proposed Hoover-style Federal Tax Commission.

I am in complete agreement with you that our present tax structure is obsolete and chaotic and that a reappraisal looking toward its simplification and objective approach would be of fundamental and lasting service to the American people.

With kind regards, I am,

Sincerely yours,  
HARVEY S. FIRESTONE, Jr.,  
Chairman.

SONOCY MOBIL OIL CO., INC.,  
New York, N. Y., February 4, 1957.  
Hon. ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

It seems to me that your suggestion is in every way an excellent one. We all know that our tax structure has developed over the years in a rather uncoordinated way, and I think many of us feel that at present it contains unsound elements. Taxes, of course, exert a profound effect on the country's economy, and particularly when taxes become high as ours have perhaps of necessity become, it is important that the incidence and effect of taxes be carefully considered in relation to the economy. For these reasons it seems to me that your proposal is not only constructive but exceedingly timely.

Believe me, with best personal regards.  
Sincerely yours,

B. B. JENNINGS,  
Chairman of the Board.

REEVES BROS., INC.,  
New York, N. Y., February 13, 1957.  
Hon. ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: \* \* \* We certainly concur that such a study is long past due.

We will lend every assistance that we can in bringing such a study to reality.

Sincerely,

JOHN E. REEVES, President.

THE CUDAHY PACKING CO.,  
Omaha, Nebr., February 15, 1957.  
The Honorable ALEXANDER WILEY,  
The United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: \* \* \* Certainly something needs to be done to simplify,

strengthen, and clarify the Federal income-tax regulations. It seems to me that you are approaching the matter from a very sensible standpoint in your proposal for the commission, and we would be very much in favor of the creation of such a commission.

Yours very truly,  
L. F. LONG, President.

REPUBLIC PRODUCTIONS, INC.,  
North Hollywood, Calif., February 15, 1957.  
Mr. ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR MR. WILEY: \* \* \* I agree with you that Federal taxes are entirely too high. Excessive taxes, plus increased wages for union workers, with fringe benefits, make it impossible for Republic to build up sufficient working capital to expand and add the additional stages, buildings, new equipment, etc., needed to take care of the additional business available.

Under the circumstances, we are faced with these problems which we are unable to solve and which should not exist in our free American system. In fact, as I travel over the country, I find other companies in the same situation and in my talks with our employees here, in New York, Scranton and Binghamton, I find with few exceptions, that they all complain of high Federal taxes. It is my humble opinion that before many months have passed, industry as a whole will feel the lack of public spending, which must adversely affect our national economy.

Again, I agree with you that such changes must be made if we expect our economy in the future to remain as satisfactory as it is now at its present level. Even those with whom I come in contact recognize the present existing inflation, and even go so far as to fear that a depression is on the way.

Your resolution to create a 12-man commission on Federal taxation is an excellent procedure, and I believe that this commission will find the same conditions existing over the country that I have referred to herein—and even now an adjustment of Federal taxes, even soon, may be too late.

Warm personal regards.

Yours sincerely,  
HERBERT J. YATES,  
President.

INVESTORS LEAGUE, INC.,  
New York, N. Y., February 13, 1957.  
Senator ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

MY DEAR SENATOR WILEY: On behalf of the many thousands of members of the Investors League, residing in every State in the Union, we wish to compliment you for your forthrightness in introducing bill S. 769 for the creation of a National Tax Commission at the time and in the manner that you did.

We are writing letters of commendation to the 14 Senators who cosponsored this legislation with you.

The Investors League, after years of frustrating attempts to obtain even piecemeal tax reforms that would encourage rather than destroy incentive, thrift, and investment, came to the conclusion that only a respected top-level group of able and experienced experts, removed from the pressure of partisan politics, could ever undo the hodge-podge mess of laws, amendments, regulations, and interpretations into which our Federal tax codes have deteriorated in the dynamically changing social and economic world in which we have been living during the last several decades.

Officers of the Investors League, testifying before the platform committees of the 1956 national conventions of both major political parties, urged creation of such a Tax Commission as their No. 1 proposal.

Our methods of taxation are obsolete. Methods of doing business have changed and have kept in step with economic conditions. In fact, our way of living has changed, but yet our tax laws are nothing more than amendments to amendments. It might truthfully be said that the tax laws presently on our statute books do not reflect present-day economics. It would, therefore, seem that the best brains and tax experts should be obtained to make this objective study on what is the very backbone of the Nation's economic power. Experts in this field are not necessarily elected officials, and unless provision is made by an act of Congress to utilize their services we will miss a great opportunity for national well-being. With a world constantly being made better by objective research conducted on the largest scale ever known, we are preventing our citizens from reaping the material benefits of their own productive efforts by taxes which unfairly drain off their savings, and, if left unchanged, will surely reach down and destroy the very job security on which most of them depend for existence. Immediate and thoroughgoing tax research right now is imperative to the survival of those things which Americans cherish most deeply.

Certainly, no Member of Congress can conscientiously object to the creation of the type of Commission which you and your esteemed associates have proposed. After all, they are not bound to accept the recommendations of such a Commission. Final lawmaking will still be in their hands. But this legislative atmosphere will have been clarified. Our voting citizens will have been objectively informed of the issues involved and will be in a better position to present their views to their elected Representatives.

Sincerely yours,  
WILLIAM JACKMAN,  
President.

From a leading businessman in Chicago:  
FEBRUARY 6, 1957.  
Hon. ALEXANDER WILEY,  
United States Senate,  
Washington, D. C.

DEAR SENATOR WILEY: I appreciate the opportunity to express my views on your bill, S. 769, providing for a commission on Federal taxation.

A thorough study of the Federal tax structure is certainly much needed. The rapid growth of Federal spending, I am afraid, has been responsible for much hurried and poorly conceived tax legislation over the last decade. I believe it would prove most beneficial to all concerned, individuals and businesses, both large and small, to have a nonpartisan, carefully appointed committee of great competence review all tax provisions to determine whether they should be changed, replaced, or eliminated entirely.

If it will be of assistance to you to quote from this letter, I would be agreeable but would prefer that this be done without personal reference.

Sincerely yours,

From a leading businessman in Pittsburgh:  
FEBRUARY 13, 1957.  
Hon. ALEXANDER WILEY,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR WILEY: \* \* \* I am heartily in favor of a thoroughgoing review of our Federal tax system by a Hoover-style Federal Tax Commission. A calm, objective appraisal by experts with a legislative mandate but outside the arena of politics is surely desirable.

#### IMPROVEMENT OF GOVERNMENT ACCOUNTING PROCEDURES

Mr. PAYNE. Mr. President, recently the Comptroller General of the United

States issued the eighth annual progress report under the joint program to improve accounting in the Federal Government. This factual report is an excellent statement of the very outstanding work which is being done by our responsible fiscal officials, particularly the Secretary of the Treasury, Mr. Humphrey; the Director of the Bureau of the Budget, Mr. Brundage, and the Comptroller General, Mr. Campbell, who are jointly responsible for the program to improve accounting. In connection with the issuance of the progress report, the General Accounting Office has prepared a summary which sets forth the highlights of steps that have been taken to improve procedures in the past year. I ask unanimous consent that this summary be printed in the CONGRESSIONAL RECORD.

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

#### ILLUSTRATIVE HIGHLIGHTS FROM 1956 PROGRESS REPORT UNDER THE JOINT PROGRAM TO IMPROVE ACCOUNTING IN THE FEDERAL GOVERNMENT

This is the eighth in the annual series of reports of accomplishments under the joint program started in 1948. Each of the annual reports contains illustrations of progress in a particular year. This report contains illustrations of accomplishments during the period from January 1, 1956, to September 30, 1956.

This brief summary can only include a few of the many illustrations contained in the report. The items are selected to (1) indicate the more important general developments, (2) identify major areas involving agency financial management improvements, and (3) indicate several types of identifiable savings. Savings which resulted from management use of better financial data are not selected unless they were specifically measured.

#### A. GENERAL DEVELOPMENTS

These include representative activities in which the three central agencies (General Accounting Office, Budget Bureau, and the Treasury) furnished joint leadership in the governmentwide aspects of the improvement program, and other matters of government-wide applicability and significance.

Public Law 863 and other financial management legislation was enacted in 1956 to carry out recommendations of the Hoover Commission for the modernization of the budgeting and accounting practices of the Government. Internal organizational changes and strengthening of the Bureau of the Budget provided more active leadership within the executive branch in the development of needed improvements in the agencies. A program has been started to develop a time-phased plan in each executive agency for the installation and maintenance of better financial management practices.

Central accounting and reporting: The central accounts and certain reports of the Government were expanded to include cash assets and related liabilities for such items as bank balances which Government corporations maintain in commercial banks, deposits in transit, imprest and cashier funds, outstanding checks, etc., in order to provide more complete information on the Government's cash operations.

Budgeting: The 1958 Budget Document, prepared in 1956, contains cost-based budgets for 46 appropriations, an increase of 42 over the previous year. Such budgets are based on accrual accounting systems used by the agencies. In addition, cost information developed from agency accrual accounting systems was submitted to the Bureau of the

Budget in justifying the budgets for another 13 appropriation requests. Efforts toward the development of common classifications for programming, budgeting, accounting, and reporting have resulted in improvements in the appropriation and activity structure of 36 independent agencies and constituent units of Departments in the 1958 budget.

**Overseas operations:** The extension of the joint program to European operations developed improved methods which resulted in utilization by the United States Army in Europe (USAREUR), in the first 2 months, of property valued at more \$1 million which had previously been classified as excess material to be disposed of. Later information has been received that USAREUR has recovered approximately \$15 million of such material for use through October 31, 1956. Simplification of inventory pricing methods by United States Air Forces in Europe (USAFE) will result in savings in excess of 1 man-year per overseas airbase.

**Electronic data-processing systems:** The rapidly expanding use of electronic equipment and methods in office automation has highlighted the need for a comprehensive inventory of such equipment in use or planned for use in the Government and its application. This survey was started by the General Accounting Office late in 1956.

#### B. AGENCY PROGRESS

The various examples of agency progress set forth below have been selected from part II of the report to give some indication of the diversified nature and breadth of coverage of the financial management developments and improvements carried out by the individual agencies largely on their own initiative within the broad principles and objectives of the joint program. These examples do not, of course, show the full picture of the total progress that has been made in the agencies this year.

Revised accounting systems were approved during the year by the Comptroller General for the Office of Information and the Foreign Agricultural Service of the Department of Agriculture. To date, five revised accounting systems of individual agriculture agencies have been approved and the revision, modernization, and simplification of the basic accounting systems of all other agencies of the Department is in active process.

In Department of Commerce, the Bureau of the Census has installed a revised accounting system on a cost basis, and has made revisions in its budget structure resulting in a simplification of the allotment pattern and a more consistent classification in programming, budgeting, accounting, and reporting.

Forty-two finance and accounting offices were established at Department of the Army installations during 1956, bringing the total number of such offices to 263. The finance and accounting offices combine the disbursing, payroll, and allotment accounting functions previously carried on in separate offices, using principles of double-entry bookkeeping and general ledger control with elimination of duplicate recording of expenditures in the command and disbursing channels. The Army Command Management System, which employs principles of accrual accounting, and other systems employing similar principles, have been installed in camps, posts and stations, depots, and engineer districts and divisions in continental United States. The number of budget programs, projects, and subprojects has been substantially reduced. An operation comparable to a commercial supermarket, referred to as the self-service supply center system, has been developed to simplify the distribution of expendable supplies and is being tested.

In the Department of the Navy five additional classes of material amounting to ap-

proximately \$800 million were included in the Navy Stock Fund. The capital of the Navy and the Marine Stock Funds amounts to \$2.5 billion with annual sales approximating \$1.1 billion. The installation of a new system of financial management was completed in all naval hospitals. Accounting aboard ships has been simplified.

The Department of the Air Force has extended the depot maintenance management improvement program, tested at one depot last year, to 9 other depots and the general pattern has shown an increase in productivity of about 30 percent. The General Supplies Division of the Air Force Stock Fund was expanded to include base support stocks at all zones of interior depots and by June 30, 1957, will include such stocks on a worldwide basis. The procedures relating to reimbursements between Army and Air Force were simplified.

A study of manpower utilization in the Accounting Operations Branch of the Office of the Secretary, Department of Health, Education, and Welfare, has resulted in substantial elimination of duplication, and simplification of requirements and procedures. Other streamlining and simplification of accounts and procedures were made in the Public Health Service and the Bureau of Old-Age and Survivors Insurance.

The 1958 budgets of several of the constituent agencies of the Department of the Interior were submitted on a cost basis.

Paperwork simplification in the Department of Justice resulted in elimination of 92 separate forms used by United States Attorneys and Marshals. The Immigration and Naturalization Service conducted an intensive program for improvement of allotment accounting, and the unliquidated obligations at June 30, 1956, were reduced by more than 50 percent in comparison with the previous fiscal year.

The Post Office Department completed the transfer of the function of issuing pay checks to the 525,000 employees of the postal field service from approximately 38,000 post offices to 15 regional controller offices; has mechanized substantially all of the payroll procedures; is developing unit cost techniques for management purposes; adopted the system of accounting and reporting in terms of 4-week intervals (13 times in a year); obtained legislation and adopted procedures which permitted simplification in agency reimbursement for the use of penalty and franked mail; is conducting a test program to consolidate daily payments of COD collections on a single check; has extended the use of the 3-part money order card form to all post offices; will replace over 5,400 forms by the development of about 55 new forms; and generally has made many refinements in the extensive accounting and related improvements begun in 1953.

Control procedures were strengthened in the overseas fiscal operations of the Department of State. The International Boundary and Water Commission has installed an accrual accounting system and prepared its 1958 budget on a cost basis. The Passport Office has reduced the paperwork required in the application for and issuance of passports and installed a simplified accounting system. The consolidation of the unliquidated balances of prior years' appropriation with fiscal year 1956 appropriation of the International Cooperation Administration resulted in a net decrease of 67 allocations (cash) accounts and a net decrease of 115 allotment accounts.

On August 1, 1956, the Office of the Treasurer of the United States installed the first phase of operations utilizing electronic equipment for the payment and reconciliation of the 350 million checks issued by the Government each year. It is planned to complete the conversion of this operation to electronic processes by July 30, 1957. Progress to date in using electronic methods has

confirmed the estimate of more than \$2 million a year recurring savings reported last year.

The Division of Disbursement (Bureau of Accounts) of the Treasury Department extended the use of the thermal method of check preparation to all regional disbursing offices in Continental United States and expanded the use of the bill-feed process. Revised systems of appropriation accounting and collection accounting were adopted by the Bureau of Customs. Simplified accounting controls and procedures were installed by the Bureau of the Mint for processing uncirculated coins returned to the mints for redemption. The method for computing and reporting interest on the public debt was changed from a due and payable basis to an accrual basis by the Bureau of Public Debt.

The Atomic Energy Commission is studying the problems involved in developing a standard accounting basis to reflect the operating economics of nuclear electric generating plants. Civil Aeronautics Board has simplified paperwork requirements on the carriers by procedures for the submission of punched-card machine listing of flight and mileage data as support of monthly subsidy vouchers. Federal Civil Defense Administration is mechanizing its accounting procedures. General Services Administration installed a new accrued cost system and revised the accounting procedures of the Nicaragua project. Interstate Commerce Commission installed a revised accounting system. The valuation of about \$630 million of fixed assets transferred to the Panama Canal Company from the Panama Canal (agency) was completed. The St. Lawrence Seaway Development Corporation, created in 1954, maintains its accounting on the accrual basis, uses cost-type budgets, and prepares reports which compare work accomplishments with the budget and program schedules. Under a revised procedure of retirement accounting in the United States Civil Service Commission, the number of certifications of the regular monthly annuity roll was reduced from 206 to 6. Veterans' Administration revised its management reports to increase their effectiveness in facilitating executive decisions; developed increased use of budgets on a cost basis; refined its cost accounting systems and procedures; made further improvements in its systems of accounting and internal control; and expanded mechanization procedures to additional areas of operations.

#### C. EXAMPLES OF SAVINGS

The evolutionary nature of improvements in financial management systems and techniques produces long-range benefits which cannot always be expressed in terms of direct and specific dollar savings. However, examples of substantial savings due to simplifications and improvements during 1956 are recognizable in some of the accomplishments reported by the agencies. Many of these are of recurring significance. Among these identifiable savings are:

1. A substantial number of cases, involving a large volume of documents, which previously were sent to the General Accounting Office for settlement as claims will be settled directly by the agencies under Public Law 798 enacted in 1956. As a result, the General Accounting Office estimates it will eventually save \$600,000 a year by releasing or reassigning personnel to more important work.

2. The first year's experience with Government purchase of blanket, position schedule, or other types of surety bonds on employees reflects annual savings to the Government at the rate of \$100,000 a year with an increase of more than 50 percent in the amount of indemnity protection. At the same time, the employees (who were previously required to pay for and furnish individual surety bonds) saved \$1,700,000 a year.

3. As the result of an intensive utilization survey in Farmers' Home Administration, 2,500 items of nonexpendable property, with an inventory value of \$62,500, have been released and 1,800 items have been set aside for planned reserve.

4. Department of the Army saved \$1,500,000 through improved management and related accounting and cost control systems at locations financed by industrial funds.

5. The Department of the Navy also reported savings of about \$1,500,000 at similar Navy locations. Revisions of Navy military pay procedures reduced exceptions by the General Accounting Office by about \$800,000 in 1956. Improvements in financial management practices resulting from the Navy internal audit program (including contract audits) resulted in procurement savings of \$166.4 million; \$50,000 in the elimination of nonessential positions and \$400,000 in the elimination of duplicate and unnecessary records; \$25,000 in the discontinuance of a superfluous officers' mess; and a reduction of \$2.8 million in the stock fund of 1 activity.

6. During the first 18 months of operation of the General Supplies Division of the Air Force stock fund, inventories were reduced by more than \$32 million.

7. Improvements in the accounting operations of the Office of the Secretary, Department of Health, Education, and Welfare, resulted in recurring annual savings of \$17,000.

8. An improved procedure for certifying earnings for disability claims in the Bureau of Old-Age and Survivors Insurance will save \$62,000 annually.

9. Immediate savings of \$147,000 resulted from improved procedures relating to 8 million accounts of the Bureau of Old-Age and Survivors Insurance with individuals to which there is infrequent reference, and annual recurring savings of \$28,000 are estimated.

10. Annual savings of \$93,000 are estimated from other procedural improvements in the Bureau of Old-Age and Survivors Insurance.

11. Improvements in the methods of operation of the Passport Office resulted in annual savings of about \$150,000.

12. Improved check preparation processes in the Division of Disbursement, Treasury Department, resulted in savings in excess of \$100,000 during 1956 and annual savings of about \$25,000 are estimated to result from improvements in accounting for transactions of disbursing officers in foreign areas.

13. Improvements in accounting for public-debt transactions in the Bureau of the Public Debt will make possible annual savings of \$36,500.

14. Stemming from a program of study conducted by the Atomic Energy Commission on the problem of providing adequate insurance coverage for designers, contractors, and operators of private power reactors, insurance syndicates were formed to make available a liability coverage capacity of \$50 million to \$65 million for any one accident. This reduces the possible need for a Government indemnity.

15. Annual savings of about \$100,000 resulted from improved payroll procedures in the Panama Canal Company-Canal Zone Government.

16. By adopting mechanized procedures, the Government's cost of serving the members of former employee beneficial associations whose life insurance contracts have been assumed by the Civil Service Commission is \$75,000 a year less than the cost previously incurred by the beneficial associations.

17. A system of general ledger control accounts, improved control of accounts receivable and travel advances, and a more effective collection system reduced the outstanding balances of delinquent accounts in the United States Information Agency from

\$92,000 at June 30, 1955, to \$5,000 as of October 10, 1956.

18. Estimates indicate savings of approximately \$438,000 a year will be realized from the adoption of mechanization procedures for an additional number of high volume insurance operations of the Veterans' Administration.

19. Improvements in the accounting system and related procedures of the United States Government Printing Office resulted in a reduction of 3.7 percent in accounting personnel despite an increase in the volume of the agency's operations; an annual savings of about \$70,000.

#### NATURAL RESOURCES: A CONTINUING CHALLENGE TO DEMOCRACY AND DEMOCRATS

Mr. NEUBERGER. Mr. President, during the past weekend, a most significant conference of the Democratic National Committee was held in San Francisco, Calif. The place and the occasion derive particular significance from the fact that the West was the region of our country in which liberal and forward-looking candidates of the Democratic Party made their greatest gains in elections on the Federal, the State, and local levels.

The senior Senator from Oregon [Mr. MORSE] attended this conference and, in a major address to the conference, he set forth with his characteristic clarity and forcefulness some of the reasons why Democratic candidates scored wide successes in the Far West—the region in which the conservation and the best development of natural resources are the outstanding issues of national policy.

I ask unanimous consent that the address delivered by the senior Senator from Oregon at the Democratic National Conference in San Francisco, Calif., on February 16, 1957, entitled "Natural Resources: A Continuing Challenge to Democracy and Democrats," be printed in the CONGRESSIONAL RECORD.

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

#### NATURAL RESOURCES: A CONTINUING CHALLENGE TO DEMOCRACY AND DEMOCRATS

(Address of Hon. WAYNE MORSE, of Oregon, at Democratic National Conference, San Francisco, Calif., February 16, 1957)

Fellow Democrats: It is a pleasure, as well as a privilege, to join with you in this party conference. My pleasure is all the greater for being here with Oregon's great new Democratic Governor, Bob Holmes. With little more than 1 month of service, he already has demonstrated the vigor and vision which are the hallmarks of leadership.

Bob Holmes is further proof that there is at least one outstanding characteristic of an Oregon Democrat—you know where he stands. We are an outspoken lot. This past year in Oregon, Democratic candidates told the people what they believed and offered an affirmative program of progress in the public interest. That program was responsible to the needs and aspirations of the people—and they voted for it. As a result, the Democrats of Oregon were successful. Our campaign started when the Eisenhower administration took over. DICK NEUBERGER and EDITH GREEN, with the support of men and women like Howard Morgan, Monroe Sweetland, Jebby Davidson, Virginia Grant, Bob Boyer, Edna Scales, and hundreds more with

faith in the future of liberalism forged a new party. The first great gains were won in 1954 by the election of Senator NEUBERGER and Congresswoman GREEN. Two more candidates for Congress—CHARLIE PORTER and AL ULLMAN—forged to within scoring distance. Between 1954 and 1956 they kept up the battle for liberalism, and now Oregon has a delegation in Congress consisting of 5 Democrats—with 1 to go. In 1958, we'll finish that job.

These successes are not mere party successes. They are evidence of the need of our people who respond when competent liberal candidates, supported by a dedicated corps of party members, present a forward looking program between elections, as well as during the campaign.

With such a combination, Oregon and the Pacific Northwest are no longer outposts of the Democratic Party—they are a fortress for liberal government. What are the lessons to be learned from the 1956 election results in Oregon, Washington, Idaho, Montana, and Colorado and the great progress made in California and other Western States? What do those results show about what the people need and want?

Providing the answers to those questions is a man job of this conference. Upon those answers and what Democrats do about them depends the future of liberalism in our country. For this we know—the Republican Party's much advertised modernity is only word deep.

#### AMERICA'S FUTURE DEPENDS ON WISE USE OF RESOURCES

There is little doubt that throughout the West a major issue in the 1956 campaign was the wise use of natural resources.

It was my privilege to address the Democratic Convention at Chicago. On that occasion I discussed three major subjects—constitutional liberalism, the need for development of human resources through education and natural resource development. They have an intimate relationship—the realization of spiritual, intellectual, and material potentialities for a full and free life.

In this discussion of natural resource policy I can do no better than repeat and reemphasize some of the points I made at Chicago and relate them to the situation in which the Nation and our party find themselves now.

Events since last summer underline some lessons of history. With modern speed of communications and technology, the world frequently experiences in a matter of months great movements and crises which in earlier times took years and decades to unfold. Since August we have undergone a major world crisis, a shift in national power relationships which may be as profound as the slower changes which matured into new international alignments during decades in the 19th century.

The Suez crisis is a problem—a whole complex of problems—all by itself. I will not discuss it here, but it has reinforced a grave lesson—the tremendous dependence of whole nations upon a natural source of energy—in this oil. The upheaval of the last eight months has given us a warning. We have seen how the stoppage of oil supplies to Europe has threatened the ruin of the Western Alliance, the collapse of the economy of Western Europe and elevated the political relationships in and with a neglected area—the Middle East—to a position of prominence and crisis.

The whole story is not oil, but it is much of it. And what is oil?—a natural resource for the production of industrial power and fuel for transportation. It is in limited supply—a nonrenewable resource.

Aside from the international aspects of the Middle East, this oil crisis is a warning to us in the conduct of our national affairs. I submit that it is this: we must conserve

and develop our natural sources of power and water at home to insure adequate supplies for the future needs of industry, farming and our homes.

Europe, which has greater sensitivity than we do to the problems of survival, has learned this lesson. In the past few months Western Europe has laid plans for the speediest possible development of commercial atomic power to reduce dependency upon oil for industrial power.

Our domestic oil supply situation is not so critical. But this latest lesson should not be lost upon us. We must plan now to meet our future needs, not only for power, but for an even more critical natural resource—water.

We in the West know how close is the relationship between water and power. Those needs are not limited to the West.

The need for water particularly may prove to be an absolute limitation upon all growth throughout the Nation. There is hardly a community in the country which is not now struggling to insure adequate water supplies for industry, agriculture and homes.

For years now the Great Plains have been gagging upon the dust of an historic drought. So, for example, in the prodigious State of Texas, 244 counties out of 254 have been declared disaster areas because of lack of water.

The heavily settled East is scrambling and scratching to meet increasing needs for water for rapidly expanding populations. Pollution from industry and sewage—too long ignored—is proving a major problem in the new search for water.

California has a chronic water supply problem and is now gripped by a water policy crisis.

Water cannot be made. There are pioneering studies on the conversion of sea water to fresh water. This program, begun under a Democratic administration, has become all but becalmed during the past 4 years. We must press forward with it for the growing needs for water are urgent. The water conversion program may bring relief. For the foreseeable future, we must use more conventional means—conservation and storage.

The first step is recognition of the problem. It is a national problem requiring bold action and determination to formulate programs to prevent our growth from drying up.

#### SUCCESS IN THE WEST

There is no need to start from scratch. More than 50 years of experience in the West point the way. The history of western reclamation points the way for the future.

As I said in Chicago, it was Theodore Roosevelt who gave this Nation its philosophy of conservation and comprehensive development.

The underlying principle of that program—carried forward by men like Norris, Borah, Hiram Johnson, McNary, Franklin D. Roosevelt, and Harry S Truman—is great in its simplicity: natural resources belong to the people and must be developed and used for the greatest public good in the long run.

That principle of justice requires observance of sound engineering through resource development on a comprehensive, basin-wide basis. That principle applies with special force and pertinence to a water-rich area such as the Columbia River Basin. We have seen it applied with great success in the Tennessee Valley.

#### TVA'S RECENT FLOOD ACHIEVEMENTS

In recent weeks, for example, the Tennessee Valley experienced an epic flood. Because of TVA, it was possible to keep it within bounds and probably the greatest and most successful flood fight in history was carried out.

If the Hoover veto of TVA had not been reversed by Franklin Roosevelt, that basin-wide system of flood control, electric power capacity, erosion control and related purposes would not have stood between the people and the physical wealth of the Tennessee Valley on one hand and the Tennessee River system on the other. Conservative estimates are that the flood savings of the past weeks were \$65 million at Chattanooga alone. In less than 20 years property equal to more than half of the flood control cost of TVA has been saved from flood damage.

#### POWER AND WATER FOR GROWTH

The TVA flood-control system was economically feasible because of the value of TVA electric power. That is one lesson. Another is that a flood fight of this dimension can be a success only when all storage facilities are operated on an integrated basis by one agency which has the authority to move quickly and effectively without regard to temporary losses of power revenue.

So it is in the West. Western water conservation for irrigation and domestic use is not possible on an adequate scale without hydroelectric development. Power is the one element of multipurpose projects that pays for itself quickly enough to make these projects feasible. Let us not forget that power revenues make possible water conservation for irrigation and domestic use. We have the further example of Grand Coulee.

Maximum economic water development can be achieved, as Theodore Roosevelt foresaw, only on a multipurpose comprehensive basis. When we do less, we waste the people's substance.

These are the elements of the fight over Hells Canyon. The Columbia Basin is blessed with tremendous water resources. They also pose a major flood threat. That water flows through areas that cannot produce anything more than sagebrush without irrigation.

Hells Canyon is the greatest remaining dam site in the Nation. Yet the Republican administration has been ready and willing to hand it over to gross underdevelopment for a private profit. Ready and willing—yes. Thanks to Democrats and widespread popular opposition, it has yet to prove itself able to finalize the giveaway.

High Hells Canyon is indispensable for maximum power production, flood control, and aid to irrigation. Its almost 4 million acre-feet of storage, if lost, will be sorely missed in not too many decades simply as a water-storage project. Without the public power revenues of projects like Hells Canyon, irrigation on a large scale will not be possible.

#### PARTNERSHIP: A FRAUD

For this reason, among others, the Republican administration favoritism for private utility power development and so-called partnership is a fraud upon the people. For the private utility scheme at Hells Canyon and such partnership projects as Bruce's Eddy rob the Nation of revenues needed for feasible flood control and irrigation. In the Northeast the administration is shortchanging heavily settled areas on the flood control so badly needed. In deference to the private utilities it is concentrating on small reservoir projects, where larger dams are needed for more adequate flood control which only public hydroelectric revenues could make possible.

#### FAIR SHARING OF BENEFITS

In my speech at the Commonwealth Club I discuss the need for fair sharing of water project benefits. Without such sharing these projects will meet strong opposition in Congress. Public investment cannot be justified where the public does not derive the maximum benefit.

#### ADMINISTRATION "BUSINESS AS USUAL"

Despite the election results in the Pacific Northwest and other States where resource policy was a major issue, the Republican administration has carried on "business as usual."

It has yet to make any substantial change in policy. In the Hells Canyon area it holds out promises of a study of a high Pleasant Valley Dam. It is a phony high dam which would waste the full potential of the Snake River. The administration has made no adequate move to meet the water and low-cost power problems of the Missouri Basin or the Southwest. It continues unchanged its phony partnership proposals in California.

Worst of all, the administration is wasting valuable time in continuing its lost fight for partnership when it should return to the bipartisan policies of the two Roosevelts, Johnson, McNary, Dill, Borah, and Norris, and thereby meet the actual needs of the Nation.

The unfair, indefensible resource policies of the Republican administration's first 4 years have not changed. Some feel that the new Secretary of the Interior, Fred Seaton, has changed the administration's unpopular program. Where is the evidence? Not at Hells Canyon, not at John Day, not at Trinity, not in the Southwest or Southeast Power Administration areas.

To take one example in the resource field: Has Seaton made a move to revoke or suspend the regulations or licenses for oil drilling in wildlife refuges? To the contrary, he made his main business in Oregon last summer the defense of those invasions of the refuges.

No; the sad truth is the "elephant" has not forgotten, and it has not learned. And Seaton either will not or cannot teach it new tricks. To change the figure of speech, the production department is unchanged—but the advertising is slicker.

The advertising may fool some people for a while, but not for long because the product is shoddy.

I submit to you that the people are faced by the same problems in the field of natural resources in 1957 and the years ahead as plagued them during the first 4 Eisenhower years.

Therefore, we cannot relax or retreat. The Democratic platform plank of 1956 on natural resources is good. It is sound in the whole resource field, including outdoor recreation. Let us work to put it into practice and resist the administration policies of giveaway and abdication of responsibility.

#### ELECTION LESSON OF 1956

We saw in Oregon, Washington, Idaho, Montana, and Colorado that vigorous candidates who do not pull their punches can defeat administration lackeys. I submit that means candidates who take the issues to the opposition day in and day out—who do not trim their sails to the momentarily prevailing wind.

JOHN CARROLL, of Colorado, is an example. He was a liberal in the House of Representatives. He ran for the Senate as a liberal—and he made it in 1956 without compromising his liberalism and after years of taking the issues to the opposition.

Some ask: What explains the success of the so many Democratic congressional candidates and the Eisenhower victory? I do not presume to give the answer. But I suggest one major reason.

The Democratic national ticket was better than good—it was superb. Adlai Stevenson would have made a great President, and ESTES KEFAUVER was a great running mate, as he is a great Senator. They made a fighting campaign.

The last weeks of the campaign were strange indeed. Fear, engendered by the Middle East crisis, enabled the administra-

tion to benefit from its own mistakes. That was one factor—and no news.

What I would emphasize is that the Democratic Party never really took the gloves off with Dwight Eisenhower. Not enough Democrats attempted to pierce the protective curtain the press threw around the popular hero. There were a few of us. Paul Butler was one who took the issues to President Eisenhower. Quite a few here today did, too. But the issue-making was left, by and large, to the campaign.

This administration was vulnerable from the day it took office when it attempted to steamroller through a Cabinet riddled by conflicts of interest. Only a few of us opposed Wilson, Talbott, and Kyes.

Dixon-Yates was a national scandal—but few dared to ask—where was President Eisenhower when the swindler was incubating? Where, indeed, was he when it was brought out into the open and exposed? He continued to defend it. But only a few of us dared to criticize him for it. For our pains, we were criticized for bad taste, extremism, and a few other things as well.

A few such efforts were not enough. The public's understandable desire to admire a President, press protection, propaganda from the beneficiaries of the administration's policies required massive rebuttal. It did not take place.

#### LET'S NOT REPEAT THE MISTAKE

That is behind us. What is done cannot be undone.

But we can do better for the future. \* \* \*

The Democratic Party has won when it was liberal and aggressive in the public interest. We will win again—and only will deserve to win again—when the Democratic Party, not just its candidates, but the party is true to the great traditions of Jackson, Jefferson, Wilson, Roosevelt, and Truman.

#### THE NATIONAL GUARD

**Mr. CHAVEZ.** Mr. President, a few days ago, Secretary Wilson of the Defense Department, expressed his opinion with reference to the National Guard. I am a strong advocate of expressions of opinion even when the opinion may be incorrect, so my statement today is not in the way of criticism of the right of the Secretary to express opinion, but inasmuch as I happen to know and am acquainted with the fine services rendered by the National Guard in all wars, throughout the history of our country, I feel justified in making this statement.

During World War II, New Mexico's entire National Guard was in the Philippines. There they fought under General MacArthur and stayed with General MacArthur after MacArthur left the Philippines. They fought all over the islands, in addition to their activities around Bataan. Hundreds of them died in those activities. Others became prisoners of the Japanese, went through the "death march," learned how to plant and eat rice, and suffered intensely. They stayed there until liberation by American troops. Those who returned to New Mexico are still suffering as a result of their participation in that military campaign.

I ask unanimous consent that the roster of the New Mexico boys who were in the Philippines be printed in the RECORD at the end of my remarks. I ask unanimous consent that the names be printed with a cross before the names

of those who did not come back. The roster which I am sending to the desk contains the names of those boys, and there is a red cross before their names.

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

Headquarters, Provisional CA Brigade: Charles G. Sage, †James H. Hazlewood, William B. Reardon, †Alfonso B. Melendez, Thomas R. Taggart.

Headquarters Battery, Provisional CA Brigade: Alvin W. Garrett, Joe B. Gutierrez, Arthur J. Harrison, †Edward H. Hein, †Wallace A. Howe, Clarence M. McCan, †Barney E. Prosser, †Frank B. Sarracino, Abelino Vigil, Lonnie M. Weaver.

Headquarters, 1st Battalion, 515th CA: †John W. Turner, Jr., George W. Henfing.

Headquarters Battery, 1st Battalion, 515th CA: †Otho L. Shamblin, Earl R. Brown, J. W. Ashcraft, Robert L. Johns, Mark A. Smith, †Garrison V. Beck, †Robert L. Blauer, †Milton Kilwy, Lee R. Montgomery, Jr., †Cleophas Millard, †Harmon E. Boyd, David J. Rubio, Larry R. Sandoval, †Billy J. Thomas, Gregorio M. Villasenor.

Regimental Headquarters, 515th CA: Harry M. Peck, †John C. Luikart, Jack K. Boyer, James W. Donaldson, Cash T. Skarda, †Allan B. Walker, †George R. Brown.

Headquarters Battery, 515th CA: James McMinn, †John F. Beall, †Karl W. Schrader, Charles M. Brown, †Leonard W. Skiles, †Darwin C. Becker, †Adrian R. Martin, Delbert H. Brooks, †James R. Cain, Jesse L. Finley, James M. Hamilton, †James S. Miller, †George M. Jones, John L. Moseley, †Charles M. Burrus, Calvin R. Hutto, Wilson W. Jones, †John A. Keeler, †Robert L. Rodgers, Edwin S. Lockard, Jessie W. Adkins, Miguel N. Chavez, Melvin C. Waltmon, Ralph F. Clark, Lee R. Pelayo, †Alfonso B. Sanchez, Melvin T. Waldrop, Melvin F. Welsh, Lee J. Gardner, †Arthur W. Robbins, Ted T. Thomas, †Richard E. Frere, †Jose A. Sena, Virginio P. Vilalreal, Robert R. Roehm.

Headquarters Battery, 200th Coast Artillery: Memory H. Cain, †Oliver B. Witten, †Ottis C. Bryant, Anthony R. George, †Frederick B. Howden, Jr., Tom J. Sawyer, James H. McCahon, †Howard G. Craig, Robert J. Compton, †Neal B. Shimp, Louis P. Lutich, †Nelson W. Apple, Arthur M. Baclawski, Thomas C. Burrell, Brooks B. Lewis, Maynard C. Meuli, Warren W. Whelchel, †Jack G. Erwin, James T. Huxtable, Joseph L. Pasquale, Lonnie M. Weaver, Lawrence H. Byrne, Thomas E. Atkins, †Glenn O. Warner, Earl F. Wyckoff, Willard F. Zimmerman, †Duane H. Flohrs, Glenn R. Haynes, Jack S. Lewis, Carlos R. Montoya, Alfred Poe, Angel H. Sakelares, Fred M. Brewer, Bernard E. Brooks, George E. Darling, Virgle I. Ford, Joe B. Gutierrez, Y. C. Lindsay, Clarence M. McCan, †Jim E. Schwartz, Robert N. Bell, †Joseph T. Brown, Jonathan P. Burns, Norman J. Chesser, Thomas G. Cisneros, Kleo I. Curry, †Pedro A. Diaz, John E. Garner, †Wallace A. Howe, Robert G. Johns, Buell McCubbin, Louis O. Mendoza, Alberto D. Pacheco, †Barney E. Prosser, Fred D. Thompson, Ralph Waldron, Thomas W. Welch, Sidney R. Wolf, †Clinton V. Wolfe, †Fred W. Zumwalt, Frederick S. Almeraz, †Manuel G. Almeraz, Sixto O. Aranda, †Julio T. Beserra, William L. Bruce, Earl V. Burhans, †Eugene Burruss, Francisco H. Chaires, Jose S. Chavez, Pablo A. Diaz, Roberto W. Estrada, †Antonio J. Gallegos, †Ramon S. Garcia, Alvin W. Garrett, Willis P. Graves, Irving Gulbas, Donald E. Hill, †Donald R. Kros, †Jack L. Lansford, Carl M. Long, Carlos T. McDermott, Stephen L. Malak, †Rufus A. Patterson, †Juan B. Pena, Norbert R. Roessler, Gunnar E. Sacson, Lawrence A. Weisdorfer, †Joe M. Williams.

Headquarters Battery, 1st Battalion, 200th Coast Artillery: Winnifred O. Dorris, †Fred

H. Jordan, †William C. Schuetz, Antonio A. Montoya, James A. Burnett, †Kenneth A. Campbell, Robert J. Dunsworth, Earl W. Guye, †Frederick C. Miller, Clark G. Smith, J. B. Francis, Neal J. Harrington, William J. Leiker, Robert K. Orrill, James F. Schinner, †Alonzo Dotson, Arthur H. Gilcrease, †Raul Huerta, †John P. Patton, †Willis L. Rogers, Jollie Bailey, †Grady Boyd, Bob A. Campbell, Manuel Carrillo, Charles L. Duncan, †Richard D. Ewing, Migue E. Gallegos, Harold C. Gilman, Arthur J. Harrison, Charles D. Harvey, Ed M. Hern, Frank N. Lovato, Chester J. Perehinczuk, †Frank B. Sarracino, Sidney O. Stephens, †Richard H. Updike, Jr., †Auben E. Armstrong, Thomas Barka, Leonard R. Bell, †Elzie L. Cast, †Filimon C. Castillo, Clovis G. Chavez, Joe D. Chavez, Clifton Cockrell, Delfido L. Duran, Eldwin J. Eagle, Reynaldo Gallegos, †Manuel T. Garcia, †John H. Gipp, Edward H. Hein, John Holyak, Willie C. Jarnagin, Leopoldo Lujan, †Elias Manzanares, †Juan F. Mosley, Paul M. Owen, †Pedro Pacheco, †Lloyd G. Paulson, †Leo Pitman, Archie D. Stever, Pedro Tenorio, †Charlie J. Viasak, Edward Warren.

Headquarters Battery, 2d Battalion, 200th Coast Artillery: †Henry M. Miller, †Clyde E. Ely, Jr., †Ted E. Parker, †Douglas L. Meek, †J. M. Smith, Olin W. Johnson, Solly P. Manassee, Lester A. Morrison, William W. Wisdom, Robert L. Aldrich, †Thomas C. Bowman, †Cam A. Prince, Jack H. Aldrich, †Doyle R. Greathouse, †Roy Lee, †Edward LeVelle, Robert Lucero, Wendelin F. Tixier, Mario G. Tonelli, †Samuel C. Begley, †Frank S. Bishop, †Billie M. Black, William J. Dosher, J. T. Hill, John B. Hoyl, †Roy J. Hutton, Carl V. Irton, Jefferson O. Lightfoot, †George P. McMillan, †Douglas W. Miller, Heinz L. Rhee, †Harry A. Rogers, Orie B. Weeks, Don C. Adair, †Rubin M. Althaus, †Matias A. Armijo, Martin Berlanga, †Gilbert G. Chalk, Jr., Clem J. Cherne, †Warner W. Cummings, Nick L. Gallegos, Claude A. Htach, †Leland L. Keeton, Joe L. Kleyoomia, Cleovis M. Lee, †Walter L. Lee, †Candido Luna, Gabriel B. Montano, Gordin L. Morris, †Clement J. Novinski, Ernest D. Prehm, †Santiago S. Saiz, †McKean D. Taylor, Eloy Valdez, Harold L. Whitmer.

Battery A, 200th CA: †James E. Sadler, Jr., Daniel W. Jopling, †Thomas M. Lambert, †Lee C. Tucker, †Lawrence C. Van Cleve, Roy M. Chaffin, Gottlob C. Muller, Timothy C. Muller, Timothy H. Smith, †Reynold P. Armijo, David J. Duran, Harold J. Gannon, †Justin G. Gray, Henry A. Lovato, †Paul D. Millenbaugh, †Richard C. Prettner, †Elbert L. Ruebusch, Juan T. Baldonado, †Llewellyn I. Calkins, †Ernest A. Chavez, Orlando J. De Venzio, †Kenneth C. Frame, †Pat F. Guest, †Egbert B. McLaughlin, †Art A. Michel, †Vincent C. O'Rourke, Orville F. Padilla, †Francis A. Plomteaux, Jack N. Prueett, Frank S. Romero, †Fidel L. Saavedra, †John J. Wilcoxson, Joseph J. Bandoni, †Eliseo M. Barreras, †Michael R. Duran, Robert L. Evans, †Raymond J. Garcia, Joseph Hays, †James J. Jones, †William L. Knight, William E. Parchman, Louis G. Romero, †Carl C. Whittaker, †Robert E. Witt, †Jeff A. Wysong, †Santa Cruz Atencio, Alfred Baca, Jose M. Baldonado, Leslie J. Carr, W. T. Clements, Richard L. Cordova, Benny J. Daugherty, †Carl E. Deemer, Aaron C. Drake, Peter J. Fresh, Domenic Ferrari, Leslie G. Fleming, †Lee A. Foster, William C. Guenther, Carl S. Harris, †Clayton F. Howell, Sidney R. Hudgens, Rowland H. Hutchins, Merle A. Kindel, †George M. Klockner, †Dale M. McWilliams, Lloyd G. Malnati, Oscar C. Mann, †Manuel O. Marquez, †Roy E. Miller, Tony B. Montoya, Frank C. Nieto, Adrain E. Oldham, †Myron A. Palmbach, Grayford C. Payne, †James V. Pickens, Wayne D. Roberts, Joe S. Romero, †David C. Savoie, Placido P. Serna, †Virgil J. Spiker, Walter A. Starkey, Harry E. Steen, William R. Taylor, †Joseph E. Towner, Eugene C. Vaughn, †Paul A. Walsh, Ben F. Williams,

†Robert A. Wilson, Richard L. Bender, Sam J. Antonio, †Manuel R. Archuleta, Lorenzo Y. Banegas, Julio T. Barela, †Charles R. Beau-doen, Thomas P. Bohn, †Freeman F. Borchert, †Pete Botello, Charles W. Breustedt, †Harris Y. Cady, †Lupe B. Carson, Jose I. Cata, David N. Chapa, Beltran Chavez, †Berto Chavez, †Ernest H. Cheama, †Edward Cor-dova, †Hilario Cordova, Guadalupe F. Cortez, †Glenn L. Crabtree, †Robert E. DuBois, Joe I. Duran, Henry B. Foster, Louis Fredieu, †Leonard P. Fulton, †Manuel O. Gaitan, †Enriques Garcia, †Clifford L. Grafton, Edward C. Greer, †Iulus A. Griffin, Eleto Gu-tierrez, †Claude B. Haws, †Jess C. House, †George T. Holton, Elvin E. Jackson, †Tere-cino Jaramillo, Everett M. Jones, †Antonio Kasero, Norbert J. Kranc, Dave B. Lawson, †Seferino Lente, †Virgil L. Looney, Rosendal Lovato, †Harold S. Lowe, Natividad J. Lucero, Daniel F. MacIntosh, James D. McKenzie, Polo V. Maldonado, Frank G. Martin, Edu-ardo Martinez, †Emilio M. Martinez, Tony A. Martinez, Trinidad G. Martinez, †Jose E. T. Mascarenas, Edmund J. Masser, Harwell H. Mitchell, †Jimmie Morris, Frank J. Mucha, †Hugh B. Nance, Benny G. Ortiz, Cruz Ortiz, †Alfonso Perez, Harry J. Pruss, Jose L. Quintana, Juan J. Rodriguez, †Luis Rodriguez, †Henry Salcido, Alfredo F. Sanchez, Victor F. Sanchez, Eduardo A. Sandoval, Filadelpho Sandoval, †Alvin W. Sharp, Joe R. Silva, †Felipe G. Sisneros, William D. Smith, David O. Tellez, †Jesus P. Trujillo, †Joe Urioste, Eliseo G. Vigil, Herman H. Vogt, †Calvin E. Whitley, Wilson E. Willie.

Battery B, 200th Coast Artillery: Frank M. Turner, †Jack L. Ellis, Joe L. Allen, †John D. Gamble, †William C. Holland, †Manuel L. Montoya, William C. Overmier, †Thomas C. Rohrbaugh, Joe T. Cassias, †Homer R. Dawes, †John W. Fleming, †Fred J. Ham-mon, †Candido L. Page, Johnnie J. Sedillo, Francis E. Bergquist, Robert M. Blattman, Don C. Bloomfield, George H. Bollen, William B. Clark, †John M. Erbacher, †James B. Heard, Woodrow M. Hutchison, Alton R. Jones, Ralph C. Lewis, †Paul Palumbo, Charles F. Sanchez, Salvador J. Armijo, Da-vid G. Borunda, James R. Brown, †Benny C. Garcia, Norman C. Brown, Marcos S. Carde-nas, †Claude Fleming, †Ben Franklin, Jr., John W. Griffing, John Hamilton, †William L. Hawley, †Warnar A. King, Tony A. Kuretich, Nano C. Lucero, Earn L. McCombs, †Paul E. McCreary, Delbert R. McDaniel, Urban F. Mc-Vey, Robert F. Miller, Orlando R. Montoya, †John Oberton, Leo J. Padilla, †William R. Parker, Carl K. Plemons, Glenn G. Ream, Marlin E. Sartin, Eldred Sattem, Albert F. Schultz, †Caesar J. Selva, Herbert H. Smith, †Homer V. Spensley, †Roy H. Summers, Elmer L. Vanover, †Arnold E. Viitanen, †Santiago S. Analla, †Ramon S. Anaya, †Amadeo Archuleta, Pete M. Armijo, †Juan E. Baca, Charles V. Bain, William L. Bangs, Antonio J. Ba-rela, Robert Borunda, Marvin L. Brown, †Louis B. Calanchi, Coyle A. Campbell, †Joe M. Carriere, Olen Cole, †Julian Z. Cordova, Jr., Louis A. Diaz, William R. Evans, Gregorio Gachupin, †Leonides L. Garcia, Albert Hayes, Irwin H. Herbert, Lawrence L. Holt, †Tran-quillo Jaramillo, †Juan S. Lerma, †Lorenzo Lopez, †Jose L. Lucero, James C. McCormick, Arlan McKnight, Jake H. Mendenhall, Burl M. Morris, E. C. Oliver, †Billie Ortiz, †Tom Perea, †Talmadge W. Redd, A. J. Roberts, †Benito A. Romero, Claudio Romero, Frank Romero, †Joel R. Ruiz, †Valentine Sanchez, †Teodoro Savedra, †James D. Sims, †Claude O. Smith, Pragedis M. Sora, †Manuel N. Suarez, †Elmer H. Verhagen, †Modesto J. Vigil, Manuel Vidaurri, Jr., Raymond Villa, †Elias Villarreal, Lester L. Wall.

Battery C, 200th CA: †Frederick S. Sher-man, Tom C. Cox, †William P. Randolph, Manuel A. Armijo, Marvin L. Baker, James A. Robinson, Jr., Paul A. Roessler, William R. Coleman, †Lewis E. Duke, Cruz Garcia,

Walter C. Kiesov, †Connie D. Phillips, Pete Sanchez, Rufus D. Teague, †Ramon Apodaca, Ernesto J. Armijo, †Amadeo Chacon, Rubel Gonzales, Robert C. Jackson, Jr., Genaro B. Lopez, Johnny E. Love, †William E. Love, David M. Nunn, Merrill H. Pyetzki, Gavino Rivera, †John G. Van Beuning, †Richard A. Veal, Robert L. Williams, Otis A. Yates, †William M. Allred, †Charles M. Aycock, John T. Boyles, †William L. Bright, Louis B. Celus-niak, Juan Contreras, †George W. Cree, Tomas Garcia, Hubert B. Gater, Roy B. Gebhard, Jesus B. Gutierrez, †John F. Gutierrez, William J. Hagedorn, Orland K. Hamblin, Everette C. Hatton, †George S. Herrera, George W. Howard, Charles Iskra, †Vernie L. James, Alphonso M. Lucero, †Harold J. McAndrew, †Herbert W. McCants, †William D. McGee, Louis L. Preuit, Roy E. Owen, Antonio Reyna, †James S. Roberts, Eugenio M. Romero, Teofilo M. Sanchez, †Tony P. Simoni, †Albert D. Smith, †Edgar J. Stephens, Alex E. Tovar, †Manuel Trujillo, Francis H. Van Buskirk, †Robert L. West, †Jess Woolworth, †Ramon S. Alderete, †John Blazevich, †Adolfo Chavez, Jr., †Francisco Contreras, †Sid Copeland, Barney A. Duran, Robert Duran, Charles F. Gannon, William E. Gateley, †Andres E. Gloria, †Hyman Green-berg, Alfred C. Hill, †Earl C. Hoskins, Harold Hubbell, Glenn Jim, Wayne O. Lawrence, Macedonio B. Leyba, †Ramon B. Leyba, †Nicolas Lopez, Leonard R. McCombs, †Thomas A. Merritt, †Chesley Milligan, †Jacob C. Morgan, Jr., †Manuel M. Muñoz, Vicente R. Ojinaga, †Enoch C. Oliver, Glen-don S. Riley, Eusebio Reyes, Basilio L. Rod-riquez, †Alfonso M. Sanchez, †Cristobal D. Sanchez, Frank Sanchez, Elias Savedra, †Lonnie T. Slaughter, Albert F. Sweat, †Grabiel Tafoya, Francis R. Thomson, †Carlos T. Turieta, Robert S. Unger, John Urioste, Vicente P. Vigil, Marcario Villaloboz, †Sam Vivian, †Arthur Waldman, †William B. White, †John H. Wiest.

Battery D, 200th CA: Claud W. Stump, Lloyd W. Rogers, †Charles V. Safford, †Ed-ward F. Tammany, Pete Espinosa, Walter P. Cornell, Everitt W. Gray, Thomas W. Rat-cliffe, Truman M. Barker, Clinton R. Brewer, William M. Burrola, Charles R. Nunn, Foy E. Pribble, †Lester L. Roberts, Clinton C. Seymour, Robert J. Welch, James Argeanas, †Ernest M. Birner, †Damian Espinosa, David R. Etter, Jr., Anthony Q. Galindo, †Leonard D. Gates, †Johnny Hamilton, Carlo A. Men-ni, †Harold V. Phillips, †Espeidie G. Ruiz, James G. Smith, †Frederick J. Wallace, †Wil-iam G. Bowra, †Denzel O. Bush, Marlett E. Byars, †Louis Chavez, Robert C. Crawford, Valentine R. Dallago, Porfirio Diaz, Jr., Solomon L. Diaz, Homer L. Edmonds, Donald D. Evans, †Pablo Fragua, Adolfo C. Garduno, †Fernando Gomez, Jr., †John J. Gonzales, †Richard J. Hardy, †Lorenzo Hernandez, Er-vin Keilholz, Celso H. Lucero, John T. McGee, †Vernon L. Meyer, Benjamin L. Osborne, †Wyman L. Parks, Dagoberto S. Ramirez, Clarence Ray, †Tony Regalado, Charles D. Sagash, †Raymond G. Scanlon, †Joe Scho-vane, Carl Shaw, Harley L. Shaw, Joseph A. Stemler, Julius H. Tecumseh, Wayne N. Was-son, †Mervin J. Williams, Johnnie Wisneski, †Markie R. Archuleta, Joe Barreras, †Ernest C. Barron, James C. Boyd, Reginald Burrola, David Chavez, †Oziel Chavez, †Raymond Chavez, Lorenzo P. Cimarrone, †Henry F. Crowder, †George B. Duke, Ralph E. Duncan, Abedon Garcia, †Uvaldo Garcia, †Anatolio Gonzales, Eliseo R. Gonzales, Manuel F. Grij-alba, James C. Gunter, Pablo P. Gutierrez, Jose G. Hernandez, †Eusebio Herrera, Juan S. Lovato, †Howard F. Lyons, Myrrl W. McBride, Catalino Madrid, Susano Madril, †Antonio Martinez, Benjamin E. Martinez, Domingo B. Martinez, Rosendal Martinez, Andres A. Montoya, †Jose B. Nickerson, †Onnie A. Oja, Juan Paiz, Ignacio G. Perea, Aniseto Perez, Carmel Quintana, †Cruz Re-galdo, †James A. Robertson, Dave E. Romero,

Faustin Salazar, Joe L. Sanchez, Valentine S. Santillanes, †Hilbert I. Schneider, Aldon L. Schoolcraft, Walter F. Schuette, Sam Sena, †Marvin R. Sheriff, †Averill H. Smith, †Martin J. Tafoya, †Herbert J. Tieken, Trini-dad H. Torres, Joe R. Villanueva, †Zaragosa C. Zamora.

Battery E, 200th Coast Artillery: †Burney H. Smith, James P. Richards, Oswald C. Ruckman, †T. B. Bryant, †Melvin E. Jones, Cecil E. Mauldin, W. A. Noffske, †John E. Reynolds, Prentice G. Riley, †Oscar A. Ruck-man, †Christopher A. Wiggins, †Harry O. Williams, George W. Burton, Rochell Cochran, †Henry A. Drake, †Marshall E. Kelly, John W. May, †Glendell L. Nonk, Cone J. Munsey, Floyd C. Reynolds, †Wayne C. Rodgers, †John S. Shields, †Earl R. Stirman, †Neal C. Ticer, †Guido Andreoli, †Bryon C. Beal, Minter Box, †Laudente Chavez, Howard T. Chrisco, Reece L. Clay, †Leon Z. Fought, †Paul C. Glentzer, Sam H. Gribble, Walter W. Houston, †Wendell R. Jackson, Buren D. Johnston, Alvin A. Jordan, Harold A. Knighton, Stanley J. Krolloski, William E. McLendon, †William J. Moore, †Kemp C. Pepper, Delbert W. Perry, †William D. Pilling, Lee C. Roach, Leonard L. Robinson, †Bertram O. Sandoval, Virgil E. Sherwood, Clyde Stone, †Durrell A. Tidwell, Cecil C. Uzzel, John D. West, Johnnie L. Abel, Keats Begay, John Y. Begay, †Abram R. Boes, Lloyd M. Dibble, †John P. Ferrell, Ben T. Garcia, George V. Hernandez, Homer B. Hobbs, Jr., †Robert D. Huchton, Toney James, †Jose G. Jauriqui, †David Lopez, †Edgar Lunasee, Ambrosio Madrid, †Eutimio Medina, Miguel Medina, †Julian A. Mestas, Luke Mondello, Alejandro G. Montes, Sam Nez, †Inocencio Nunez, Robert K. Oliver, Primitivo N. Pena, Lalo Ramos, †Harmon A. Reynolds, †Marion Roe, †Douglas Sanders, Samuel J. Smith, Thomas D. Suazo, Willie L. Tilmann, †George S. Torres, Jos T. Torrez, John B. Trujillo, Abelino Vigil, †Oliver Hartford.

Battery F, 200th Coast Artillery: †Frank H. Grimmer, Dan A. McCartney, †William J. Mc-Kenzie, James W. Chaney, Thomas P. Foy, †Floyd E. Ward, Sam P. Buse, John C. Barber, Leon D. Beasley, Calvin C. Buckner, Donald M. Dansby, †Kenneth E. Davis, Charlie F. James, Richard R. Malone, †Thomas E. Paddock, †Constantine L. Papadeas, Anthony J. Ruchalski, Jackson J. Rupe, Phil Wither-spoon, †Elmer D. White, †N. J. Ammons, William G. Ballou, Eugene P. Burkeholder, Donald H. Cox, Franklin R. Cullum, †Henry G. Fugate, †Howard W. Johnson, Newton F. Kemp, Virgil LaRue, Louis E. Loman, Mason H. Nesbitt, †Wayne H. O'Brien, Emory C. Schlick, James L. Strain, Roy T. Terry, †Alva Turbett, †Bernard G. Valencia, Jess J. Whitted, Don H. Adams, Thomas U. Austin, Steve Berger, Carl E. Bohannon, †George W. Bounds, Mavis S. Brown, Loyal B. Brunt, †Robert A. Byard, Roy C. Castle-berry, John A. Conner, Robert L. Cunlap, †Lester E. Fevrly, Carl C. Foster, Lee S. Garner, †Oliver A. Gore, †John V. Grange, †Charley C. Hightower, †Elmer Hill, †Guy W. Hillard, Rollie H. Keller, Robert M. Malone, †Jessie F. Mash, †Jeff W. Morris, †James O. Parson, Alexander F. Petruzel, Wallace R. Phillips, Chester A. Philpott, †William B. Richardson, James N. Ridg-way, †Frank J. Sanchez, Joseph B. Sime-roth, John P. Stabryla, †Gilberto G. Tafoya, James R. Thompson, Alton W. Tice, George C. Tidwell, Allen J. White, Thurman B. Wil-liamson, Sammie Wright, Homer Yahnozha, †Robert E. Young, Eligio Baca, †Henry F. Biri, †Adam Branning, Burl A. Brewster, Thomas G. Cardin, Albert C. Charmelo, Ben T. Chavez, Bruce N. Choate, Oscar A. Cox, Jessie W. Crabb, †William C. Ferguson, Car-men Guerra, Jr., Eugene E. Hamrick, †Lorenzo R. Herrera, †Henry A. Hood, †Kenneth L. Lane, Martin S. Long, Jose M. Loya, Joe F. Martinez, Joe S. Montano, †Albert L.

Peterson, Gayle M. Pruitt, Adrain Rachall, Moses Sanchez, Jose C. Suarez, Frank Syrinek, Bryan M. Tidwell, Dionicio Trujillo, Walter D. Utter, Ben Vidal, Edward L. Wilkerson.

Battery G, 200th Coast Artillery: †Albert K. Field, †Joseph D. Thorpe, †Dwayne A. Davis, †Austin J. Curtis, †Henry F. Scally, William E. Salars, Stephen H. Alex, †James P. Allen, †Delbert O. Covert, Donald C. Harris, Cipriano M. Hernandez, †Wellington E. Hollingsworth, †Melvin R. Hulbert, †Robert E. Mitchell, †Fred S. Simoni, Ernest E. VanWinkle, Elmer L. Worthen, Vernon A. Youngblood, †Robert E. Carpenter, †Dick W. Catlett, Thaddeus R. Cook, †Dorance J. Danielson, †Alfredo Enriquez, Bedelio F. Gurule, †Melvin C. Harsh, Thomas O. Hodges, †John A. James, †Robert N. Luther, Ralph E. Moore, †John E. Osowski, †Anthony Pomillo, Eugene W. Schmitz, Eugene F. Snyder, Dean E. Uhl, Thuman I. Vandagriff, †Harold M. Anderson, Waldon L. Burchfield, †Charles T. Clark, Louis L. Clark, †Rexell B. Coffindaffer, †Quentin D. Colburn, Joseph J. Duncan, †Damacio Espalin, Jr., †Jose B. Gallegos, Plutarco Garza, †Parker McCool, †Wayne L. Mahler, †Jeremias G. Martinez, Luciano Martinez, †Robert P. Pintarelli, †Richard G. Pittsor, †Julian Ponce, Fred C. Starnes, †Charles E. Taylor, †William M. Taylor, †William J. Winter, Telesforo V. Archuleta, †Garrett M. Arledge, Arquin G. Atencio, †Thomas G. Baca, †William M. Barnes, †Alfred E. Brink, Nestor Bustamente, †Fidel Canales, †Juan Casaus, Jr., †Bernard Cavanaugh, Ramon B. Cisneros, †Kenneth Coffey, †Gilbert H. Ellegood, †Porfirio C. Franco, †Bruno G. Fuentes, †Adalfo Gallegos, †Clemente Garcia, Virgilio Gomez, Agustin Gonzales, †Frankie D. Gonzales, †Jose I. Grilego, †Othon Q. Guillen, †Joy H. Hamilton, Alfred A. Haws, †Arturo Hernandez, †William R. Hooten, Trino C. Huerta, †Solomon D. Levin, Alfredo N. Levrier, †Joe C. Mauellito, George Martinez, Antonio U. Mata, Edras S. Montoya, Ralph M. Perry, †Cenobito Ramirez, †Luciano C. Salaz, Vincent Saputo, †Emil K. Wagner, John C. Ward.

Battery H, 200th Coast Artillery: Dallas P. Vinette, †Clayton E. Irish, †Gerald B. Darling, Jack B. Kenneman, John M. Vickery, †Jimmie Lujan, Robert K. Boggs, Joseph M. Burrola, †Herbert C. Fincke, Earl R. Harris, James B. Jones, Jimmie K. Lujan, Chester L. Nicholson, †Thomas Santistevan, Miguel N. Tafoya, Paul Trujillo, †Dwight H. Fowler, Jr., Clemens A. Kathman, Ben Montoya, †Arthur C. Palmer, Luther E. Ragsdale, Albert Rowland, Joe A. Segura, †Irwin U. Steagall, †Martin E. Trojillo, †Jacob N. Willoughby, †George E. Zimmer, †Walter W. Brinkerhoff, †Ocie E. Brown, Ray Burch, Irvin R. Butler, †Marvin F. Cates, †Alfred R. Cox, Armando Del Frate, †Telesforo Gonzales, Louis R. Herring, †James A. Hopkins, David L. King, †John A. Lemke, Raymond V. Mares, †Antonio B. Martinez, Joe A. Medina, Robert Medina, Alton L. Montgomery, Horacio H. Montoya, Onofre Montoya, Teodoro J. Montoya, Robert J. Moore, Phillip F. Rivera, †James S. Roberts, †Richard G. Romero, Gustavo R. Santistevan, General L. Shelton, †Ernest O. Suttles, †Richard B. Swaim, †Charles B. Thomas, †Charles A. Trujillo, †Reynaldo Trujillo, †Felix Aragon, Floyd R. Besher, Eloy P. Cardenas, †Joe E. Carrillo, Max M. Casaus, Thomas Charles, †Fernando Concha, †Fidelio Cordova, †Jose Cordova, †Rubin H. D. Davenport, Doyle V. Decker, Pinex Fletcher, Ernest N. Garcia, †Manuel J. Garcia, †Maclovio A. Gonzales, Warren D. Graves, Ben S. Hallett, †Joseph J. Kairunas, †Peter Kierner, Morris L. Lerner, †Ben F. Leslie, †Gustavo R. Lucero, †Jerry Lucero, †Joe I. Lujan, Joe G. Maestas, George Mares, Harry Martin, †Leonard B. Martin, Juan J. Martinez, †Luciano S. Martinez, †Jose L. MAscarenas, †Moises Miera, Conrado G. Vigil.

Medical Detachment, 200th Coast Artillery: †George T. Colvard, John W. Farley, Vetalis V. Anderson, William A. Blueher, †Charles A. Schubert, Roger D. Campbell, †Arnold A. Orosco, Pat F. Barela, Howard Higgins, †Michael A. Morris, †Horace Chavez, Tony P. Chavez, Henry W. Day, Abel Garcia, †Reuben E. Garcia, Robert Garcia, Salvador J. Garcia, Sipriano Griego, John J. Murphy, Jake P. Padilla, Foch F. Tixier, †Ralph P. Chavez, Gus L. Davis, Reginald E. Guker, Jr., †Charles E. Hasso, John A. McCarty, Sam M. Palasota, Arthur L. Storts, †Ernest H. Ulrich, †John Nickolas, †Milton M. Northcutt, †Jake J. Padilla, †Lowell Priest, †Melvin L. Reid, Keyton F. Roberts, Santana S. Romero, †Reynaldo L. Salaiz, Felix M. Salas, †Ambrocio J. Sandoval, Eduardo A. Sandoval, Santiago Sarracino, Leslie J. Schellstedt, Hollis Scruggs, †Jose G. Sisneros, Melvin O. Treider, †Belarmino J. Valdez, Arthur C. Vandagriff.

Band, 200th Coast Artillery: †Thomas M. Palmer, †Newton J. Patton, †Donald W. Burrell, †William M. Norris, †Titus W. Rouse, Russell Clark, George F. King, †Ernest Baca, Robert D. Baldwin, Clair L. Case, †Jack B. Chamberlin, Donald Clark, Pete Domenicali, Frank Franchini, Frank A. Gabaldon, Wilber W. Heinsohn, †Roy D. Hobbs, William S. Horabin, †Joe E. Jezek, Earl E. Pyatt, Cipriano B. Ramirez, †Salvador H. Ramirez, Herman O. Tafoya, Henry K. Warth, †William J. Wells, John W. St. Clair.

Headquarters, Second Battalion, 515th Coast Artillery: †Paul W. Schurtz, †Jack G. Ashby, Russell J. Hutchinson.

Headquarters Battery, Second Battalion, 515th Coast Artillery: Orville E. Drummond, Morgan T. Jones, †James R. Williams, Bud J. Kelly, Reuben Rockwell, Vincent W. Wilkerson, Donald H. Kedzie, Eliseo Lopez, †Dean R. Chalk, †Joe G. Nieto, DeForrest B. Walker, †Kermit L. Goll, Albert L. Parker, Robert H. Rutledge, †Jeptha P. Taylor.

Battery A, 515th Coast Artillery: Marvin H. Lucas, Dan C. Limpert, LeMoine B. Stiles, †Alvin F. Watson, †John R. Flowers, William W. Phebus, Albert C. Senter, George L. Smith, Jesse J. Armour, Ernest J. Chavez, Hubert F. Gilliland, †William H. Meyer, Charles N. Williams, †Ned L. Abraham, Malcolm T. Bull, Damon W. Dunagan, Bruce Klinekole, Max Leyba, Ernest Montoya, †William A. Phelps, Carlos F. Roybal, †Herman P. Barela, Melvin Chato, Valadear A. De Herrera, Alvin H. Falls, John A. Genovese, Robert R. Godfrey, Marion W. Heck, †Boyd H. Henry, David S. Histia, †Johnnie D. Hood, Eugene L. Hughes, Floyd J. Johnson, Albino Lopez, Miramon Maldonado, †Leo A. Manuelito, Laddie Miller, †John B. Moses, †Eugene Mott, Paul R. Nateswa, †William G. Noffke, Thomas M. Nunn, Faustino Oguin, †Stanley F. Ozimkiewicz, †Benjamin Pacheco, Andrew J. Panno, †Leroy G. Plubell, Emilio T. Porras, †Patricia J. Quintana, †Reuben E. Ray, †Sam D. Salazar, Brooks L. Tanner, Edwin E. Trujillo, †Tito M. Vigil, Fred E. Archuleta, †Ignacio Baca, †George L. Driggs, Gregorio Lopez.

Battery B, 515th Coast Artillery: †Hubert P. Jeffus, †Melvin R. Millard, Edward F. Lingo, †David E. Kells, †Edwin S. Landon, Jack L. Finley, †John W. Norton, †Raymond F. Baca, †Wesley S. Bowman, †Charles A. Cogshall, †Raymond L. Kenney, †Nick V. Parada, Joe F. Romero, †Ollin A. Roper, †Jessie D. Sandell, †John H. Austin, †Charles R. Booth, †Clarence D. Brantley, †Joe B. Chavira, †Francis E. Donnelly, †Virgil F. Funk, †Arthur C. Garde, †George H. Huston, †Ernest F. Lueras, †William E. Rorie, Joe Sanchez, †Martin E. Sass, †Don G. Tenorio, Richard A. Trask, †George I. Tindol, †Don Watson, †James R. Young, †Maxwell G. Anderson, †Bulen Barnes, †Howard O. Blythe, †Solomon Cohen, †Adolfo Cordova, Jr., †Domingo Coriz, Demetri L. Dooolos, Charles B. Gavord, †Thomas V. Long, †Arthur O. Mann, Belarmino Martinez, Sam Milligan, George R.

Powell, †Leonard R. Thompson, †Manuel A. Aguilar, †Haymond L. Barker, Leillon Barnes, Lazaro A. Chavez, Francisco Garcia, †Manuel Garcia, Henry A. Gobble, John L. Johnson, †Wayne E. Light, †Robert J. Maes, †Charles N. McCarty, Jr., †Chee McKinley, †Ignacia Muniz, †Frank Ortiz, †Santiago McOsna, †Dennis J. Peterson, †Martin Quintana, Jr., †Manuel Salazar, †Napoleon Sanchez, Ralph Sedillo, †James R. Slade, †Mike Sokol, †Enrique G. Tellez, †Maximiano Vasquez, †Trinidad M. Virgil, Buster Wilkerson, †Jerry C. Zaruba.

Battery C, 515th Coast Artillery: †James R. Thwaits, †Glenn E. Bailey, †Robert J. Remondini, †Samuel A. Candiello, Richard J. Daly, †Bill W. Brown, Fred H. Swope, Juan Blea, †Abie A. Carrillo, Lloyd R. Harman, Henry P. Latham, †Loyd L. Maness, †Barnes Olmstead, Carl A. Pasurka, †Charles H. Sims, Jr., †Durward H. Wright, †Royal E. Agens, Francis E. Bell, †Harlan C. Bickford, Dwight R. Cable, Aubrey L. Campbell, Charles E. Cheney, George M. Craig, Adolfo S. Hernandez, Joe T. Lucero, Errett L. Lujan, †Theodore G. Martinez, Wayne W. Nieman, Pete Ortega, †Pat A. Quintana, †Eloy Ruiz, Jesus M. Silva, Virgil V. Wallace, †Manuel Martinez, †George J. Millkeh, †Adolph F. Mueller, Jesus A. Padilla, †Edgar B. Parker, Milton A. Pearce, Aurelio Quintana, William C. Ross, Arthur B. Smith, Vernon A. Snyder, Harold R. Taves, †Ralph J. Trujillo, †Raymond T. Tucker, Elzie C. Williams, †Pabio Baca, Wilbur J. Beger, †Shiley L. Bolton, J. L. Bradley, †Ray S. Chavez, †Jose D. Fajardo, †Valentin M. Garcia, †Paul C. Guerrera, †Juan F. Gurule, Ferrill E. Harrison, †Samuel Lopez, Jose G. Lucero, †James G. Mares, †Charleston J. Miller, †James C. Moulton, †James G. Odell, †Benito A. Paiz, †Chester O. Pounds, †Clarence W. Radcliff, Marcos R. Rael, Andres G. Ramos, Juan Ramos, Jr., †Lloyd H. Reeves, †Woodrow W. Rhodes, †Santiago Romero, †Reynaldo Saiz, †Adan N. Sedillo, Louis Sena, Walter P. Strus, Antonio J. Tobar.

Battery D, 515th CA: †Eddie T. Kemp, Jack W. Bradley, Edward J. Junker, †Joseph R. Radosevich, †Menzies Wyper, Jr., †Thomas E. Hunt, Frank E. Wilson, Robert N. Amy, John V. Constant, Robert C. Davis, Frank H. Pecarich, Edward L. Rollie, †Carl A. Stober, Nick Terrazas, †Felipe N. Trejo, Dale W. Walker, Rufus E. Whiteman, Virgil L. Aimes, †Carlos A. Armijo, Arthur J. Calderon, Juan M. Chavez, †Buford F. Cooksey, †Frank A. Duran, Espiridion A. Garduno, Harold C. Hise, †John S. Hnidak, †Myron R. Lugibihl, Jr., †Simon R. Parra, †Orville A. Pruehsner, Isadore Sabbota, †Adelardo I. Sanchez, Gregorio M. Sanchez, Agapito G. Silva, Edward J. Vertz, Jr., Baita M. Apodaca, Frank S. Arceneaux, Benerito A. Archuleta, Tony Bolf, Silverio Garley, Ephren J. Landavazo, †Trine Mora, †Wayne R. Thomas, Ruben Flores, †Carlos G. Gonzales, †Raymond K. Pence, Amado Romero, Anselmo Sisneros, Jr., Erminio L. Yabon, Charlie W. Baker, Charley R. Barron, †Joseph G. Diaz, †Darrel C. Edwards, †Miguel S. Fierro, †David H. Franklin, Moises R. Gallegos, Cleofas Garcia, Pedro Garcia, Eddie Graham, †Frank G. Jones, Jr., Jake M. Light, Jose A. Longoria, Luis Lopez, Lorenzo Mirabal, Henry I. Moore, Ernest Z. Otero, †James B. Reyes, †Tommy B. Reyes, †Jerome G. Rodarte, Joe M. Sanchez, †Joseph Singer, †Henry L. C. Smith, †Jose M. Tafoya, Jose I. Valdez, Antonio J. Vigil.

Battery F, 515th Coast Artillery: †Reynaldo F. Gonzales, †Dean H. Craft, Frank A. Forni, James A. Oden, Jr., Joe S. Smith, †Ralph S. Brink, William P. Bunch, Richard A. Hnulik, †Gene R. Davis, John P. Donati, †Frederick W. Leber, †Charles E. Mitchell, †George G. Moore, †Roy M. Morton, †George W. Robinson, †Joe D. Smith, Paul F. Womak, †LaFaye Armour, Marvin Bailey, Arnold R. Clanton, Glen Farmer, †Russell L. Haney, Roy

J. House, †James P. Hunter, †Walter R. Johnson, †Steven Kish, Robert J. Knight, †Larry A. Loggins, †Edward K. Pope, †Lawrence M. Sanchez, Leonard L. Wolfenbarger, †Alexander J. Antosia, †John J. Bacak, Francis G. Bain, Cipriano Chavez, †Jose C. Cruz, †Juan Gomez, Everette M. Morris, Clifford M. Omtvedt, Michael Pulice, †Marcelo Tafoya, †Rodger E. Warren, †Joe Westbrook, Gregorio Barrera, †Frank Bianco, †Ocia Brown, Jack A. Cater, †Raymond Chapman, Luis G. Espinosa, †John F. Galidakis, Albert M. Gonzales, †Edubigen E. Hernandez, Simon R. Hernandez, †Jesse C. Holcomb, †Walter Koloczek, Porfirio Lara, †Pedro A. Montoya, Dionicio R. Pena, Julian Prada, Jr., †Herman S. Quintana, †Gerardo Rodriguez, †John C. Romero, †Manual A. Romero, †Astor N. Sanders, Jesus Santos, Ernesto O. Serrano, Boyce Springer, Robert E. Stephens, Miguel R. Torres, Juan A. Trujillo, †Manuel Ulbarri, †Fidel Vela, Clarence A. Wharton, Frank L. Yonan.

Battery G, 515th Coast Artillery: Dow G. Bond, Prior Thwaits, Alvin F. Wheeler, Al T. Suttmann, Arvil L. Gale, Lloyd R. Byers, †Baylor Duncan, Walter J. Gentry, Wallace A. Hall, †Burl C. Howell, David Johns, †Aubrey L. Maddux, †Louis F. Martinez, Winston H. Shillito, †Jack D. Sprunk, Bensis Torres, Rhea F. Tow, †Walter M. Upchurch, Jr., Richard P. Burke, Rhodun M. Bussell, Nick Chintis, Abel R. Escalante, †Luther A. Henderson, †LeRoy Huddleston, †Ellis M. Hunter, †Curtis C. Jones, †Harry Kelly, †James A. Mayes, William J. Mitchell, Fausto Noche, †Raymond H. Olson, Feliciano R. Alderete, Douglas F. Brown, Asier Chavez, †Kenneth Coffey, Joseph K. Goforty, Billy E. Jensen, †Richard B. Hunt, †George J. Hynes, †Edgar V. Long, †Buford L. Lunsford, August McGraw, †Aaron B. Melvin, Lee L. Savage, Dorris Stevens, Ira D. Wallace, †Ignacio A. Delgado, Juan S. De Luna, Stanley J. Dzieriatka, †Fidel Garcia, Clyde D. Gomez, †Nestor Herrera, †Gerald L. Jones, Amador B. Lovato, Santiago Lucero, Marcos Martinez, †Trinidad F. Otero, Laurencio Pena, Mike S. Peralta, Louis B. Polansky, Antonio Quintana, †Albert Rodriguez, Aristote S. Romero, Emilio E. Romero, Sierenio C. Ruiz, †Leonardo M. Salazar, †Juan J. Sanchez, †David Sidney, Vincent Silva, Stanley Skweres, †Rex R. Swagart, †Jesus M. Tafoya, †Martin A. Tafoya, Neal S. Tsosie, †Vincente Turrieta, †Peter D. Vallo.

Battery H, 515th CA: †Alvin L. Bayne, †James E. Hunter, †Frank C. Thomas, †Gordon A. Lee, Calvin R. Graef, Etcyl E. Burshell, Jack D. Fogerson, †Milus L. Hall, †Gustav Kelsey, Luis G. Le Roux, †Charles M. Mares, Robert D. Mitchell, †Lloyd W. Munson, John W. Nevile, William A. Nolan, †Charles W. Oles, Joel L. Rogers, Chester R. Scott, Edgar R. Beck, †Edward H. Domroehs, †Vernon V. Ginnings, †Delbert M. Lorenz, Alexander H. Mathews, †John D. Moss, †James L. Oliphant, Herbert H. Rolstad, †Arthur Sandoval, Louis A. Silverstein, Lyle C. Stine, Norvel E. Tow, †Lloyd P. Wynn, James W. Beck, †Chunkie F. Bell, †Joe L. Coca, †Adonai N. Cordova, †John C. Cotten, †Billy B. Kanally, Tom Lee, †Lupe Lucero, Joseph E. McLeod, Loye E. Murrell, †Ohmer O. Richmond, Stephen J. Sanchez, †Herbert Sherman, Armando E. Trujillo, †Reynaldo Trujillo, Louis H. Whitlock, †Manuel Alderete, †Charles E. Clark, †Kermit Clayton, Ramon Z. Corona, †Arthur A. Dorrance, Burnise L. Fay, John M. Fuentes, Evangelisto R. Garcia, †Pascual Garde, Herschel R. Gardner, John R. Goddard, †Hershel A. Grooms, Thomas G. Healy, †Lester D. Herring, †Carl W. Jones, Howard A. Lauscher, Benjamin Manzanares, †Arnold H. W. Oldenettel, Gene Ortega, †Jack A. Parrish, †James F. Pope, †Juan Ramires, Adolfo E. Rivera, Jose M. Romero, Robert B. Sills, †Austin J. Smith, †Luis Taylor, John H. Wall, Grover L. Will.

Medical detachment, 515th CA: †Richard M. Riley, †Julian O. Long, Curtis Burson, Orland Stevens, Edward E. Chavez, David A. Chavez, Murray M. Sullivan, Jose S. Garcia, Ralph Rodriguez, Jr., Esperidion Archibeque, Miguel H. Chaires, Levi Chis Chilly, William R. Cochran, Jr., Oscar J. Crowson, Clifford E. Herr, †Orall L. Huling.

Mr. CHAVEZ. Mr. President, I ask Senators, when they read the list of the boys who did not come back, to pay special attention to the names of boys of Spanish or Mexican ancestry, who died not as Mexicans or Spaniards or Latin Americans, but as Americans, by the grace of God and nothing else. They died in American uniforms, generally the fatigue type. They died carrying the American flag and none other. This should be a complete answer to the indiscreet lady in Colorado who objected to a so-called Mexican carrying our flag.

#### FINANCIAL STRENGTH OF MAJOR OIL COMPANIES IN OIL LIFT

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, a table prepared by the staff of the Subcommittee on Antitrust and Monopoly, showing the assets, gross sales, and net income, after taxes and depletion, of the 15 major oil companies engaged in foreign commerce which were originally designated by the Executive to administer the oil lift to Europe.

Attached to this statement there is another table which I should like to have printed in the RECORD as a part of this exhibit, showing the number of retail stations in the United States which are operated by these companies.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. O'MAHONEY. These two tables which will appear in the RECORD will indicate the scope of the study which is being made by the Antitrust and Monopoly Subcommittee of the Judiciary Committee, in cooperation with the Senate Committee on Interior and Insular Affairs, concerning the effect upon our national economy of order establishing the Middle East Emergency Committee to administer the Government program.

I protested last November, before the 85th Congress convened, on the ground that the plan of handing over control to one segment of the oil industry developed a conflict of interest. These giant integrated corporations, having unmeasured interests in the oil of the Middle East and Latin America, are scarcely qualified to represent the domestic petroleum industry or the people of the United States. They are international economic states and not arms of the Government.

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

Mr. O'MAHONEY. I yield.

Mr. JOHNSON of Texas. Mr. President, I agree completely and whole-

heartedly with what the Senator from Wyoming has said, but I wonder if the Senator will tell the Senate why he thinks the Government has handed over to one segment of the industry this program? Is it not because 15 members of the committee come from major oil-producing sections of the Nation?

Mr. O'MAHONEY. There are 15 members of the committee who come from oil-producing sections of the world.

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator may have an additional 3 minutes.

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

#### IMPORTANT PRODUCERS AND REFINERS OVERLOOKED

Mr. O'MAHONEY. Mr. President, the point I wish to make is simply this, that the independent producers were overlooked as were also the independent refineries. No one was invited to take part in the formation of this committee except the major corporations engaged in the petroleum industry in the Middle East. Some of these same companies, most of them, in fact, have producing properties in the Middle East and in Latin America. A number of Members of the Senate from oil-producing States, including the senior Senator from Wyoming [Mr. BARRETT], and myself, the Senator from West Virginia [Mr. NEELY], who was the originator of the motion, and other Senators desired to prevent the importation of cheap oil from the Middle East and cheap oil from Latin America. The Senator from West Virginia offered an amendment to secure that end. The amendment was not adopted when the Reciprocal Trade Agreement Act was extended, and a section was written into that act.

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

Mr. O'MAHONEY. I yield.

Mr. JOHNSON of Texas. I do not know whether this is a correct statement, but I have been informed that this committee appointed to make recommendations in connection with the oil supply to Europe is made up of 15 corporations which are identified with major companies and 1 corporation which is identified with independent companies. I have no objection to having representatives of the major companies on this committee. In fact, in order to be representative of the industry, that would have to be the case. But the number is completely out of balance. I ask the Senator if that is his information.

Mr. O'MAHONEY. The information is clear. There were 15 major companies. I urge the appointment of an independent producer and an independent refiner, at least one. One independent refiner was named.

Mr. JOHNSON of Texas. There are 15 majors and 1 independent; is that correct?

Mr. O'MAHONEY. Yes, but they are not individuals; they are corporations. Mr. JOHNSON of Texas. I understand.

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

Mr. O'MAHONEY. Mr. President, since several questions have been addressed to me, I ask unanimous consent that I may have an additional 3 minutes.

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

Mr. DIRKSEN. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. DIRKSEN. I should like to say that there was a great deal of correspondence with independent producers. They showed a reluctance to participate because they had had no experience in the international field. There are, in fact, only about 20 operating in that field. Obviously, since they were to deal with the Middle East, I suppose the 15 largest were chosen to deal with the questions involved, because they related to tankers, to Venezuelan supply shipments for our own east coast, and to many other problems. The correspondence has gone into the record.

Mr. JOHNSON of Texas. Did the independents decline to serve?

Mr. O'MAHONEY. The fact is that the independent producers refused to serve. They declined to follow the recommendations that they should be on the committee, because they were opposed to the importation of crude oil while there was a law giving the Government the right to stop such importation. It has not been stopped, but Dr. Flemming, head of the Office of Defense Mobilization, has testified before our committee that he was unhappy about it, and he has had much correspondence with the producers.

I am not trying to argue today the merits of this matter.

Mr. JOHNSON of Texas. I am seeking information. The Senator from Illinois has given me considerable information on the subject. I was under the impression that Dr. Flemming was exercising his authority under the Reciprocal Trade Agreements Act and had held a hearing and was giving consideration to the subject when the crisis developed.

Mr. DIRKSEN. That is correct. Action was suspended at that point.

Mr. O'MAHONEY. Mr. President, one of the questions asked in the course of the hearing was why the prohibition against—

Mr. THYE. Mr. President—

Mr. O'MAHONEY. Will the Senator from Minnesota permit me to complete my statement?

The PRESIDING OFFICER. Again the Chair must advise the Senator that his time has expired.

Mr. THYE. Mr. President, I ask unanimous consent that the Senator from Wyoming may be allowed another 3 minutes on the question.

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

Mr. O'MAHONEY. Mr. President, I wish to point out that these tables will

show that the assets of the 15 foreign operating corporations total \$20,162,034,-000; that their net income, after taxes and depletion, amounts to \$1,929,695,000; and I am also advised that a depletion allowance of 27½ percent is given to these corporations operating in foreign commerce, based on production from their foreign sources of supply as well as upon their domestic sources of supply.

Of the 15 companies, 9 are operating 239,053 filling stations in the United States, some of them in all the States and the District of Columbia; 1 company operates stations in the 48 States; 1 company in 44 States, 1 company in 40 States, 1 company in 38 States, 1 company in 31 States, 1 company in 29 States, and 1 company in 26 States.

So integrated companies, which operate on a worldwide scale, are operating the oil lift.

The inquiry, which was approved by the Committee on the Judiciary, was to determine the effect of this operation upon our domestic economy. It was in no sense an attack upon independent producers, nor was it to be an attack upon independent refiners, and I so stated at the opening session of the committee hearings. Nor is it an attack on the majors. It is simply an effort to get the facts.

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

Mr. O'MAHONEY. I am happy to yield.

Mr. THYE. My primary concern is with the independent refiners and the smaller operators who may be hard pressed because they have a large supply or a large inventory, but do not have adequate markets, and are excluded from shipping refined gasoline abroad. They are hard pressed to keep in operation because of their large inventories and supplies, the rise in the price of crude oil, and the fact that they are not able to meet the competition.

I wish to state at this point in the colloquy that we need to concern ourselves with the problem of the small, independent operators and refiners, who are faced with the rise in the price of crude oil.

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

Mr. THYE. Mr. President, I ask unanimous consent that an additional 3 minutes be granted to the Senator from Wyoming, so that this subject may be thoroughly discussed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the time of the Senator from Wyoming is extended for an additional 3 minutes.

Mr. THYE. In conclusion, I commend the Senator from Wyoming for having initiated this colloquy, because the record will now show that the independent refiners had been invited to serve on the committee, but the independent producers asked to be excused because they were not as familiar with the oil lift—

Mr. O'MAHONEY. One independent refiner did accept the invitation.

Mr. THYE. I am aware of that.

#### STATEMENT OF INDEPENDENT PRODUCERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Wyoming may have printed at this point in the RECORD the requests made of the individual members of the independent segment of the oil industry and their replies refusing to serve.

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

Mr. DIRKSEN. Mr. President, all that information is contained in the statement made by the general counsel for the independent companies, Mr. Brown. All the correspondence is there.

Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. First, let me get this point settled.

As I understand, the Chair has ruled that the statement of Mr. Brown, which I propose to offer in response to the inquiry of the Senator from Texas, and upon his unanimous-consent request, may be printed in the RECORD.

The PRESIDING OFFICER. The Senator from Texas asked unanimous consent that the Senator from Wyoming might have printed the requests made of the members of the independent segment of the oil industry and their replies.

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

(See exhibit 2.)

Mr. O'MAHONEY. Mr. President, I wish to say, first, to the Senator from Minnesota, because I am most happy to have had him make the statement he has just made, that the investigation is being conducted without any political or partisan shade whatsoever. The committee is merely trying to get all the facts.

But I will say further that the situation affords a magnificent opportunity to ascertain the manner in which the giant corporations, representing big business, are pushing independent and small business off the economic map.

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

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senator from Wyoming may be granted an additional minute.

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

Mr. DIRKSEN. To make certain the record is complete—and I think I do justice to the record—I was of the impression when the hearings began, that the major producers were the only ones who were thinking about a price increase. Then I discovered from a distinguished geologist from Wyoming, a man of real discernment and ability, who came before the committee—

Mr. O'MAHONEY. At the invitation of the chairman.

Mr. DIRKSEN. Yes, indeed; in all fairness that must be said.

The geologist testified that the small producers ought to have a 75-cents-a-barrel increase.

The independent producers of my State cited increases in the cost of pipe, labor, exploration charges, deeper wells, and so forth, which made a price increase imperative. Thus the picture becomes somewhat complicated when we try to see the equities on all sides.

Mr. O'MAHONEY. There have been many price increases, including the cost of pipe, both alloy and carbon, machinery, and others that the producers have become victims of inflation, this existence of which is now recognized by the administration.

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

## EXHIBIT 1

Middle East Emergency Committee (1955)

	Assets	Gross income (sales)	Net income after taxes and depletion
1. Standard Oil Co. (New Jersey)	\$7,164,105,000	\$6,272,441,000	\$709,310,000
2. Socony Mobile Oil Co., Inc. <sup>1</sup>	2,361,912,000	1,720,998,000	207,434,000
3. Gulf Oil Co.	2,160,821,000	1,895,670,000	218,064,000
4. Texas Co.	2,114,576,000	1,767,266,000	262,730,000
5. Standard Oil Company of California	1,855,610,000	1,277,840,000	231,139,000
6. Sinclair Oil Corp.	1,250,123,000	1,110,067,000	80,710,000
7. Cities Service Oil Co.	1,094,741,000	923,240,000	49,307,000
8. Creole Petroleum Co. (95 percent owned by Standard Oil Co. (New Jersey))	1,026,207,324	856,310,521	292,943,913
9. Tidewater Oil Co. (14 percent owned by Getty Oil Co.)	485,365,000	478,764,000	37,790,000
10. Getty Oil Co.	153,670,000	14,000,000	11,182,000
11. Venezuelan Petroleum Co. (96 percent owned by Sinclair Oil Co.)	76,639,000	31,238,000	5,039,000
<b>JOINTLY OWNED COMPANIES</b>			
12. American Independent Oil Co. (jointly owned by other MEEC members):			
Phillips Petroleum Co. (33.5 percent)	1,201,872,000	910,769,000	95,203,000
Hancock Oil Co. <sup>2</sup> (15 percent)	57,778,000	47,405,000	7,080,000
Signal Oil & Gas Co. (15 percent)	106,639,000	55,743,000	9,640,000
Ashland Oil & Refining Co. (12.7 percent)	154,820,000	245,881,000	10,106,000
13. Arabian-American Oil Co. (jointly owned by other MEEC members):			
The Texas Co. (30 percent)	2,114,576,000	1,767,266,000	266,141,000
Socony Mobil Oil Co. (10 percent)	2,361,912,000	1,720,998,000	207,434,000
Standard Oil Company of California (30 percent)	1,855,610,000	1,277,840,000	231,139,000
Standard Oil Co. (New Jersey) (30 percent)	7,164,105,000	6,272,441,000	709,310,000
14. Caltex Oil Products Co. (jointly owned by other MEEC members):			
Standard Oil Company of California (50 percent)	1,855,610,000	1,277,840,000	231,139,000
Texas Co. (50 percent)	2,114,576,000	1,767,266,000	266,141,000
15. Standard Vacuum Oil Co. (jointly owned by other MEEC members):			
Standard Oil Co. (N. J.) (50 percent)	7,164,105,000	6,272,441,000	709,310,000
Socony Mobil Oil Co. (50 percent)	2,361,912,000	1,720,998,000	207,434,000
Total, excluding duplication	20,162,034,000	16,720,064,000	1,929,695,000

<sup>1</sup> Includes assets of subsidiaries in Western Hemisphere only.

<sup>2</sup> Year ending June 30, 1956.

## EXHIBIT 2

## STATEMENT OF RUSSELL B. BROWN, GENERAL COUNSEL, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA, BEFORE THE ANTITRUST AND MONOPOLY SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE, FEBRUARY 12, 1957

My name is Russell B. Brown. I am general counsel of the Independent Petroleum Association of America, a national trade association whose members are engaged in the production of crude oil and natural gas. The membership of the association is representative of all oil and gas producing areas of the United States.

Our association very much appreciates the opportunity to participate in the study of this committee. Such hearings provide a forum where the actions and problems of an industry can be fully discussed and thus better understood.

The expanding use of petroleum in the United States has had the effect of making the petroleum industry of vital interest to the daily life of almost every citizen. It is of even greater importance when related to the national security. Its importance to our economic life and also security is indicated by the fact that today petroleum, including both oil and gas, supplies almost 70 percent of our total energy requirements. Petroleum enjoys a position of far greater importance in the United States than in any of the principal European countries. The

<sup>1</sup> "Retail dealers" includes all retail outlets supplied directly or through distributors. It includes outlets that earn more money through sale of other products even though they handle petroleum products.

<sup>2</sup> Including District of Columbia.

<sup>3</sup> The majority of the capital stock of American Independent Oil Co. is owned by Phillips Petroleum Co., Sunray-Midcontinent Oil Co., Hancock Oil Co., Signal Oil Co., and Ashland Oil & Refining Co.

<sup>4</sup> Parent company figures were obtained by adding up responses of subsidiaries.

Source: National Petroleum News Factbook, 1956, pp. 170-173 and 175.

position of oil in the energy economy of European countries for the year 1955 according to a recent report of the Organization for European Economic Cooperation (OEEC) is 18 percent of the total. The position in the principal individual countries is as follows:

Country:	Ratio of oil to total energy (percent)
United Kingdom	13
France	20
Germany	9
Italy	33
Sweden	44
Norway	25
Netherlands	26
Belgium-Luxembourg	16

In view of the very prominent position of oil in the economy of the United States we realize that our industry cannot succeed unless the public generally and the Congress are satisfied with the conduct of our activities. We feel that our industry has a responsibility to present the full facts. Our association, therefore, welcomes the opportunity to participate in this proceeding. We are firmly convinced that when the facts are presented, the activities of the domestic producing industry will be fully justified in the eyes of the public and the Congress.

My testimony will be confined to the operations of the Middle East Emergency Committee in the European oil supply program.

Limitations on MEEC authority: At the time the Middle East Emergency Committee was formed our association took the position that the program of supplying oil to Europe resulting from the Suez crisis involved a problem of our Government in international relations and, therefore, should be left to the Government officials responsible for such matters. In order to clarify our position the president of our association, Mr. Robert L. Wood, addressed a letter dated August 13 to Dr. Arthur S. Flemming, Director of the Office of Defense Mobilization. In that letter he said:

"I have been reluctant to interfere with or make comment on the situation resulting from the announced seizure of the Suez Canal. To me the complications involved in this issue were of such serious consequences, that I have believed governmental representatives on whom this responsibility rests should be free of local influence as far as is possible."

Our primary concern with respect to the MEEC was that the few individual companies comprising this committee not be given any authority, with antitrust immunity, to take any actions with respect to or which would adversely affect the petroleum industry within the United States. It was our feeling that MEEC members, which are companies extensively engaged in international trade and have very substantial interests in foreign operations, should not be selected apart from the entire domestic industry to determine programs or take actions that would have an impact upon or in any way affect the domestic petroleum industry.

It was the purpose of Mr. Wood's letter to Dr. Flemming under date of August 13 to make clear our position in this regard.

In response to this letter Dr. Flemming under date of August 21 gave us what we consider to be assurances that the committee would not be authorized to take actions with respect to, or that have impacts upon, domestic industry operations. In Dr. Flemming's reply he stated:

"The Middle East Emergency Committee was formed to act under Government supervision and direction to assist in the transportation, refining, and production adjustments that may become necessary in foreign areas.

"The questions to which you refer concerning reserve productive capacity and availability of transportation, terminal, refining and other facilities to meet any demands upon the domestic industry will be developed from appropriate domestic sources. You comment that domestic operators are best equipped and most affected with respect to domestic facilities and capacities, and I am sure you will agree that those companies which operate in foreign areas are best equipped and most affected with respect to supply problems outside of the United States."

We felt that Dr. Flemming in this letter made it clear that MEEC would be confined in its programs and activities to foreign operations. In this regard Mr. Wood in a second letter to Dr. Flemming, dated August 21, stated, "I am relieved that you feel this authority does not extend to domestic operations in the United States."

Mr. Wood's letter of August 13, Dr. Flemming's letter of August 21, and Mr. Wood's letter of August 21, are attached as appendix I.

I desire to make clear that as a result of our understanding with Dr. Flemming our association has never taken the position that the domestic independent producing industry should be represented on MEEC. As was stated by Dr. Flemming in his testimony before this committee the primary purpose of MEEC is tanker pooling and the direction of tanker movements. In view of that purpose, together with the assurances that Dr. Flemming gave us, we concluded that there was no place on the committee for an independent producer and that no useful purpose could be served by a producer being on the committee. An independent producer with no tankers could not voluntarily agree to do anything which would contribute to tanker movements.

Subsequently on December 12, 1956, ODM Director Flemming issued a press release (No. 553) announcing certain amendments to the plan of action under which MEEC operates. In this release one of the amendments was described as being designed principally to permit participants to "take actions within continental United States under approved programs which result in making petroleum or petroleum facilities available to foreign areas."

Although the amendment is somewhat indefinite and vague, an explanatory note in the release said:

"It in no way gives to the participants any power or authority over domestic petroleum operations or operators."

Although we were somewhat apprehensive about this amendment, we concluded that Dr. Flemming's assurances set forth in his letter of August 21 to the effect that MEEC operations would be confined to foreign activities, were still effective and controlling over these amendments.

More recently under date of February 1, 1957, in a press release from the office of the Secretary of Interior, Assistant Secretary Wormser announced approval of two additional schedules under which MEEC operates. These are schedule No. 3 and schedule No. 4. Schedule No. 4 is described as being aimed at increasing the flow of petroleum from inland ports to gulf coast shipping points and specifically authorizes the following:

"Arrangements to change operations of pipelines and other transportation facilities within the United States to increase the volume of deliveries of domestic crude oils to the United States gulf coast for delivery to Europe and other foreign areas affected by the Middle East petroleum transport stoppage, or for shipment to the United States east coast and Canada east coast in substitution for petroleum supplies diverted to

Europe and other affected areas in accordance with schedules Nos. 1 and 2."

We were again apprehensive about the effect of Schedule No. 4 since it would appear to give a few companies who are members of MEEC clearance to take certain actions "within the United States" free of the antitrust laws, which clearance would be denied to all other companies operating similar facilities within the United States.

It is my understanding that within the past few days, actions by MEEC under schedule No. 4 have been suspended by Assistant Secretary of Interior Wormser.

We assumed again, therefore, that the assurances contained in Dr. Flemming's letter of August 21 continue to be effective and that no actions will be permitted under schedule No. 4 which might violate those assurances. It appears to us, however, that this schedule should be permanently terminated.

**Failures of MEEC:** It is my understanding that the congressional committees participating in these hearings are interested in information that might indicate deficiencies or failures in the operation of MEEC. We have been particularly conscious of what we thought were such failures, because of the severe criticism that has been directed against domestic independent producers in connection with the European emergency problem. This criticism has charged that independent producers are responsible for the failure of European oil-supply program. We feel that this blame is misplaced. We further feel a careful analysis of the facts will show that the failures primarily lie with the members of MEEC.

The members of MEEC, including subsidiary companies, operate two-thirds of the refining capacity on the United States east-gulf coast area. This is the area most directly affected by the Suez crisis and from it all of the emergency shipments are made. An analysis of the activities of these companies indicate that the MEEC as a group and that the members thereof as individual companies, have failed and are continuing to fail to take actions which would maximize oil shipments to Europe. As a result Europe is receiving less oil than otherwise would be possible and in addition, the failures of these companies in this respect are having adverse effects upon the domestic economy.

The specific failures on the part of MEEC, and the individual member companies thereof, may be summarized as follows:

1. Members of MEEC, together with other importers, have increased imports from the Caribbean area despite the fact that crude oil from this area is of the type more suitable for European needs than is domestic oil and, in addition, the tanker run from that area is shorter.

2. Members of MEEC have continued to process excessive amounts of crude oil through their refineries on the United States east-gulf coast, resulting in the production of unnecessary quantities of gasoline with the final result that less crude oil is available for shipment to Europe.

3. Members of MEEC have continued to ship refined products to Europe of the type which if kept in the United States for consumption here would permit a reduction in United States refinery runs of imported crude oil, thereby providing for the diversion to Europe of Caribbean crude from which could be produced more fuel oil for industrial use that is in critical short supply.

4. Members of MEEC, comprising the agency to which Government has delegated authority to carry out the European supply program, have contributed to misunderstandings regarding the failure of the program; the committee has left the misleading impression that domestic producers are the cause for failure of the program whereas, as a matter of fact, the members of the com-

mittee could take actions under the voluntary agreement, along the lines above suggested, which would greatly increase shipments to Europe.

In a letter dated January 31, 1957, Mr. Robert L. Wood, president of our association, called these failures on the part of MEEC to the attention of Secretary of Interior Seaton. In a memorandum dated February 4, 1957, these deficiencies were also called to the attention of ODM Director Flemming. A copy of the letter and memorandum are attached as appendix II.

The diversion to Europe of Caribbean oil being imported into the United States is specifically contemplated and authorized under schedule No. 2 of the plan of action of MEEC. The possibility of making such diversion, therefore, obviously has been before MEEC.

The companies which comprise MEEC account for almost 80 percent of the crude oil that is imported into the United States from Venezuela. They account for 40 percent of petroleum product imports. Instead of diverting these imports to Europe, these companies have actually increased Venezuelan imports into the United States since the Suez crisis. The following table shows crude oil imports from Venezuela into the United States east-gulf coast:

	Crude oil (barrels daily)
October 1956.....	432, 100
November 1956.....	464, 800
December 1956.....	496, 700

In appearing before the House Interstate Committee on February 7, 1957, the Director of Oil and Gas Division, Department of Interior, stated that total imports from the Caribbean area have been about 600,000 barrels daily during January 1957, which indicates a further increase in Venezuelan imports.

Detailed information on imports of petroleum (both crude and products) into the United States is attached as appendix III.

On the opening day of the hearing, Dr. Flemming, Director of the Office of Defense Mobilization, stated that he was dissatisfied with the failure of the members of MEEC to divert to Europe Caribbean oil that is being imported into the United States in increased quantities. This failure on the part of MEEC companies involves the national security of the United States. As stated by Assistant Secretary of Interior Wormser in his press release of January 27, 1957, the national security is here involved. In that release he said:

"Our relationships with Western Europe are of fundamental importance to us. Our NATO associations are basic to our security. Both are likely to be seriously undermined unless the economic effects of the oil shortages on vital industries of Western Europe are mitigated. The supply of oil to the civil economy of Europe is of major importance to our own Armed Forces."

As a result of these increases in imports into the United States, total imports of crude oil are today in excess of the level which has been found to endanger the national security. As Director Flemming testified the President's Cabinet Advisory Committee on Energy Supplies and Resources Policy, after careful study, in February 1955, found that oil imports in excess of the relationship that imports bore to the production of domestic crude oil in 1954, would endanger the national security by retarding the domestic industry. The President has recognized the soundness of this finding of the Cabinet committee. In a memorandum dated October 12, 1956, to ODM Director Flemming concerning a study of a possible

Government oil tanker construction program, the President said:

"The study should proceed, of course, on the assumption that plans which are developed are to be consistent with the requests that you have made to oil importers to voluntarily keep imports of crude oil into this country at a level where they do not exceed significantly the proportion that imports bore to the production of domestic crude oil in 1954."

Yet today imports exceed the 1954 relationship. Crude oil imports alone—not considering products—currently continue at a rate 100,000 barrels daily or more over the 1954 relationship.

The national security being involved, and in the absence of voluntary action on the part of MEEC members, the question is presented as to whether or not the Government has authority to curtail imports and thereby divert them to Europe. It is our opinion that the Government has ample authority under section 7 of the Trade Agreements Extension Act of 1955 to take action which would compel the diversion of Caribbean oil to the European shortage area. That section of the law, aimed specifically at protecting the national security, provides as follows:

"In order to further the policy and purpose of this section whenever the Director of the Office of Defense Mobilization has reason to believe that any article is being imported into the United States in such quantities as to threaten to impair the national security, he shall so advise the President, and if the President agrees that there is reason for such belief, the President shall cause an immediate investigation to be made to determine the facts. If, on the basis of such investigation, and the report to him of the findings and recommendations made in connection therewith, the President finds that the article is being imported into the United States in such quantities as to threaten to impair the national security, he shall take such action as he deems necessary to adjust the imports of such article to a level that will not threaten to impair the national security."

In his testimony before this committee, Dr. Flemming stated that prior to the Suez crisis he had reached the conclusion that oil imports into the United States were at such high levels as to threaten to impair the national security and that had it not been for Suez, he would have taken action under section 7 by certifying to the President that the national security was endangered. He also pointed out that his efforts, over a long period of time, to persuade the importing companies to voluntarily limit imports had failed. He further testified, as pointed out above, that he was dissatisfied with the failure of MEEC to divert to Europe Caribbean oil. This suggests that so far as Director Flemming is concerned he would now be willing to invoke the authority of section 7. It further suggests that other members of the President's Advisory Committee which has continued to perform as an advisory group to the director of ODM, are resisting the exercise of such authority.

We believe that in view of the failure of MEEC members to divert Caribbean crude oil to Europe and since the national security is involved, that the President should exercise section 7 authority to limit oil imports so as not to threaten to impair the national security.

Under section 7 the President has ample authority to establish a quota, a tariff, or any other method of restriction that would limit imports from the Caribbean area. If this were done, Caribbean crude oil, in search

of a market, would be diverted to the European shortage area.

Contribution of domestic industry: There has been a great deal of misinformation concerning the contribution that the domestic petroleum industry has made to the European oil supply program. There have been charges that domestic producers and State governments have connived to cut back production and to withhold oil from the European market. The facts show the contrary.

Since Suez (October 1956) United States production of crude oil has increased more than 500,000 barrels daily, or 7 percent.

Since Suez United States production of crude oil has been at an all-time record level.

Since Suez the domestic industry has taken out of storage an average of 350,000 barrels daily of crude oil alone and made it available to free world markets.

Since Suez the domestic industry has increased shipments of oil to Europe from 50,000 barrels daily to 475,000 barrels daily.

Since Suez the European countries have had less than their normal oil requirements but currently are receiving in the order of 90 percent or more of their normal oil requirements; since oil constitutes only 18 percent of their total energy, this means that they are now short 1.8 percent of their normal requirements of total energy; this compares with the fact that domestic oil producers, during the past several years, due to excessive imports absorbing domestic markets, have been cut back in their operations some 25 percent or 30 percent below their capacity.

Since Suez the domestic industry's very high inventory position (above ground stock), which was at the highest level in history, has provided a cushion that has greatly contributed to the ability of the United States to increase oil shipments to Europe from 50,000 barrels daily to an average of 475,000 barrels daily.

Since Suez the United States oil inventory position, although utilized extensively in contributing to the European supply program, continues to remain at a level which is favorable in comparison to previous years; this comparative situation is shown in the following tables:

#### Total United States crude oil inventory

[All figures in barrels]

	1955-56	1956-57	Compared with year ago
Sept. 30	256,269,000	278,791,000	+22,522,000
Oct. 31	259,201,000	286,560,000	+27,359,000
Nov. 30	260,707,000	275,995,000	+15,288,000
Dec. 28	262,033,000	284,241,000	+2,208,000
Jan. 25	258,406,000	254,190,000	-4,216,000
Feb. 1	258,210,000	253,991,000	-4,219,000

#### Total United States four principal products inventory

[All figures in barrels]

	1955-56	1956-57	Compared with year ago
Sept. 30	376,070,000	409,315,000	+33,245,000
Oct. 31	389,136,000	415,736,000	+26,600,000
Nov. 30	377,033,000	405,244,000	+28,211,000
Dec. 28	344,960,000	395,053,000	+50,093,000
Feb. 1	325,813,000	359,554,000	+33,741,000

The east gulf coast area of the United States may be of particular interest since it is from this area that all of the oil shipments to Europe originate. The following table

shows the inventory position of the four principal products in this area:

#### East-gulf coast four principal products inventory

[All figures in barrels]

	1955-56	1956-57	Compared with year ago
Sept. 30	181,822,000	196,143,000	+14,321,000
Oct. 31	188,683,000	203,069,000	+14,386,000
Nov. 30	184,684,000	196,344,000	+11,660,000
Dec. 28	165,282,000	187,086,000	+21,804,000
Feb. 1	147,410,000	161,891,000	+14,481,000

This inventory position shows that the product situation is such as would permit a reduction in the refining of crude oil on the United States east coast thereby making available tankers that could be used in transporting larger quantities of Caribbean oil to Europe instead of the United States.

Interrelationship of MEEC members: To understand fully the conduct of the members of MEEC and the other large importers, in their failures to take actions that would further the European supply program, it is necessary to examine the makeup of the members of MEEC and the interrelationship of the importing companies, which determine the economic forces that guide their actions.

There are 15 members of MEEC. But examination reveals that 5 of these companies own 95 percent or more interest in 5 other companies. A sixth company owns controlling interest in another. In reality, therefore, there are only 9 members of MEEC with 15 votes. This interrelationship between members of MEEC is shown in the first chart contained in appendix IV.

In addition, membership of MEEC includes the five largest importers of oil into the United States. These companies are Gulf Oil Corp., The Texas Co., Standard Oil Co. of California, Socony Mobil Oil Co., and Standard Oil Co. (New Jersey). These five companies together with the Royal-Dutch Shell Group and British Petroleum (formerly Anglo-Iranian Oil Co.) are engaged in partnership arrangements throughout the world. The joint and commingled enterprises of these seven international companies are shown in the second chart contained in appendix IV. The scope of operations of these seven companies is indicated by the fact that they control approximately 90 percent of all the oil reserves in the free world outside the United States.

The basic economic interest of the five American companies, all members of MEEC, is very substantially in foreign countries. For example, the Gulf Oil Corp. in 1955 derived 67 percent of its net income from foreign operations and Standard Oil Co. (New Jersey) derived 74 percent from foreign operations. This source of income for the past several years is shown in the third chart contained in appendix IV.

Inadequacy of pipelines: A matter which has been emphasized by the Suez crisis is the present inadequacy of domestic oil pipeline facilities for the movement of crude oil within the United States and particularly to tide-water. This involves not only the temporary problem of supplying Europe during the present shortage, but, even more important, it involves the long-range security of the Nation and health of the domestic petroleum industry. The present inadequacy of domestic crude oil transportation has been created by the lack of an incentive to expand transportation facilities in view of the high levels of imports that have continued during the past several years. Imports exceeded the national security danger point throughout 1955 and 1956. As a result of these excessive imports, there is a very substantial crude oil

productive capacity in the United States that cannot be moved to tidewater or other points of use.

So long as imports were excessive, and there was no market for domestic crude that would be produced, there was no incentive to expand domestic oil pipeline facilities. As a result, they are inadequate today.

Department of the Interior studies show that the domestic petroleum industry has a reserve productive capacity of over 2 million barrels daily—over and above current needs—available for any emergency. This constitutes a reserve ability of more than 25 percent. I believe it is safe to say that no other major industry is in a position to make a comparable contribution to national security.

Department studies further show that only about one-half of this reserve productive capacity can be transported to tidewater, even with the employment of emergency methods of transportation.

It follows, therefore, that had excessive imports during previous years been voluntarily avoided or otherwise prohibited, the domestic industry today would be able to make even greater supplies of oil available to Europe. The blame for this failure rests, not upon domestic producers, but upon members of MEEC and the few other large importers of oil, who have ignored for 2 years the repeated pleadings of the Federal Government to voluntarily, in the name of national defense, limit imports.

The history of oil imports into the United States, revealing the rapid rise to excessive current levels, is shown in the chart [not printed].

This past record of excessive imports has damaged, beyond measure, the security of the Nation. The past, however, dwarfs in comparison with the future. Prior to Suez the members of MEEC and the few other large importers, according to their plans filed with the ODM, were to increase imports during 1957 very substantially above the 1956 all-time high levels. We know also that there is a tremendous tanker construction program now underway throughout the world including supertankers suitable only for such hauls as Middle East to the United States. We know that large new refineries have been and are being built on the East Coast for the exclusive use of Middle East oil. We know that Middle East countries, once Suez is reopened, will be anxious to redeem lost revenue by increasing production that will be seeking a market in the United States.

Unless some positive action is taken now the outlook for future imports, after Suez, spells far greater damage to the national security. The dangers of excessive imports, leading to dependency on uncertain sources, have been illustrated to us in a most dramatic and firsthand way, by the Suez stoppage, resulting in all of Europe suddenly being faced with a loss of its oil supply. Surely we in this country should take heed of this hard lesson.

Conclusion: The members of MEEC, together with other large importers, control a substantial part of the refining capacity in the United States. They control a substantial part of the domestic pipeline transportation system. They continue in their refinery operations to make excessive quantities of gasoline thereby reducing the amount of crude oil available for Europe. They have permitted the domestic transportation system to become inadequate. They continue to refuse to divert to Europe oil that is now being imported into the United States from the Caribbean area.

These facts which reveal the failures on the part of members of MEEC and the few other large importers, and the above cited facts which reveal the contributions that the domestic oil industry has made to the Euro-

pean oil supply program, we submit, speak plainly to the answer as to where the primary blame lies for such failures as have developed.

The record of the domestic petroleum industry during World War I and World War II demonstrates that it is ready and willing to meet every real need within its capability.

APPENDIXES TO STATEMENT OF RUSSELL B. BROWN, GENERAL COUNSEL, INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA, BEFORE THE ANTITRUST AND MONOPOLY SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE, FEBRUARY 12, 1957

Appendix I

1. Letter dated August 13, 1956, from Robert L. Wood, president, Independent Petroleum Association of America, to ODM Director Arthur S. Flemming.
2. Letter dated August 21, 1956, from ODM Director Flemming to Robert L. Wood.
3. Letter dated August 21, 1956, from Robert L. Wood to ODM Director Flemming.

INDEPENDENT PETROLEUM  
ASSOCIATION OF AMERICA,  
Midland, Tex., August 13, 1956.

Dr. ARTHUR S. FLEMMING,

*Chairman, Cabinet Committee on Energy Supplies and Resources, Office of Defense Mobilization, Washington, D. C.*

DEAR DR. FLEMMING: Responding to your announcement for reactivating your study of the relationship of petroleum imports to domestic production of oil here in the United States, representatives of most of the domestic producers of oil have filed with you a comprehensive statement reflecting fully the facts on this question.

We commend to you and your staff the careful study of these facts, which we believe demonstrate the harmful results of excessive imports on the domestic producing industry in the United States.

These facts demonstrate as well that the first reliable source of petroleum supply for the security of our Nation is within the boundaries of the United States, where there now exists capacity to produce petroleum sufficient to the full requirements of our domestic economy and national security.

I have been reluctant to interfere with or make comment on the situation resulting from the announced seizure of the Suez Canal. To me the complications involved in this issue were of such serious consequences that I have believed governmental representatives on whom this responsibility rests should be free of local influence as far as is possible.

My attention is now called to developments that arouse our concern that misunderstanding of the true facts of our situation may lead to actions and programs for action, based on an incorrect understanding of the facts, that could result in permanent undermining of our defense structure and our domestic economy itself.

I have a copy of press memorandum of August 9 from the Office of Defense Mobilization calling attention to meeting with "representatives of several oil companies to make the organization arrangements to permit companies to consider jointly such aspects of the Suez Canal situation as may later be referred to them." Commenting on this meeting, the Wall Street Journal of August 10 named 13 companies who met with Government and said, "The Government asked 13 American oil importers to work out plans for meeting any oil shortage in the United States or Europe that might result from the Suez Canal crisis."

Petroleum Week for August 10, after setting out the details of the committee, said: "The emergency program set up would involve cutting off Middle East imports to the

United States and replacing these imports with domestic, Venezuelan, and Canadian oil."

The Oil Daily of August 10, commenting on the same meeting, quoted you as saying the "committee had been asked to recommend a plan of action to cope with any situation that may result from the Suez Canal situation. Then, the Oil Daily stated further, "One of the main points to be nailed down, it was learned, involves reserve capacity in the United States available to meet possible increased demands overseas."

These news stories raise two questions of great concern to us.

The first is a presumption that shortage of oil in the United States is expected if the Suez crisis is not properly settled.

This presumption is unfounded and unjustified. There is now producing and reserve excess producing capacity in the United States in excess of total imports and far in excess of all oil shipped through the Suez Canal for the United States.

The other question raised is that this question should be settled by representatives of importing companies only, and that these representatives are to be permitted, working together, to draft plans and programs of action. Such action must contemplate releasing these companies from the application of our antitrust laws, their programs, therefore, to be secretly arrived at, and confidentially withheld from others.

We believe this to be an improper approach to the solution of this problem.

Outside the violation of the antitrust laws involved, it contemplates passing on the position of the domestic industry and its abilities to supply our demands by those representing companies whose outside interest in production is greater than in the United States. I refer to representatives of importing companies who have long been trying to convince the American public, contrary to the facts that United States oil could not be relied upon for our requirements. As they have for some time demonstrated, their interest is in reducing United States production in favor of outside sources.

We have experience to support our fears in the results obtained through their action in settling the shutdown in Iran. We were told that that settlement contemplated that as Iran oil reached the market the production from other Middle East areas, where production had been increased to supply the market lost by Iran, would be reduced accordingly.

We do not know whether that was provided for by those entering the Iranian consortium. We do know that there has been no such reduction in other areas and excesses are coming from all areas.

Therefore, if there is to be a study of the important question of United States producing capacity, those best equipped and most directly affected should have a part in such study; these are the producers of oil in the United States.

In conclusion, may I again say that there is no need for any consumer of oil in the United States to worry about a supply of oil products for lack of sufficient crude petroleum from the fields in the United States.

Only those purchasing oil products from refineries in the United States using Middle East crude need have their supply interrupted. That interruption is easily and quickly remedied by turning to domestic oil for their refineries.

A misunderstanding of our domestic supply situation could cause such concern with the consumers of petroleum products and with governmental agents as to lead to action involving military programs or war.

There is now no need to go to war to insure abundant supplies of petroleum products for American consumption.

Whatever oil problem now presented through the Suez crisis is, insofar as American consumers are concerned, one of the market convenience of a few American companies.

We recognize that their representatives are the proper ones for Government conference on that question. When the question of our own productive capacity is involved representatives of domestic producers become the ones that should be consulted.

This Suez controversy may result in a determination of ownership of the canal or the tolls to be charged. It could spread the nationalization movement to other countries where oil is now produced by American companies. As much as we are or may be concerned with such a course of action we should not permit our concern to go so far as to permit foreign operating companies to determine the course of domestic production for consumption requirements in the United States.

The supply of oil for Europe is a broader question, where, perhaps, importers and domestic producers should be consulted.

Since this question is one of public interest and this letter comments on quotations from your public statements, I am releasing copy of this letter to our membership and for such press use as may be desired.

Very truly yours,

ROBERT L. WOOD.

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF DEFENSE MOBILIZATION,  
Washington, D. C., August 21, 1956.

Mr. ROBERT L. WOOD,  
President, Independent Petroleum Association of America, Midland, Tex.

DEAR MR. WOOD: In your letter addressed to me of August 13, 1956, you have urged that the statement filed by 19 oil producers trade associations be given careful consideration and, secondly, you have expressed apprehension concerning the implications arising from the organization of the Middle East Emergency Committee composed of members from the Foreign Petroleum Supply Committee.

With regard to the associations' statement, let me assure you that it will receive full consideration in the deliberations of the Presidential Advisory Committee on Energy Supplies and Resources Policy and of its task force.

I am deeply conscious of the importance of petroleum to national security and the Nation's expanding economy and the need of a balanced, objective study for the use of the Presidential Advisory Committee members in their deliberations. The consultants assisting the task force were selected with particular attention to two things: First, that they be people who have the special qualifications to make a careful analytical study and have recognized ability in the petroleum field; second, that all pertinent aspects and arguments both for and against the restrictions of imports be developed and made available for the consideration of the Presidential Advisory Committee.

I am sorry that misunderstandings and misinterpretations have arisen with respect to the formation of the Middle East Emergency Committee. In my capacity as Director of Defense Mobilization it is necessary that plans be developed to meet defense contingencies that may or may not occur. The problems that would arise from a stoppage of the Suez Canal or the pipelines from the Middle East to the Mediterranean are directly related to supply deficiencies that would occur in Western Europe and to our defense relationships with the countries affected. The Middle East Emergency Committee was formed to act under Government

supervision and direction to assist in the transportation, refining, and production adjustments that may become necessary in foreign areas.

The questions to which you refer concerning reserve productive capacity and availability of transportation, terminal, refining, and other facilities to meet any demands upon the domestic industry, will be developed from appropriate domestic sources. You comment that domestic operators are best equipped and most affected with respect to domestic facilities and capacities, and I am sure you will agree that those companies which operate in foreign areas are best equipped and most affected with respect to supply problems outside of the United States.

All meetings of the Committee and subcommittees formed will be conducted under agenda prepared by the Government and must be attended by an authorized governmental representative. Full and complete minutes must be kept of all meetings and sent to the Administrator of the Voluntary Agreement Relating to Foreign Petroleum Supply, as amended, dated May 8, 1956 (Secretary of the Interior or the Assistant Secretary of the Interior—Mineral Resources), and made available to the Department of Justice. The meeting to which you refer was attended by Hon. Felix E. Wormser, Assistant Secretary of the Interior, Mineral Resources; Mr. H. A. Stewart, Director, Office of Oil and Gas, Department of the Interior; Mr. J. Ed Warren, who represented me; and by a number of other Government representatives.

I am attaching hereto the press releases that have been issued with respect to the formation of this Committee. None of them suggest that it was formed to deal with a shortage of oil in the United States.

I am sure you realize that we had to make preparation for a possible emergency as quickly as possible and further that in the event that no emergency develops action under this agreement will not be necessary.

Sincerely yours,

ARTHUR S. FLEMMING,  
Director.

INDEPENDENT PETROLEUM  
ASSOCIATION OF AMERICA,  
Midland, Tex., August 21, 1956.

The Honorable ARTHUR S. FLEMMING,  
Director, Office of Defense Mobilization,  
Washington, D. C.

DEAR DR. FLEMMING: I am glad to have your assurance that the fears expressed to you in my letter of August 13 in regard to activities of the Foreign Petroleum Supply Committee will not be realized.

The ODM press memorandum of August 14 clarifies the committee's position as to membership and as to scope of activity.

I am relieved that you feel this authority does not extend to domestic operations in the United States.

The industry is fortunate in having the deep interest and concern that you are giving to this problem.

Very truly yours,

ROBERT L. WOOD.

#### Appendix II

1. Letter dated January 31, 1957, from Robert L. Wood, president, Independent Petroleum Association of America, to Secretary of Interior Fred Seaton.

2. Memorandum dated February 4, 1957, from Robert L. Wood to ODM Director Arthur S. Flemming.

INDEPENDENT PETROLEUM  
ASSOCIATION OF AMERICA,  
Washington, D. C., January 31, 1957.  
The Honorable FRED SEATON,  
Secretary of the Interior,  
Washington, D. C.

DEAR MR. SECRETARY: The members of the Independent Petroleum Association of

America are gravely concerned about several matters which are related to the present emergency program to supply oil to Europe. As a result, this is to request that you give consideration to the following matters.

The Middle East Emergency Committee has been authorized, with anti-trust immunity, to take certain actions aimed at increasing the supply of oil to the European shortage area. Outside their actions as a committee these companies individually have a responsibility to conduct their activities in a manner that will make a maximum contribution to the objective. They also have the responsibility to conduct their activities in a manner that will not have disruptive effects upon the domestic industry. I know that you individually and the executive branch of Government desire the accomplishment of both of these ends.

There are indications that in several respects the operations of these companies are not being conducted in a manner that will contribute the maximum to the emergency program. It is the purpose of this letter to bring some of these matters to your attention for consideration by the Government.

In considering the European supply problem, it should be recognized that the tanker run to Europe from the Caribbean area is substantially shorter than from the United States Gulf Coast. In addition, Caribbean crude is generally of the type most suitable for European requirements for fuel oil.

Despite these considerations, Caribbean imports of crude oil into the east-gulf coast continue to increase. For example, the attached table shows that during December 1956 crude oil imports from Venezuela were greater than during the third quarter of 1956 and also greater than during October and November 1956.

Although later statistics showing the origin of imports are not available, information indicates that during January of this year imports from Venezuela have increased further.

Apparently the only diversion to the European shortage area has been Middle East oil formerly imported into the United States. This diversion was quickly and fully replaced by domestic oil. It is reasonable to conclude, therefore, that any diversion of Caribbean oil would likewise be quickly and fully replaced by domestic oil.

While imports from the Caribbean area into the United States have increased shipments of United States oil to Europe, consisting of both products and crude oil, have been moving at the rate of several hundred thousand barrels daily. The question is therefore presented as to whether both the national interest and that of the European shortage emergency would not be better served by substituting the shorter haul and more suitable Caribbean oil for the crude oil and products which is now being shipped from the United States.

With respect to this problem, it is noted that stocks of the four principal products on the east-gulf coast as of January 25, 1957, were more than 15 million barrels above the same period in 1956. This indicates that refinery runs and yields could be adjusted to also make additional supplies available to Europe. With respect to this possible means of increasing the supplies to Europe, it is encouraging to note that Assistant Secretary Wormser, in his press release of January 27, 1957, called for such adjustments in refinery runs and yields.

The members of the Middle East Emergency Committee and other large importers who report to Dr. Arthur S. Flemming, Director of the Office of Defense Mobilization, control a substantial portion of the refinery capacity and pipeline facilities in the United States, and also purchase most of the domes-

tic crude oil production. In order to further the Government's efforts to supply oil to Europe during the emergency shortage and to insure that the individual actions of these companies is not at cross purposes with the program, it is urged that each of the importing companies be requested to file with the Government information showing the following:

1. How much additional pipeline transportation from domestic producing areas to tidewater has each company provided since the Suez crisis, expressed in barrels daily.

2. How much more pipeline capacity to tidewater can each company assure will be provided in 1957.

3. To what extent has each company adjusted refinery operations in terms of refinery runs and adjusted yield; and how much additional oil has thereby been made available to Europe during the emergency.

4. To what extent will each company assure diversion to Europe of Caribbean oil now being imported into the United States, together with information on their plans, if any, to replace such imports with domestic oil either through increased production, withdrawals from storage or adjustments in refinery operations.

Obviously, this information is necessary for the guidance of the Government and also the Middle East Emergency Committee. It is equally important that such information be available as a guide to the domestic industry and the oil producing States as to how much domestic production is required. It should, therefore, be made public so that all concerned may be informed and thus more fully contribute to the European shortage emergency. The criticism that has been directed toward domestic producers and the producing States convincingly reflects the need for the publication of this information.

A second matter, which goes beyond the emergency movements to tidewater, is the overall problem of adequate pipeline facilities throughout the United States. This involves the long-range security of the Nation and health of the domestic industry. The Suez crisis has served to emphasize the present inadequacy of these facilities for national security purposes or other emergencies. The present inadequacy of domestic transportation has been created by the lack of an incentive to expand transportation facilities in view of the high levels of imports that have continued during the past several years.

Several months ago, prior to the Suez crisis, the Department of Interior requested the National Petroleum Council to undertake a study of tanker capacity. It was my understanding at that time that the Department would also request a study of domestic transportation facilities. I assume that such a request may be submitted at the next meet-

ing of the National Petroleum Council, now scheduled for March 7, 1957. This will involve a further delay in initiating this study. In view of the emergency nature of this matter, it is requested that you immediately submit such a request to the National Petroleum Council and ask that it be initiated promptly under emergency procedures.

I shall greatly appreciate your consideration of these requests.

The members of the executive committee of our association, in meeting last week, were very much concerned about these matters and requested me to inform the membership of the association of any actions taken by the officers in this regard. I am, therefore, enclosing a copy of this letter in a report to the membership.

Very truly yours,

ROBERT L. WOOD.

INDEPENDENT PETROLEUM  
ASSOCIATION OF AMERICA,  
Washington, D. C., February 4, 1957.

Memorandum to Dr. Arthur S. Flemming,  
Director of Defense Mobilization, on  
Emergency Oil Shipments to Europe:

The closing of the Suez Canal and the Iraq pipeline created a serious oil supply problem for western Europe. The most critical shortages are in residual fuel oil, and crude oil from which European refineries can produce relatively large yields of residual fuel.

It has been United States Government policy to handle the Suez crisis with the least possible Government interference. Under this policy, and from an organization standpoint, the responsibility for supplying western Europe rests directly on the Middle East Emergency Committee.

The members of the Middle East Emergency Committee, including subsidiary companies, operate two-thirds of the refining capacity in the United States east-gulf coast area, which is more directly affected by the Suez crisis and from which all the emergency shipments to Europe are made. The following facts indicate that the Middle East Emergency Committee as a group, and the members as individual companies, have failed and are continuing to fail to fully discharge their responsibilities of maximizing oil shipments to Europe and minimizing the impact on the domestic economy and on other segments of the domestic petroleum industry:

1. Refineries on the United States east-gulf coast have continued to use crude oil to produce unnecessary quantities of gasoline, thereby reducing the amount of crude oil available to alleviate shortages in Europe.

2. Members of the Middle East Emergency Committee have continued to ship refined products to Europe of the type more suitable for domestic requirements, thereby reducing the amount of crude oil that could be shipped

to Europe to produce more of the residual fuel oil that is in critical short supply.

3. Members of the Middle East Emergency Committee have given no indication of their intentions or plans to provide additional domestic pipeline facilities from producing areas to tidewater.

4. Members of the Middle East Emergency Committee have continued to ship United States crude oil to Europe which could be used in the United States east coast refineries to replace Caribbean crude oil that could be diverted to Europe. This failure to make diversions, continues to reduce shipments to Europe because of the shorter tanker movements that would result.

5. Members of the Middle East Emergency Committee have increased imports of Caribbean crude oil without advising the domestic producing industry or state conservation agencies as to the amount of Caribbean crude oil that they would divert to Europe or the amount of domestic oil needed to replace oil imported from Caribbean sources.

6. As the primary source of information for the Government with regard to the program of supplying oil to Europe, the Middle East Emergency Committee has apparently contributed to the misunderstandings regarding the need for increased domestic crude oil production when the members of that committee could greatly increase shipments to Europe voluntarily as set forth above.

It is requested that the Government take whatever action may be necessary to insure that the activities of the Middle East Emergency Committee, and the activities of the members of that Committee as individual companies, be conducted so as to make the maximum contribution toward alleviating European oil shortages and minimizing disruption of the domestic economy and domestic industry. In addition to the activities of the Middle East Committee, Government authority to control United States exports and imports could be exercised to correct, in large part, the above failures to maximize shipments to Europe.

ROBERT L. WOOD,  
President, Independent Petroleum  
Association of America.

#### Appendix III

1. Table showing total crude oil imports into the United States by source, last half of 1956.

2. Comparison of actual imports with 1954 relationship to domestic crude oil production as recommended by the President's Cabinet Committee.

3. Table showing United States imports and exports of crude oil and refined products, 1918-56.

4. Table showing crude oil imports into United States by company and source, last half of 1956.

#### Total crude oil imports into the United States by source—Last half of 1956

[All figures in thousands of barrels daily]

	Pre-Suez		Post-Suez				Pre-Suez		Post-Suez		
	3d quarter	Octo-ber	Novem-ber	Decem-ber	4 weeks ending Jan 25		3d quarter	Octo-ber	Novem-ber	Decem-ber	4 weeks ending Jan 25
To west coast:						To east-gulf coast:					
Middle East.....	82.4	110.8	81.9	76.7	(0)	Middle East.....	309.0	254.2	130.6	87.1	(0)
Canada.....	75.5	87.3	85.6	102.7	(0)	Venezuela.....	446.8	446.2	463.3	496.7	(0)
Venezuela.....	45.6	16.3	13.1	5.4	(0)	Other Western Hemisphere.....	74.9	85.4	96.3	78.4	(0)
Other Western Hemisphere.....	8.2	3.8				Total.....	830.7	785.8	690.2	662.2	665.5
Total.....	211.7	218.2	180.6	184.8	183.5	Grand total.....	1,042.4	1,004.0	870.8	847.0	849.0

<sup>1</sup> Not available.

<sup>2</sup> Includes estimated 50,000 barrels daily principally from Canada to Mid-Continent area not reported to Texas Railroad Commission.

Source: U. S. Bureau of Mines except December based on data submitted by importing companies to Texas Railroad Commission in January and 4 weeks ending Jan. 25 from American Petroleum Institute.

Comparison of actual imports with 1954 relationship to domestic crude-oil production as recommended by the President's Cabinet Committee

[Thousand barrels daily]

		Year 1954	Year 1955	Year 1956
Actual imports:				
Crude oil		656	782	939
Refined products		396	466	485
Total		1,052	1,248	1,415
United States crude oil production		6,342	6,807	7,160
Import rate based on 1954 ratio to domestic crude oil production:				
Crude oil (10.34 percent)		656	704	740
Refined products (6.24 percent)		396	424	447
Total (16.58 percent)		1,052	1,128	1,187
Excess, actual imports over 1954 ratio to domestic production:				
Crude oil			78	190
Refined products			42	38
Total			120	228

United States imports and exports of crude oil and refined products yearly averages, 1918-1956

[Thousands of barrels daily]

Year	Crude oil			Refined products			Total crude oil and refined products		
	Imports	Exports	Net export balance <sup>1</sup>	Imports	Exports	Net export balance <sup>1</sup>	Imports	Exports	Net export balance <sup>1</sup>
1918	104	16	(88)	3	170	167	107	186	79
1919	145	17	(128)	3	158	155	148	175	27
1920	290	25	(265)	7	193	186	297	218	(79)
1921	344	26	(318)	9	170	161	353	196	(157)
1922	349	30	(319)	24	174	150	373	204	(169)
1923	225	48	(177)	48	232	184	273	280	7
1924	213	50	(163)	45	270	225	258	320	62
1925	169	37	(132)	45	275	230	214	312	98
1926	165	42	(123)	58	319	261	223	361	138
1927	160	43	(117)	37	345	308	197	388	191
1928	218	52	(166)	32	371	339	250	423	173
1929	216	72	(144)	82	375	293	298	447	149
1930	170	65	(105)	119	364	245	289	429	140
1931	130	70	(60)	106	271	165	236	341	105
1932	122	75	(47)	82	207	125	204	282	78
1933	87	100	113	37	192	155	124	292	168
1934	97	113	116	41	201	160	138	314	176
1935	88	141	53	56	212	156	144	353	209
1936	88	137	49	68	223	155	156	360	204
1937	75	184	109	82	289	207	157	473	316
1938	72	212	140	76	319	243	148	531	383
1939	91	198	107	71	320	249	162	518	356
1940	117	140	23	112	216	104	229	356	127
1941	139	91	(48)	127	207	80	266	298	32
1942	34	93	59	65	228	163	99	321	222
1943	38	113	75	136	298	162	174	411	237
1944	122	94	(28)	130	474	344	252	568	316
1945	204	90	(114)	107	411	304	311	501	190
1946	236	116	(120)	141	303	162	377	419	42
1947	267	126	(141)	170	325	155	437	451	14
1948	553	109	(244)	160	260	100	513	369	(144)
1949	421	91	(330)	224	236	12	645	327	(318)
1950	487	95	(392)	363	210	(153)	850	305	(545)
1951	491	78	(413)	353	344	(9)	844	422	(422)
1952	573	73	(500)	385	363	(22)	958	436	(522)
1953	648	55	(593)	386	347	(39)	1,034	402	(632)
1954	656	37	(619)	396	319	(77)	1,052	356	(696)
1955	782	31	(751)	466	334	(132)	1,248	365	(883)
1956	930	80	(850)	485	330	(155)	1,415	410	(1005)

<sup>1</sup> Parentheses indicate net import balance.

Source: U. S. Bureau of Mines and the Petroleum Almanac. Data for year 1956

is partially estimated.

Prepared by the Independent Petroleum Association of America February 1957.

Crude oil imports into the United States (excluding west coast) by company and source, last half of 1956

[All figures in thousands of barrels daily]

	3d quarter	October	November	De-cember	4th quarter		3d quarter	October	November	De-cember	4th quarter
To east-gulf coast:											
The Atlantic Refining Co.:											
Middle East	15.1	15.1	7.7	14.6	12.5						
Venezuela	61.4	40.5	63.5	47.9	50.6						
Other Western Hemisphere											
Total	76.5	55.6	71.2	62.5	63.1						
Cities Service Co.:											
Middle East	20.9	29.8	8.4	8.6	15.6						
Venezuela	9.9	11.1	3.4	7.1	7.2						
Other Western Hemisphere	1.2	3.3		3.5	2.3						
Total	32.0	44.2	11.8	19.2	25.1						
Gabriel Oil Co.:											
Middle East											
Venezuela											
Other Western Hemisphere											
Total							5.6	5.5	7.1	3.4	5.3

Crude oil imports into the United States (excluding west coast) by company and source, last half of 1956—Continued

[All figures in thousands of barrels daily]

	3d quarter	October	No- vember	De- cember	4th quarter		3d quarter	October	No- vember	De- cember	4th quarter
To east-gulf coast—Continued						To east-gulf coast—Continued					
Gulf Oil Corp.:						Southwestern Oil & Refining Co.:					
Middle East.....	59.0	56.0		37.0	31.0	Middle East.....					
Venezuela.....	79.0	84.0	85.0	103.0	90.7	Venezuela.....					
Other Western Hemisphere.....						Other Western Hemisphere.....	2.5		3.8		1.3
Total.....	138.0	140.0	85.0	140.0	121.7	Total.....	2.5		3.8		1.3
Hancock Oil Co.:						Standard Oil Company of California:					
Middle East.....	.6					Middle East.....	52.7	40.0	18.0		19.3
Venezuela.....		4.2				Venezuela.....	26.1	30.0	52.9	55.3	46.0
Other Western Hemisphere.....						Other Western Hemisphere.....					
Total.....	.6	4.2				Total.....	78.8	70.0	70.9	55.3	65.3
Lake Superior Refining Co.:						Standard Oil Co. (Indiana):					
Middle East.....						Middle East.....					
Venezuela.....						Venezuela.....	19.7	3.5	18.6	28.5	16.9
Other W. Hemis. (Canada).....	4.6	5.5	4.0	5.2	4.9	Other Western Hemisphere.....	2.2	3.3	7.0		3.4
Total.....	4.6	5.5	4.0	5.2	4.9	Total.....	21.9	6.8	25.6	28.5	20.3
Phillips Petroleum Co.:						Standard Oil Co. (New Jersey):					
Middle East.....						Middle East.....					
Venezuela.....	11.6	12.5	18.9	16.0	15.8	Venezuela.....	82.7	88.0	68.0	78.0	78.0
Other W. Hemis.....			.1	.1	.1	Other Western Hemisphere.....	1.3				
Total.....	11.6	12.5	19.0	16.1	15.9	Total.....	84.0	88.0	68.0	78.0	78.0
San Jacinto Petroleum Corp.:						Standard Oil Co. (Ohio):					
Middle East.....	.5					Middle East.....					
Venezuela.....	1.4					Venezuela.....	.4				
Other Western Hemisphere.....						Other Western Hemisphere.....	2.7		5.0	9.6	4.9
Total.....	1.9					Total.....	3.1		5.0	9.6	4.9
Shell Oil Co.:						Sun Oil Co.:					
Middle East.....						Middle East.....	44.7	36.2	25.8		20.7
Venezuela.....						Venezuela.....	10.6	12.4	7.6	4.0	8.0
Other Western Hemisphere.....	.5					Other Western Hemisphere.....					
Total.....	.5					Total.....	55.3	48.6	33.4	4.0	28.7
Signal Oil & Gas Co.:						The Texas Co.:					
Middle East.....	.5					Middle East.....	30.8	17.7	22.3	11.4	17.1
Venezuela.....	.6					Venezuela.....	37.6	25.8	29.5	30.3	28.6
Other Western Hemisphere.....						Other Western Hemisphere.....	6.4	8.1	4.2		4.1
Total.....	1.1					Total.....	74.8	51.6	56.0	41.7	49.8
Sinclair Oil Corporation:						Tide Water Associated Oil Co.:					
Middle East.....	17.5	20.2	14.5		11.6	Middle East.....	20.3		6.4	9.9	5.4
Venezuela.....	59.1	57.0	52.9	70.9	60.3	Venezuela.....	9.3	19.4	27.3	16.4	21.0
Other Western Hemisphere.....						Other Western Hemisphere.....					
Total.....	76.6	77.2	67.4	70.9	71.9	Total.....	29.6	19.4	33.7	26.3	26.4
Socony-Mobil Oil Co., Inc.:						Total to east-gulf coast:					
Middle East.....	16.1	16.9	3.7		6.9	Middle East.....	301.5	255.5	131.9	87.1	158.2
Venezuela.....	33.1	43.7	32.2	29.7	35.2	Venezuela.....	448.8	432.1	464.8	496.7	464.6
Other Western Hemisphere.....	17.3	23.9	21.7	16.2	20.6	Other Western Hemisphere.....	41.6	49.6	47.9	28.4	42.0
Total.....	66.5	84.5	57.6	45.9	62.7	Total, above companies.....	787.9	737.2	644.6	612.2	664.8
						All other.....	42.8	48.6	45.6	45.0	46.4
						Total.....	830.7	785.8	690.2	657.2	711.2

Source: Company data from Texas Railroad Commission.

Crude oil imports into United States west coast by company and source, last half of 1956

[All figures in thousands of barrels daily]

	3d quarter	October	No- vember	De- cember	4th quarter		3d quarter	October	No- vember	De- cember	4th quarter
To west coast:						To west coast—Continued					
Douglas Oil Company of California:						Standard Oil Company of California:					
Middle East.....						Far East.....	16.6	20.5	27.3	16.5	21.4
Canada.....						Canada.....	9.6	7.9		16.3	8.1
Venezuela.....						Venezuela.....	3.8				
Other Western Hemisphere.....		2.7				Other Western Hemisphere.....					
Total.....	2.7					Total.....	30.0	28.4	27.3	32.8	29.5
Shell Oil Co.:						The Texas Co.:					
Middle East.....						Far East.....	9.2	15.8	4.0	11.0	10.3
Canada.....		33.6	49.6	37.6	36.6	Canada.....	8.0	5.9	6.1	5.9	6.0
Venezuela.....						Venezuela.....	7.2				
Other Western Hemisphere.....						Other Western Hemisphere.....	4.2	3.8			1.3
Total.....	33.6	49.6	37.6	36.6	41.3	Total.....	28.6	25.5	10.1	16.9	17.6
Socony-Mobil Oil Co., Inc.:						Tide Water Associated Oil Co.:					
Middle East.....						Far East.....	34.5	51.5	35.0	20.1	38.6
Canada.....		17.4	17.9	31.7	26.8	Canada.....	6.5			3.8	1.3
Venezuela.....		15.1	6.9			Venezuela.....	3.6				
Other Western Hemisphere.....						Other Western Hemisphere.....	1.3				
Total.....	32.5	24.8	31.7	26.8	27.8	Total.....	45.9	51.5	35.0	32.9	39.9

Crude oil imports into United States west coast by company and source, last half of 1956—Continued

[All figures in thousands of barrels daily]

	3d quarter	October	November	De-cember	4th quarter		3d quarter	October	November	De-cember	4th quarter
To west coast—Continued						Total to West Coast:					
Union Oil Company of California:						Middle and Far East.....	77.2	92.2	86.8	76.7	85.9
Middle East.....	3.3	6.4	10.4	9.7	8.8	Canada.....	75.1	89.3	79.5	102.7	90.7
Canada.....		8.0	4.1	7.9	6.7	Venezuela.....	44.3	21.2	8.1	5.4	11.6
Venezuela.....	7.1			5.4	1.8	Other Western Hemisphere.....	8.2	3.8			1.3
Other Western Hemisphere.....						Total, above companies.....	204.8	208.5	174.4	184.8	189.5
Total.....	10.4	14.4	14.5	23.0	17.3	All other.....	6.9	9.7	6.2	5.0	7.0
Wiltshire Oil Co.:						Total United States.....	211.7	218.2	180.6	189.8	196.5
Middle East.....	13.6		10.1	10.4	6.8						
Canada.....				5.4	1.8						
Venezuela.....	7.5	14.3	8.1								
Other Western Hemisphere.....											
Total.....	21.1	14.3	18.2	15.8	16.1						

Source: Company data from Texas Railroad Commission.

## Appendix IV

1. Chart showing interrelationship between members of Middle East Emergency Committee.

2. Chart showing joint enterprises in foreign crude-oil operations by seven principal companies.

3. Chart showing source of net income of Gulf Oil Corp. and Standard Oil Co. (New Jersey).

[Charts not printed.]

sonable import quota which will afford these industries some measure of protection from low-wage competition.

Mr. President, I believe in reciprocal trade, and I believe free-world trade must be fostered. At the same time, however, I do not believe that our domestic industries should be sacrificed upon the altar of so-called reciprocal trade.

I regret, Mr. President, that it is necessary to come to the Congress and ask for legislative quotas on the importation of foreign plywood. This is necessary, however, because administrative relief has been denied by the Tariff Commission to our domestic plywood industry. An escape-clause complaint was filed by the plywood industry in 1955, but the Commission blamed the plywood problems in this period of economic prosperity on a business recession in 1954.

Mr. President, the plywood industry also tried to work out a system of voluntary quotas with the Japanese Government in 1955. A voluntary quota agreement was arranged; but the paper upon which it was written turned out to be of more value than the agreement, as has been the case with many of our agreements with foreign countries.

This brochure, in a section entitled appropriately "The Quota That Wasn't There," gives all the facts on this attempt to work with the Japanese.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may have an additional one-half minute in which to complete my statement.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, the Senator from South Carolina may proceed for an additional one-half minute.

Mr. THURMOND. Mr. President, these industries need relief, and they need it now. Already plywood and veneer plants have closed in a number of States, and even more have been forced to cut back on their working hours, thus throwing many American employees out of work, and shifting countless others to only part-time employment.

I am preparing a bill which I believe will provide some relief to these important industries. The Honorable JOHN

McMILLAN, dean of the South Carolina delegation in the House of Representatives, is also preparing similar proposed legislation for introduction in the House. I hope these legislative proposals, when introduced, will receive the full support of the Congress.

## EXHIBIT 1

## THE STORY OF IMPORTS OF FOREIGN HARDWOOD PLYWOOD

The tariff slashes on plywood were made at the great international tariff negotiations (General Agreement on Tariffs and Trade) in 1951 in disregard of the strong protest of American industry. Here is the effect of the reduction:

Hardwood plywood imports<sup>1</sup>

[Quantity in thousands of square feet]

	1937	1946	1951	1955	1956 estimate <sup>2</sup>
Japan.....	3,294	-----	12,894	428,626	510,000
All other countries.....	1,227	20,305	53,867	199,133	180,000
Total.....	4,521	20,305	66,761	627,759	690,000

<sup>1</sup> Bureau of Census, Department of Commerce.

<sup>2</sup> Based on imports for January–November 1956. Reconciled with 1955 imports.

You see the increase in imports, now look at how the foreign plywood ate up the American market.

## Ratio of plywood imports to domestic shipments and consumption

[Quantity in thousands of square feet]

	Domestic <sup>1</sup>	Imports <sup>1</sup>	Con-sump-tion	Ratio imports to domestic shipments	Con-sump-tion
1951.....	805,000	66,761	871,761	8.2	7.6
1955.....	881,000	627,759	1,508,759	71.2	41.8
1956.....	<sup>2</sup> 810,000	<sup>3</sup> 690,000	1,500,000	85.2	46.0

<sup>1</sup> Bureau of Census, Department of Commerce.

<sup>2</sup> Estimates based on January–September Census Bureau Report and 4th quarter 1956 HPI reports.

<sup>3</sup> Based on Bureau Census Reports January–November 1956.

## THE AMERICAN PLYWOOD INDUSTRY

In the 5 years since 1951, United States industry in general has undergone a tremendous industrial expansion, as shown by official United States Government figures.<sup>1</sup> But this vast expansion just didn't happen to the 140 American plants manufacturing

<sup>1</sup> Board of Governors, Federal Reserve System.

hardwood plywood for sale. The American hardwood plywood industry, because of the steadily increasing imports of cheap foreign plywood has been forced to cut back production all the way to the 1951 level. Hardwood plywood market shipments in 1956 will amount to 810 million square feet, a mere 5 million square feet, or 0.6 percent more than 1951.

Since 1951 costs of making our products have increased from 30 to 40 percent. Wages have increased materially. Prices of hardwood plywood, due to the depressing effect of low priced imports, have not increased in relation to the increase in costs. The United States Labor Department index for hardwood plywood stands at 104, whereas the index covering wholesale price for commodities other than farm products and food, is 124.<sup>2</sup>

Since 1951 the consumption of hardwood plywood in the United States has increased from 871 million square feet to 1,517 million square feet, or 74 percent.<sup>3</sup> American industry was able to capture only 0.6 percent of this increase. The unfairly low-priced imports from Japan and other low-wage-scale countries deprived the American hardwood plywood industry of its rightful share of this increase in use and the benefits which should have accrued to you. The constant whittling away of the American producers' share of the United States market will, unless imports are curtailed, force more and more curtailment of production, loss of work hours and plant closings such as occurred in 1956 when several plants were forced to close down. It can't happen here? Oh, yes; it can!

American hardwood plywood producers just can't compete with imported plywood priced duty-paid at less than the cost of production of a comparable American panel—that is, not until our United States workers decide to work for Japanese wages—that's ridiculous and impossible? Of course it is—but you get the idea.

#### THE JAPANESE PLYWOOD INDUSTRY

The Japanese plywood industry is singled out because: Japanese plywood is sold in the United States for less than cost of production of American plywood; Japanese wages in the plywood industry are 11.5 cents an hour as compared to a legal minimum wage in the United States of \$1; the Japanese work 205 hours an average month with no overtime and Japanese labor cost per 1,000 square feet of plywood is \$4.17 against \$30 to \$34 in the United States.

The following table illustrates the tremendous growth in capacity of the Japanese plywood industry in the 21 years from 1935 (125 mills) to 1956 (220 mills) with a capacity in 1956 of 2.9 billion square feet per annum, double the capacity of United States plants.<sup>4</sup> Further, in 1951 the production of the Japanese plywood industry was only 625 million square feet and Japanese production has increased to 2.4 billion square feet in 1956, or a 400 percent increase against an increase by United States producers of an infinitesimal 5 million square feet increase or 0.6 percent. In the 1st quarter of 1956, the United States shipments of hardwood plywood were 236 million square feet in contrast to 3d quarter 1956 shipments of 187 million square feet.<sup>5</sup> It is to be remembered that the 220 Japanese plants have the most modern equipment,<sup>6</sup> most of it modernized or newly built with United States financial aid with little or no cost to their owners.

<sup>2</sup> BLS—Price Index.

<sup>3</sup> BDSA, Department of Commerce.

<sup>4</sup> Japanese Forestry Agency.

<sup>5</sup> Facts for Industry, Bureau of Census.

<sup>6</sup> Foreign Service Dispatch 894.391/3-2756—Production fixed by cartel.

Bear in mind that the Japanese plywood industry is a cartel (forbidden by law in the United States) which controls production, prices, and exports.<sup>7</sup>

The table also shows the astronomical increase in Japanese exports in the years 1935 to 1950—an increase percentagewise of approximately 1,000 percent.

#### Japanese plywood industry

[Unit in thousands of square feet]

Year	Number plants	Production	Exports	Capacity
1935 <sup>1</sup> .....	125	429,820	64,028	.....
1940 <sup>1</sup> .....	200	831,430	74,744	.....
1951 <sup>1</sup> .....	222	625,732	126,260	.....
1953 <sup>1</sup> .....	225	1,043,711	156,833	.....
1955 <sup>2</sup> .....	220	2,050,000	629,510	.....
1956 <sup>2</sup> .....	220	2,343,488	700,000	2,900,000

<sup>1</sup> Japanese Forestry Agency.

<sup>2</sup> Foreign Service dispatch 894.391/3-2756—Production fixed by cartel.

One more point, United States foreign dispatch No. 893.371/12/2156 dated December 12, 1956, from our Embassy in Tokyo says:

"In the past few years there has been a considerable increase in Japanese exports of plywood, particularly to the United States. Plywood exports, which were valued at \$9.5 million in 1953, increased in value to \$26 million in 1954 and to \$37 million in 1955. It is estimated that the value of plywood exports in 1956 will approximate \$43 million. The importance of the United States market will be appreciated when it is seen that the United States absorbed approximately 62 percent (\$16 million) of all Japanese plywood exports in 1954 and 73 percent (\$27 million) in 1955. In 1956 based on 9-

month figures the United States may take as much as 82 percent (approximately \$35 million) of Japanese plywood."

#### THE QUOTA THAT WASN'T THERE

In October 1955, the Japanese Ministry of International Trade and Industry (MITI) by decree No. 54 placed an export quota with a thickness basis of 4 mm. on lauan, sen and birch plywood exports to North and South America, Caribbean Seacoast and Hawaii.<sup>8</sup> The first quota period was October 1955—March 1956 and the second April 1956—September 1956. The table on page 11, column 1, shows the amount of the quota as established by MITI.

In December 1956, the United States Embassy at Tokyo advised that the plywood quota had been changed from that originally set by MITI Order No. 54. The table, column 2, sets out the quota as revealed in December 1956. The dispatch<sup>9</sup> also revealed for the first time that the 4 mm. basis had been abolished. Birch and sen plywood and two-ply, ribbon grained, curved, strengthened, fancy face and special construction of all species were no longer included in the quota.<sup>10</sup>

The table, column 3, gives the plywood imports from Japan on a 4 mm. basis (the quota thickness base), column 4 the imports into the United States, Canada, and South America as the alleged quota included North and South America, Caribbean Seacoast and Hawaii. The figures in the table establish that the quota was never compiled with even allowing for the exclusions which were disclosed only after compliance with the quota was questioned.

<sup>7</sup> Foreign Service dispatches 400-749/11-1955, 400.949/3-2756.

<sup>8</sup> Foreign Service dispatch 894.391/12-1256.

#### Comparison Japanese quota and United States, Canada and South American imports from Japan

[Unit 1,000 square feet]

Period	By MITI order 54, 4 million basis <sup>1</sup>	By dispatch of Dec. 21, 1956 <sup>2</sup>	United States imports, 4 million basis <sup>3</sup>	Imports United States, Canada, and South America <sup>4</sup>
October-December 1955:				
Lauan	49,700	54,430	96,628	102,450
Sen and birch	8,760	9,707	21,036	22,406
Special A	\$10,000	A. 20,000	.....	.....
Special B	\$20,000	B. 40,000	.....	.....
MITI	\$11,000	.....	.....	.....
Total	99,400	124,137	117,664	124,856
January-March 1956:				
Lauan	56,604	59,364	85,273	92,868
Sen and birch	9,636	10,583	17,174	18,547
Special A	\$12,000	22,000	.....	.....
Special B	\$20,000	40,000	.....	.....
MITI	\$12,000	.....	.....	.....
Total	108,000	131,947	102,447	111,415
April-June:				
Lauan	1 <sup>1</sup> 75,225	76,040	111,925	124,432
Sen and birch	13,275	16,006	18,158	18,610
Special	1,500	12,850	.....	.....
MITI	10,000	.....	.....	.....
Total	100,000	104,896	130,083	144,042
July-September 1956:				
Lauan	1 <sup>1</sup> 75,725	89,358	151,948	159,717
Sen and birch	13,275	(3)	16,899	.....
Special	1,500	(3)	.....	.....
MITI	10,000	(3)	.....	.....
Total	100,000	89,359	168,847	159,717

<sup>1</sup> Foreign Service Despatches 400-749/11-1955, 400.949/3-2756.

<sup>2</sup> Foreign Service Dispatch 894.391/12-1256.

<sup>3</sup> Bureau of Census Converted Dispatch 894.391/12-2156 and MITI publication of exports by thicknesses, 1955 and 1956.

<sup>4</sup> Foreign Service Dispatch 894.391/12-2156.

<sup>5</sup> Special quota includes United Kingdom and Ireland.

<sup>6</sup> According to Foreign Service Dispatch 894.391/12-2156 this quota covered unpopular sizes and grades and was not used, so says the dispatch. The quota was abolished later.

<sup>7</sup> Foreign Service Dispatch 400-949/3-2756.

<sup>8</sup> Abolished.

## WHAT HAS BEEN DONE

In the past 4 years the Hardwood Plywood Institute and many prominent manufacturers have worked long and hard to bring relief from this situation. Efforts have been made to bring about a solution by working with appropriate Federal agencies and departments. They have opposed the enactment of legislation to prevent further duty reductions; as well as moves to authorize United States membership in the Organization of Trade Cooperation (OTC), an internationally controlled tariff regulatory agency. An escape clause complaint was filed and, after hearing, denied on the ground that the 1954 business recession and not imports, were the cause of the industry's damage. Anti-dumping complaints were filed against Japan and Finland, both were denied on the ground that the amount of dumping was not sufficient to do any real damage. In both these matters arbitrary Federal agency discretion prevailed over good and compelling evidence.

In July 1956, the hardwood plywood manufacturers organized the Hardwood Plywood Manufacturers Committee to act as a vehicle for an educational program to bring the story of hardwood plywood imports to industry, the workers and the public. Memberships in the committee include plywood plants located in all parts of the United States, veneer producers, and other suppliers to the hardwood plywood industry. Its work enables us to bring this vital story to you.

## WHAT MUST BE DONE

The efforts of the administration to turn foreign trade regulation and tariffs over to that international body called OTC must be opposed. Efforts of foreign interests to emasculate the Antidumping Act and the Buy-American Act must be fought.

Finally, legislation must be had which will provide a quota on plywood imports so that the United States plywood industry will be allowed to produce 85 percent of the plywood needed for domestic consumption and that foreign imports be limited to a maximum of 15 percent—this quota to be set by the United States Government not by that of Japan. The concerted efforts of industry and labor will be required to secure favorable action on such legislation.

## HOW YOU CAN DO IT

The problem that has been created for the plywood industry by the Government's foreign trade policy is being brought home to you and we hope by you to your wife, family, and friends. American workers will recognize that their jobs are in jeopardy and their security threatened. So the first job is to get this story before as many people as possible—affected people, those who supply the hardwood plywood and veneer plants and those who supply their workers. We mean "the butcher, the banker, the candlestick maker" and the banker, and the town officials. We mean the firms that sell the plywood plant its raw materials; glue, etc., and its machinery, spreaders, sanders, presses, knives.

Finally, we mean those "very important people," your representatives in Washington. Tell them how you feel about it and what it means to you and yours, your plant, and your workers and their families. No one in the Nation's capital is more interested in you than the people you sent there to represent you—they welcome your views on matters that affect your welfare.

One last thought—this isn't a new battle and it's not going to be won in a day. It takes time, perseverance, and patience to get relief. The effort must be a continuing one—but don't let that keep you from getting started today.

HARDWOOD PLYWOOD MANUFACTURERS  
COMMITTEE.

MR. AIKEN. Mr. President, will the Senator from South Carolina yield to me?

MR. THURMOND. I yield.

MR. AIKEN. I wonder whether the Senator from South Carolina knows why the plywood industry has not taken hold of this situation itself and made representation to the Tariff Commission. Three weeks ago I undertook to do something in behalf of the plywood industry, and I went to the highest places to which I could go. Lo and behold, a week later I found that for the past 2 years the plywood industry did not make any representation in its own behalf anywhere.

THE PRESIDING OFFICER. The additional time of the Senator from South Carolina has expired.

MR. AIKEN. Mr. President, I believe that under the order, I am entitled to have 3 minutes in which to speak in my own behalf.

MR. THURMOND. Mr. President, I ask unanimous consent for an extension of my time for 1 minute, in order to give my friend, the Senator from Vermont, an opportunity to present his views on this matter.

MR. THYE. Mr. President, I ask unanimous consent that, for the purpose just stated, the time of the Senator from South Carolina be extended for an additional 2 minutes.

THE PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

MR. AIKEN. So, Mr. President, I believe that the representatives of the plywood industry probably have a good case at this time. Two years ago the appeal of the plywood industry to the Tariff Commission was turned down because it was found that the industry was then in fairly good condition and did not need increased protection. However, during the past 2 years the situation has changed, and I believe now the representatives of the plywood industry should prepare their case and should go to the Tariff Commission and, if necessary, should go higher up, in order to seek relief.

It is asking considerable of a Member of the Senate or a Member of the House of Representatives to request that he prepare the case of the plywood industry for its representatives and try to accomplish by means of legislation what the representatives of the industry do not seem inclined to attempt to accomplish through the regular channels, which could afford relief. It appears to me that the plywood industry is far more likely to receive help through the regular authorized channels provided by law than it is from depending upon a change in the law itself.

MR. THURMOND. Mr. President, in the course of the statement I have made, I think I have outlined the situation. I am sure that the plywood industry deserves relief. The representatives of the industry have pursued the courses now available under law; and at this time the only procedure which seems to remain available to them is the introduction of a bill for that purpose.

## MEETING OF JUDICIARY COMMITTEE'S SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS DURING THE SESSION OF THE SENATE

MR. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Subcommittee on Constitutional Rights, of the Committee on the Judiciary, be permitted to meet today during the session of the Senate. I am informed that in executive session today the subcommittee agreed to terminate the hearings on pending civil-rights proposals on Tuesday, March 5, 1957.

THE PRESIDING OFFICER. Is there objection?

MR. JOHNSTON of South Carolina. Mr. President, reserving the right to object—although I do not intend to object—I should like to state that I wish to be notified when the subcommittee is meeting. I am a member of the committee, and I was at the meeting this morning. However, I did not know that the subcommittee was to meet this afternoon; I was not told anything about it.

MR. JOHNSON of Texas. I was merely following the usual custom. The request was transmitted to me by a member of the staff of the subcommittee; and, as majority leader, I would make such a request for any committee of the Senate. I have no knowledge of the inner functions of the committee.

MR. JOHNSTON of South Carolina. I believe the request is only for today; is that correct?

MR. JOHNSON of Texas. Yes; to meet during the session of the Senate today.

MR. ERVIN. Mr. President—

MR. JOHNSON of Texas. I yield to the Senator from North Carolina.

MR. ERVIN. Mr. President, reserving the right to object—although I have no present intention of exercising that right—I wish to make a statement.

THE PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from North Carolina?

MR. JOHNSON of Texas. I yield.

MR. ERVIN. I am a member of the Subcommittee on Constitutional Rights. This morning at 8:15 a. m., I was notified, for the first time, by my administrative assistant, that there would be a special meeting of the subcommittee at 9 a. m. to pass on matters of procedure in respect to the bills on so-called civil rights, pending before that subcommittee. My administrative assistant advised me at that time that he had been given telephonic notice only a moment before.

I am personally at a loss to understand why I did not receive notice earlier, because, having spent Monday of last week driving 440 miles, and having spent the other days of last week, including Saturday, in virtually all-day committee sessions, I stayed in my apartment all the time from Saturday afternoon until this morning, when I left it to attend the special meeting of the subcommittee. I have a telephone listed in the Washington City Directory in my name. My administrative assistant has a telephone listed in the Washington City Directory in his name. My secretary has a telephone listed in the Washington City Directory in his name. I do not wish to

take too much umbrage at the fact that I received such belated notice, because, so far as missing my breakfast is concerned, that does not make any difference, inasmuch as I have enough excess calories stored up; but I did not have time to take a shave, and my peculiar style of pulchritude is such that it does not show up to best advantage when I am not shaved.

When I reached the committee I was confronted by a motion, which was agreed to over the dissenting vote of the distinguished senior Senator from South Carolina and myself, whereby it was decreed by the subcommittee that it would cease holding hearings at the time stated by the majority leader, that when the clock reached a certain point the subcommittee would refuse to take further testimony, or receive further enlightenment, and would proceed to take action.

The motion agreed to by a majority of the subcommittee over our dissenting votes is to take full effect today, and the result is that a Senator who feels that it is his duty to sit on the subcommittee, and also feels it is his duty to be present on the floor when the Middle East resolution is considered, is compelled to elect whether he will represent his constituents on the floor of the Senate or whether he will sit in the subcommittee.

I respectfully submit that the action taken is without precedent in the annals of the Senate. While it may hasten the enactment of legislation at this time, legislation which some Senators may consider desirable, it may be used in the future as a precedent by a majority of a subcommittee to practice what is tyranny on the minority of such subcommittee. So far as I am concerned, I should like to sit on the subcommittee even if I have to sacrifice my right to represent my constituents on the floor of the Senate during the consideration of the Middle East resolution. But I submit that the Members of the Senate and the Members of the House of Representatives, as well as the people of the United States, had better see to it that those of us who entertain views which accord with mine be given a reasonable opportunity to present this matter and bring it fully to the attention of the American people.

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

Mr. ERVIN. I yield.

Mr. JOHNSON of Texas. I am not a member of the subcommittee, and I had nothing to do with voting on the motion cutting off the hearings on March 5. If I had been a member of the committee, I would not have voted for such a motion; but in view of the fact that the motion has been adopted and that hearings are to be ended, does not the Senator think it would be better for the committee to meet longer each day, in order to get all the information possible?

Mr. ERVIN. In reply to the inquiry of the Senator, I give an affirmative answer, because one of the bills which the Attorney General of the United States urges us to report favorably provides that so-called civil rights cases shall be tried in equity proceedings, under which litigants would be denied the right of trial by

jury, and in which parties to the proceedings could be punished for criminal contempt without trial by jury. Not only that, but if section 55 of title 8 of the United States Code means what it says, the decrees in such cases can be enforced by the President of the United States calling out the Army, Navy, or militia. That is the kind of bill we are asked by the Attorney General of the United States to pass. Title 8, section 55, of the code has been recodified as title 42, section 1993.

Since I think there ought to be as much consideration of such a bill as possible, I agree with the observation made by the distinguished majority leader. It would be better for us to consent to have the subcommittee sit while the Senate is in session, even though such course denies our right to represent our constituents in an effective manner in the consideration of the Middle East resolution. Therefore I offer no objection.

Mr. CASE of South Dakota. Mr. President, reserving the right to object, will the Senator yield?

Mr. JOHNSON of Texas. I desire to make it abundantly clear that I am carrying out the usual function of the majority leader in presenting to the Senate the request made by a committee. Now I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. I merely wish to take a moment to say that the observations made by the Senator from North Carolina represent his estimate of the meaning of the bills, and not the interpretation accepted by the Attorney General of the United States. The Attorney General is not advocating a bill which will result in the denial of certain fundamental rights.

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

Mr. JOHNSON of Texas. I yield to the Senator from North Carolina.

Mr. ERVIN. I agree in part with the observation of the Senator from South Dakota, because I do not think that, until Saturday afternoon, the Attorney General knew that his bill would authorize the President to call out the Army, the Navy, or the militia to enforce judicial processes in suits in which the right of trial by jury would not exist.

Mr. JOHNSON of Texas. Mr. President, may we have the question put?

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

Mr. JOHNSON of Texas. Does the Senator from Illinois have an observation to make on this question? I may say I think we shall have further discussion on this subject later in the session. [Laughter.] I remind Senators that the President has urged the adoption of the measure which the subcommittee is considering.

I yield now to my delightful friend from Illinois.

Mr. DIRKSEN. Mr. President, I do not deem the action taken by the subcommittee as extraordinary. I am not a member of the subcommittee, but it has been rather common in some subcommittees, where controversial legislation is pending, to have a certain day set for the conclusion of testimony, so that, at long

last, a vote can be had. I apprehend that what happened this morning was that there was a motion made to set the 5th day of March as the date for the termination of all testimony. We must consider the request in the light of what has happened before. I point out to my esteemed friend that long hearings were held on this subject last year, first in the subcommittee, and later in the full committee.

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

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. Mr. President, who has the floor?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from Texas has the floor.

Mr. JOHNSON of Texas. I yield to the Senator from Mississippi, if that is agreeable to the Senator from Illinois.

Mr. EASTLAND. Mr. President, did the Senator from Illinois attend any subcommittee hearings last year on this subject?

Mr. DIRKSEN. Yes. I think there were hearings before the subcommittee.

Mr. EASTLAND. There were no subcommittee hearings last year.

Mr. DIRKSEN. My recollection is that there were hearings in the subcommittee, up until the time I made the motion that the full Committee on the Judiciary take testimony.

Mr. EASTLAND. But there had been no hearings before the subcommittee.

Mr. DIRKSEN. There were hearings before the full committee, over which our distinguished friend from Mississippi so ably presided.

So the action suggestion is by no means extraordinary. Similar action has been taken before. I think the request must be considered in the light of the background involved. This question has been before us for a long time. I am always glad to have more light and better understanding of any subject. So if the subcommittee wishes to meet three times a day, I give it my full sanction, in the interest of expeditious action.

Mr. ERVIN. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. ERVIN. This year the subcommittee has had referred to it approximately 16 bills, occupying about 115 pages of printing. They contain scores of provisions. There are a number of amendments which, so far as I know, have never been considered.

Certainly we are entitled to be enlightened. I do not believe that the fact that evidence was introduced against A when he was tried on a criminal charge should dispense with the necessity of producing evidence against B when B happens to be tried for a similar offense at some time in the future.

Reference has been made to past hearings. I believe that the question involved is crucial to the American Government. As I say, these bills would allow the Attorney General of the United States, one human being in the entire universe, to determine, in the first place, whether the bills, if enacted, would be put into operation at all.

In the second place, they provide that if the man who happens to be the temporary occupant of the Attorney General's Office at any particular time determines to put the Federal law in motion, State laws prescribing administrative remedies will fall to the ground. So we have, not government by laws, not government by men, but government by the whim and caprice of one man, the temporary occupant of the Attorney General's Office.

I submit that we should not be compelled to absent ourselves from the Senate to attend hearings before a subcommittee while the Senate is considering one of the most momentous proposals ever considered by it, namely, the resolution relating to the Middle East.

Such far reaching proposals as are involved in the bills before the subcommittee should receive adequate consideration. They cannot receive such consideration under the motion adopted by a majority of the subcommittee.

Nevertheless, I shall not object to the pending request, if that is what is desired by a majority of the subcommittee.

Mr. JOHNSTON of South Carolina.

Mr. President —

Mr. JOHNSTON of Texas. Mr. President, I was engaged in discussion with one of my colleagues. Did the Chair put the request?

The PRESIDING OFFICER. The Chair did not.

Mr. JOHNSTON of Texas. Does the Senator from South Carolina desire me to yield to him?

Mr. JOHNSTON of South Carolina. Yes.

Mr. JOHNSTON of Texas. I am delighted to yield to my friend from South Carolina. But let me say first that at the conclusion of the colloquy on the unanimous-consent request I shall move to proceed to the consideration of the urgent deficiency appropriation bill. Then each Senator who is recognized may speak without operating under the 3-minute rule. That is the only effect my motion will have.

Mr. JOHNSTON of South Carolina. Mr. President, I shall not require more than 3 minutes.

Mr. JOHNSTON of Texas. I may say to the Senator from Oklahoma [Mr. MONRONEY], the Senator from Mississippi [Mr. EASTLAND], the Senator from Illinois [Mr. DOUGLAS], and other Senators who desire to speak that when the appropriation bill is made the unfinished business, each Senator who desires to speak, may speak for as long a time as he wishes.

Mr. THYE. Mr. President, will the Senator yield before making the request?

Mr. JOHNSTON of Texas. I yield.

Mr. THYE. A number of Senators thought they would be given an opportunity to be heard during the morning hour. They are still in the Chamber awaiting an opportunity to be heard during the morning hour. In the event some Senator should obtain the floor and hold it for any length of time, a great many Senators who have been waiting to be heard during the morning hour would not have that opportunity.

Mr. JOHNSTON of Texas. I do not believe any Senator would deprive his colleagues of the opportunity to be heard. I shall make the motion to which I have referred; and, after a trial, if we find that we have made a mistake, we can back up.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to concur in everything the Senator from North Carolina [Mr. ERVIN] has said.

I received my notice this morning while I was at the breakfast table, at 8:15. I rushed to the hearing room, and arrived a little after 9 o'clock, when the subcommittee was supposed to meet.

I am a new member of the subcommittee. I did not have the advantage of study last year with other members of the subcommittee.

We have about 16 bills before us, and it is my understanding that the 16 bills have all been combined into 1 bill, which is called an omnibus bill. I understand that it is to be reported in that form.

I have not had the time to read all the bills. Neither have I had time to read what is known as the omnibus bill.

People throughout the Nation, including the governors of the various States, the attorneys general of the various States, and the bar associations of the various States, are intensely interested in this question. The president of the Bar Association of South Carolina has notified me that that association would like to be heard. It is said that there is considerable danger awaiting us in the bills which are being rushed through without being looked into properly. That being so, I did not vote to close the hearings within 2 weeks. There are many persons throughout the Nation who should have an opportunity to be heard.

In order to save time, at the subcommittee meeting this morning the Senator from North Carolina [Mr. ERVIN] and I submitted in writing our protest concerning the action of the subcommittee. I ask unanimous consent that the text of this protest be printed in the Record at this point as a part of my remarks in order that Senators and the public may know just what took place and what the present situation is.

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

(Dictated by Senator ERVIN at close of executive meeting of Senate Subcommittee on Constitutional Rights, February 18, 1957, 9:30-10:30 p. m.)

Senators OLIN D. JOHNSTON, of South Carolina, and SAM J. ERVIN, Jr., of North Carolina, protest the adoption of the motion on each of the following counts:

1. First, that such motion setting an arbitrary time limit for consideration of these bills by the subcommittee is unprecedented in Senate annals.

2. That such motion requires the committee to sit while the Senate is considering one of the most momentous proposals ever considered by the Senate in the long course of its history, namely, the resolution relating to the Middle East. As a consequence, it disables a Senator who happens to be a member of the subcommittee to give proper consideration to either the Middle East Resolution now being heard in the Senate or the bills pending before this committee.

3. The motion compels Senators who attempt the vain process of performing both of these senatorial duties, to perform the same while they may be in a state of virtual physical and mental exhaustion.

4. The motion provides for the cutting short hearings before any ample opportunity is given the subcommittee to determine whether the governors and attorneys general of sovereign States can adapt their official schedules so as to attend the sessions of the subcommittee during the limited time.

5. The motion deprives the governors and attorneys general of sovereign States and famous constitutional lawyers who desire to be heard of an adequate opportunity to even study an analyze the 16 or 17 so-called civil rights bills now pending before the subcommittee.

6. The motion is alien to the traditions of the Senate in that it prevents this subcommittee from acting as a deliberative legislative body.

7. The motion establishes a tragic precedent for the government of Senate committees in that the rule established by it will permit tyrannical practices in the future by the majorities of Senate subcommittees.

Mr. JOHNSTON of Texas. Mr. President, I asked that the distinguished chairman of the subcommittee be notified of the request which comes from his committee and the discussion which has taken place in connection with it, but I have been unable to reach him.

In view of the fact that Senators do not care to object, I hope the question can be put, so that we may proceed to other matters.

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

The Chair hears none, and it is so ordered.

#### URGENT DEFICIENCY APPROPRIATIONS, 1957

Mr. JOHNSTON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 4249, the urgent deficiency appropriation bill.

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

The LEGISLATIVE CLERK. A bill (H. R. 4249) making appropriations for the fiscal year ending June 30, 1957, 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, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSTON of Texas. Mr. President, I desire to express my thanks publicly to the distinguished Senator from North Carolina [Mr. ERVIN], the Senator from Illinois [Mr. DIRKSEN], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Mississippi [Mr. EASTLAND], and others who have been helpful to the leadership.

#### THE MIDDLE EAST SITUATION

Mr. DOUGLAS. Mr. President, this morning three very important documents were published in the press.

The first of these was the memorandum which Secretary of State John Foster Dulles submitted to the Ambassador from Israel on last Monday, February 11.

The second was the reply handed by the Ambassador of Israel to Secretary of State Dulles on last Friday, February 15.

The third was the statement of the President of the United States, issued on yesterday, February 17.

I hope all these documents will be studied in detail by the people of the United States.

If they are examined in the light of the situation which now exists in the Middle East, it will be seen that, unless American policy is changed decidedly in the next few days, the results may be disastrous to peace, to the United States, and to the free world.

On two separate occasions, I have previously discussed the issues now before the world, in connection with the Gulf of Aqaba and the Gaza Strip. I have pointed out that if the Israeli troops are withdrawn, and if the Egyptian troops then move into those positions, in the absence of clear, definite, and binding provisions, the same situation will in all probability develop once again which existed prior to October 29 of last year.

As we may remember, Egyptian troops and shore batteries prevented the access of any ship sailing from the Red Sea into the Gulf of Aqaba, or sailing out of the Gulf of Aqaba into the Red Sea. The Egyptian troops thus sealed off the Gulf of Aqaba from commerce.

I pointed out that if this situation is allowed to occur once again, it will be impossible to have any effective alternative or supplement to the Suez Canal and to the pipelines which run across Syria.

If the Gulf of Aqaba is opened to traffic, it will then be possible for tankers to come from the Persian Gulf, which is the center of the Mideast oil reserves, to go into the Red Sea and then, instead of going through the Suez Canal, to go up the Gulf of Aqaba, and there to discharge their oil at Elath, from which place the oil can be pumped across Israel in pipelines to a Mediterranean port, where, in turn, it can be put on board tankers for Western Europe. This will make the West more independent of Colonel Nasser and the Syrian military clique.

In the exchange of notes between the Government of Israel and the Government of the United States, Israel is merely taking the position that if and when her troops move out from the strategic positions in the Gulf of Aqaba, they should be replaced by the United Nations police force, which would then neutralize the area and protect the right of free access.

The memorandum which was submitted by Secretary of State Dulles to Israel on the 11th refused to make any such definite promise. Instead, a very ambiguous statement was made, that "the United States, on behalf of vessels of the United States registry, is prepared to exercise the right of free and innocent passage and to join with others to secure general recognition of this right."

However, the Secretary of State did not define what he meant by these general words. He did not say whether the United States was prepared to send ships through the Straits of Tiran into the Gulf of Aqaba, and to defend the right of those ships to move, as Jefferson defended the right of our commerce to move freely in the Mediterranean at the time the Barbary pirates were perpetrating their outrages.

Secretary of State Dulles did not say what sanctions, if any, the United States would be prepared to invoke if Egypt once again closed the entrance. His was general language, which needed clarification and definition.

The Ambassador from Israel, in his reply of Friday, is now shown to have said:

Failing such an arrangement for the stationing of UNEF—

That is the United Nations police force—

the Government of Israel suggests that a precise guarantee be afforded for the specific protection of the Israel-bound shipping exercising its right of passage in the straits and the gulf.

It would seem to be a most modest and most appropriate request, "that a precise guaranty be afforded for the specific protection of Israel-bound shipping."

I am disappointed that in the statement which the President of the United States issued yesterday he declared:

The United States believes that the action of the United Nations of February 2 and the statements of various governments, including the United States memorandum of February 11, provide Israel with the maximum assurance that it can reasonably expect at this juncture, or that can be reconciled with fairness to others.

Accordingly, the United States has renewed its plea to Israel to withdraw in accordance with the repeated demands of the United Nations and to rely upon all friends of justice to bring about a state of affairs which conform to the principles of justice and of international law and serve impartially the proper interest of all in the area.

Then there was this final paragraph:

The United States, for its part, will strive to remain true to, and support, the United Nations in its efforts to sustain the purposes and principles of the charter as the world's best hope of peace.

I take it that this is, in polite language, a rejection of the request of Israel for a clarification of the American policy. In other words, the American Government as of this moment is taking the position that Israel should withdraw now, and then later take its chances as to what may happen in the Gulf of Aqaba or in the Straits of Tiran.

Mr. President, I submit that this is a very dangerous policy, which, if carried out, will result, in all probability, in Egypt moving in as Israel moves out; and then we will return to the conditions which existed prior to October 29, which were so unsatisfactory that war broke out.

We should remember in this connection that Egypt has been in violation of decisions of the United Nations since 1951, when it closed the Suez Canal to ships of Israeli origin, in violation also of the agreement of 1888.

Certainly it was also a violation of international law to close the Straits of Tiran and the Gulf of Aqaba.

Last Thursday, the Secretary of the United Nations, Mr. Hammarskjold, said that Egypt had given private assurances that this area might be neutralized. In the few remarks which I made on that day I asked whether Egypt was not willing to make this alleged private assurance public so it would become binding upon the country to the degree that any such pledge may be binding. No such public pledge was given. We do not know what happened, but the press dispatches from Saudi Arabia and Cairo indicated that the Arabian countries did not look kindly upon any public pledge based on the alleged offer of the Secretary of State to do something to get the Straits of Tiran open for navigation.

In any event, Mr. President, unless the American attitude changes we are likely to become involved in grave trouble and play directly into the hands of Nasser and the Arab bloc, with the result that war may break out. If that occurs, no one knows where it will stop.

Mr. President, I should also like to speak briefly, if I may, on the question of the Gaza strip itself. This territory is only 6 miles wide and 25 miles long, but it has within it 200,000 Arab refugees and about 60,000 Palestinian Arabs. It was not at any time a part of Egypt. It was a part of Palestine under the British mandate. By the armistice agreement of 1949 it was put under the military protection of Egypt.

Mr. President, wrongs have been committed on both sides in connection with the Gaza Strip, and we should not maintain that Israel has been entirely innocent in this matter, because from the evidence that I can gather, Israel made a raid upon Gaza in February 1955. But this raid was followed by a series of reprisals by Egypt with armed but non-uniformed guerrillas, some 600 operating from the Gaza strip into Israeli territory. Many Israelis were murdered. It was in part to prevent these raids from continuing that the Israelis launched their attack on October 29.

If Gaza is allowed to return to the conditions existing prior to October 29 and the Egyptians move back in, we may be quite certain that these raids will continue. If they do continue, there will be a series not only of irritations but of conflicts, and conflicts of this nature may burst into a general war.

It would seem that the proper thing to do is for the United Nations, with its police force, to occupy the Gaza Strip and to neutralize it against attacks by Egypt on Israel or attacks by Israel on Egypt. Here, as in the case of the Straits of Tiran, there is a great need for the United Nations to neutralize the area and to insulate it from violence.

Three weeks ago the very able representative from Canada on the United Nations Lester Barson urged just such a policy as this. I believe that it would have been supported by Great Britain, by France, by the countries of the British Commonwealth, and, in general, by the free world. The American delegate, Mr. Lodge, however, chose not to support that proposal. Instead, he advanced a

meaningless second resolution which apparently is being pushed into the background and emphasis is being placed upon the first resolution, namely, complete and unconditional withdrawal of the Israeli troops.

If this is to be the policy of the United States the results within the next few days as I have repeatedly said, may be disastrous, and we shall find that instead of reducing the danger of war in the Middle East we may have increased that danger.

I wish to urge, therefore, Mr. President, that the President and the State Department think this matter over once again very solemnly. If they do, in my judgment they will support the proposal of Canada, namely, that there should be a permanent occupation by the U. N. of the Straits of Tiran, the western shores of the Gulf of Aqaba, and the Gaza strip.

Mr. President, I ask unanimous consent that there be inserted in the body of the RECORD at this point in my remarks the three documents to which I have referred.

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

[From the New York Times of February 18, 1957]

#### UNITED STATES STATEMENTS ON ISRAELI IMPASSÉ—MEMORANDUM TO ISRAEL

The United Nations General Assembly has sought specifically, vigorously, and almost unanimously, the prompt withdrawal from Egypt of the armed forces of Britain, France, and Israel. Britain and France have complied unconditionally. The forces of Israel have been withdrawn to a considerable extent but still hold Egyptian territory at Sharm el Sheikh at the entrance to the Gulf of Aqaba. They also occupy the Gaza Strip which is territory specified by the armistice arrangements to be occupied by Egypt.

We understand that it is the position of Israel that (1) it will evacuate its military forces from the Gaza Strip provided Israel retains the civil administration and police in some relationship to the United Nations; and (2) it will withdraw from Sharm el Sheikh if continued freedom of passage through the straits is assured.

With respect to (1) the Gaza Strip—it is the view of the United States that the United Nations General Assembly has no authority to require of either Egypt or Israel a substantial modification of the armistice agreement, which, as noted, now gives Egypt the right and responsibility of occupation. Accordingly, we believe that Israeli withdrawal from Gaza should be prompt and unconditional, leaving the future of the Gaza Strip to be worked out through the efforts and good offices of the United Nations.

We recognize that the area has been a source of armed infiltration and reprisals back and forth contrary to the armistice agreement and is a source of great potential danger because of the presence there of so large a number of Arab refugees—about 200,000. Accordingly, we believe that the United Nations General Assembly and the Secretary General should seek that the United Nations Emergency Force, in the exercise of its mission, move into this area and be on the boundary between Israel and the Gaza Strip.

The United States will use its best efforts to help to assure this result, which we believe is contemplated by the second resolution of February 2, 1957.

#### EGYPTIAN STAND RECALLED

With respect to (2) the Gulf of Aqaba and access thereto—the United States be-

lieves that the gulf comprehends international waters and that no nation has the right to prevent free and innocent passage in the gulf and through the straits giving access thereto. We have in mind not only commercial usage, but the passage of pilgrims on religious missions, which should be fully respected.

The United States recalls that on January 28, 1950, the Egyptian Ministry of Foreign Affairs informed the United States that the Egyptian occupation of the two islands of Tiran and Sanafrir at the entrance of the Gulf of Aqaba was only to protect the islands themselves against possible damage or violation and that this occupation being in no way conceived in a spirit of obstruction in any way innocent passage through the stretch of water separating these two islands from the Egyptian coast of Sinai, it follows that this passage, the only practicable one, will remain free as in the past, in conformity with international practice and recognized principles of the law of nations.

In the absence of some overriding decision to the contrary, as by the International Court of Justice, the United States, on behalf of vessels of United States registry, is prepared to exercise the right of free and innocent passage and to join with others to secure general recognition of this right.

It is, of course, clear that the enjoyment of a right of free and innocent passage by Israel would depend upon its prior withdrawal in accordance with the United Nations resolutions. The United States has no reason to assume that any littoral state would under these circumstances obstruct the right of free and innocent passage.

The United States believes that the United Nations General Assembly and the Secretary General, as a precautionary measure, seek that the United Nations emergency force move into the straits areas as the Israeli forces are withdrawn. This, again, we believe to be within the contemplation of the second resolution of February 2, 1957.

(3) The United States observes that the recent resolutions of the United Nations General Assembly call not only for the prompt and unconditional withdrawal of Israel behind the armistice lines but call for other measures.

We believe, however, that the United Nations has properly established an order of events and an order of urgency and that the first requirement is that forces of invasion and occupation should withdraw.

The United States is prepared publicly to declare that it will use its influence, in concert with other United Nations members, to the end that following Israel's withdrawal, these other measures will be implemented.

We believe that our views and purposes in this respect are shared by many other nations and that a tranquil future for Israel is best assured by reliance upon that fact, rather than by an occupation in defiance of the overwhelming judgment of the world community.

[From the Washington Post and Times Herald of February 18, 1957]

#### TEXT OF ISRAELI REPLY TO UNITED STATES PROPOSALS

(EDITOR'S NOTE.—Following are full excerpts from the aide memoire handed by Israeli Ambassador Abba Eban to Secretary of State Dulles last Friday, as released by the Israeli Embassy last night.)

The Government of Israel deeply appreciates the sympathetic interest of the President and the Secretary of State in its problems, and their willingness to devote earnest study to the quest for solutions. It regards this constructive interest as a further expression of American friendship for Israel and of American concern for peace in the Middle East.

Israel has noted with satisfaction the affirmative approach of the United States to

the question of free navigation in the Gulf of Aqaba and the Straits of Tiran.

The Government of Israel expresses its agreement in principle with the approach to this question defined by the Secretary of State in his aide memoire of February 11 and in his conversation with the Ambassador of Israel on that date:

(1) The affirmation that the gulf comprehends international waters, and that all nations, including Israel, have the right of free and innocent passage in the gulf and through the straits giving access thereto.

(2) The invocation in the aide memoire of the assurances conveyed by Egypt to the United States on January 28, 1950.

(3) The statement of the readiness of the United States, on behalf of vessels of United States registry, to exercise the right of free and innocent passage, and to join with others to secure general recognition of this right.

(4) The suggestion that as a precautionary measure the UNEF move into the area of the straits as the Israeli forces are withdrawn.

#### DANGER POINTED OUT

While giving full weight to these policies and attitudes, the Israeli Government is conscious of the danger which would arise to the freedom of Israeli shipping in the gulf and to peace in the area if Egypt were to resume occupation of the Straits of Tiran before the attainment of a settlement. For many years Egypt has maintained restrictions in the Suez Canal contrary to the convention of 1888 and to decisions of the Security Council which, under article 25 of the charter, have binding effect on all members of the United Nations.

These policies, together with corresponding restrictions in the Gulf of Aqaba, have cut Israel off from her freedom of commerce with large parts of the world; have inflicted enormous losses and burdens upon Israel's economy, and have constituted a danger to peace and security in the Middle East.

Despite the disapproval of the United Nations and of the maritime community, including the United States, no effective steps were taken to insure the termination of these practices.

Recent expressions of Egyptian policy give ample grounds for the belief that, if no preventive measures are taken, the Egyptian restrictions in the Gulf of Aqaba and the Straits of Tiran will be resumed, with consequent peril both to Israel's national interests and to peace in the area.

#### SAFEGUARDS ASKED

In order to meet this danger, the Government of Israel supports the suggestion that units of the UNEF move into the straits as Israeli troops withdraw. But it holds that these units should be stationed along the western coast of the Gulf of Aqaba until a peace settlement is achieved, or until an agreed and permanent arrangement for freedom of navigation is otherwise secured. In this connection Israel has noted the proposal made on behalf of the United States by Ambassador Henry Cabot Lodge in the United Nations on January 28 and February 2, 1957.

Failing such an arrangement for the stationing of UNEF the Government of Israel suggests that a precise guaranty be afforded for the specific protection of Israel-bound shipping exercising its right of passage in the straits and the gulf.

The Government of Israel has studied the observations in the aide memoire of February 11 on the Gaza Strip. It has, in particular, noted the following elements:

(1) The recognition that this area, until recently under Egyptian occupation, "has been a source of armed infiltration and reprisals" and of "great potential danger because of the presence there of so large a number of Arab refugees."

(2) The fact that the United States has not crystallized a final view on the future

of the Gaza Strip but that this future, in its view, "should be worked out through the efforts and good offices of the United Nations."

The Government of Israel wishes to add the following comments:

The Gaza Strip, occupied during the invasion of 1948, was never Egyptian territory. The armistice agreement under which Egypt occupied the strip was continuously broken by Egypt. In violation of the United Nations Charter and of the decision of the Security Council against belligerency, Egypt conducted hostile acts against Israel. These actions were based on a doctrine of a state of war with Israel, which Egypt still declines to relinquish, despite the fact that this doctrine, and any actions arising therefrom were repudiated by the Security Council in 1951. In these circumstances there is no basis for the restoration of the status quo ante in Gaza by the return of Egypt to an area which she used exclusively for the purpose of establishing an aggressive base against Israel.

#### THREE PROBLEMS CITED

Israel's stand on the Gaza question is influenced by three problems:

(a) The security of Israel, and especially that of its villages and settlements in the south and the Negev;

(b) The welfare and economic situation of the local population;

(c) The problem of the refugees.

Israel is prepared to make a supreme effort to help raise the standard of the residents of the area from the fearful poverty which grew increasingly disastrous during the Egyptian occupation.

The Government of Israel is ready to make its contribution to a United Nations program for settling the refugee population of the Gaza Strip. Israel's contributions, within this framework, will consist both in the payment of compensation and in the settlement of a part of the refugee population of Gaza. Israel is confident that the United States will understand the significant effect of this step for the solution of basic problems which have been deadlocked for several years.

#### PROBE MISSION SUGGESTED

In view of the vital importance of the Gaza problem and the contribution envisaged by Israel towards its solution, it is suggested that an effort be made to find a suitable arrangement which might be submitted to the United Nations.

This examination, which might include an investigation of the position in the area by a suitable mission, should not take a long time. The steps immediately envisaged are the withdrawal of Israeli forces and the discussion of a suitable relationship between the U. N. and the local and Israel administrative services.

Israel believes that it is necessary to prevent a recurrence of the turbulent conditions out of which the recent hostilities arose. There should be a new era in the relations between Egypt and Israel. By constantly violating the armistice, through the invocation of belligerent rights and the conduct of blockades and hostilities, Egypt distorted the fundamental character of the armistice agreement as a transition to peace, and emptied it of its central purpose. At a time when the agreement had full legal force, Egypt regarded it as an expression of "a state of war." In these circumstances, Israel cannot legitimately be requested to return to the status quo ante, and to resume adherence to an agreement which Egypt has nullified throughout a period of 8 years by claiming and exercising a policy of belligerency inconsistent with its terms.

At the same time, the Government of Israel declared that it does not seek or claim any belligerent rights against Egypt, and that it undertakes to abstain, on the basis of reciprocity, from any hostile act whatever against Egypt.

#### SHIPPING PROBLEM RAISED

The aide memoire of February 11 deals with the questions of Gaza and the Gulf of Aqaba, since problems exist in both areas in connection with the withdrawal of forces. While no context of withdrawal arises in the case of the Suez Canal, the Government of Israel emphasizes its hope for United States support in securing the implementation of Israel's rights under the 1888 convention. On many occasions, the most recent of which was President Eisenhower's public statement on February 6, the United States has noted the violation by Egypt of its obligations under the 1888 convention in respect of Israel-bound shipping.

The United Nations has devoted great effort to secure the clearance of the Suez Canal for navigation. If the Suez Canal is to be reopened physically and then to be operated with discrimination, the United Nations will have inadvertently become responsible for expediting the renewed violation of international law.

It is inconceivable that the Suez Canal can be opened by the United Nations and remain closed to any of its member-states. It is essential, in the interest of peace and security, to ensure that Egypt refrains from interference with Israeli and Israel-bound shipping exercising the right of free and innocent passage in this international waterway. The Government of Israel would welcome a clarification of United States policy on this point.

The constructive and affirmative approach expressed by the Secretary of State in the conversation and aide memoire of February 11 confirms the belief that the United States and Israel have a common aspiration to strengthen peace in the Middle East. In view of the great measure of proximity between the viewpoints of the two governments on these questions under discussion, the Government of Israel attaches great importance to a continuing discussion of the two respective positions.

[From the New York Times of February 18, 1957]

#### UNITED STATES STATEMENT OF ISRAELI IMPASSE EISENHOWER STATEMENT

The Department of State is today making public a memorandum which the United States gave to the Government of Israel on February 1. It relates to Israeli withdrawal to within the armistice lines as repeatedly called for by the United Nations. The memorandum outlines the policies which the United States would, thereafter, pursue in relation to the two matters—the Gulf of Aqaba and the Gaza Strip—which so far lead Israel not to withdraw.

Israel would prefer to have the future status of the Gulf of Aqaba and the Gaza Strip definitely settled to its satisfaction prior to its withdrawal, and as a condition thereto. But all members of the United Nations are solemnly bound by the Charter to settle their international disputes by peaceful means and in their international relations to refrain from the threat or use of force against the territorial integrity of any state. These undertakings seem to preclude using the forcible seizure and occupation of other lands as bargaining power in the settlement of international disputes.

The United Kingdom and France, which occupied portions of Egypt at about the time of Israel's attack upon Egypt of last October, withdrew promptly and unconditionally in response to the United Nations resolution that called for Israeli withdrawal.

They deferred to the overwhelming judgment of the world community that a solution of their difficulties with Egypt should be sought after withdrawal and not be made a condition precedent to withdrawal. The United States believes that Israel should do likewise.

President Eisenhower's letter to Prime Minister David Ben-Gurion of Israel of November 8, 1956, urged, as a matter of highest priority that Israeli forces be withdrawn to the general armistice lines.

"After which," the President said, "new and energetic steps should be undertaken within the framework of the United Nations to solve the basic problems which have given rise to the present difficulty."

Prime Minister Ben-Gurion in his reply said: "In view of the United Nations resolutions regarding the withdrawal of foreign troops from Egypt and the creation of an international force, we will, upon conclusion of satisfactory arrangements with the United Nations in connection with this international force entering the Suez Canal area, willingly withdraw our forces."

The international force referred to by the Prime Minister has been created and pursuant to arrangements which the United Nations has deemed satisfactory, has entered into and is now within the Suez Canal area. But while there has been a partial withdrawal of Israeli forces from Egypt, Israel persists in its occupation of Egyptian territory around the entrance of the Gulf of Aqaba and of the Gaza Strip.

The United States is aware of the fact that Israel has legitimate grievances and should, in all fairness, see a prospect of remedying them. The United Nations General Assembly by its second resolution of February 2, endorsing the Secretary General's report, gave such a prospect. We believe that that prospect is further assured by the view which the United States has formulated and communicated to Israel in its memorandum of February 11. There, the United States took note of Israeli views with reference to the Gaza Strip and the Straits of Aqaba and made clear what the United States would do, after Israel's withdrawal, to help solve the problems that preoccupy Israel. Our declaration related to our intentions, both as a member of the United Nations and as a maritime power having rights of our own.

The United States believes that the action of the United Nations of February 2 and the statements of various governments, including the United States memorandum of February 11, provide Israel with the maximum assurance that it can reasonably expect at this juncture, or that can be reconciled with fairness to others.

Accordingly, the United States has renewed its plea to Israel to withdraw in accordance with the repeated demands of the United Nations and to rely upon the resoluteness of all friends of justice to bring about a state of affairs which will conform to the principles of justice and of international law and serve impartially the proper interest of all in the area.

This, the United States believes, should provide a greater source of security for Israel than an occupation continued contrary to the overwhelming judgment of the world community.

The United States, for its part, will strive to remain true to, and support, the United Nations in its efforts to sustain the purposes and principles of the charter as the world's best hope of peace.

#### STATE DEPARTMENT'S REFUSAL OF PASSPORTS TO COMPETENT AMERICAN REPORTERS OF EVENTS IN RED CHINA

Mr. MONRONEY. Mr. President, any governmental policy that diminishes the amount of accurate and reliable information the American people can obtain on significant events in the world must be justified by overwhelming affirmative evidence showing genuine need for its continuance.

The State Department's expressed policy of refusing passports to competent American reporters who seek merely to report the events as they find them in Red China has been condemned by almost every branch of American journalism.

By withholding the opportunity of honest and objective reporting of conditions our competent American newspapermen find there, we are forced to rely for our information on secondhand rewrites of news reported by journalists of other countries.

Our loss in this warmed-over coverage is not merely the loss to our periodicals, but a loss to the American public itself. The keen insight which could be exercised by our own newspapermen, the penetrating examination of facts versus propaganda, which is possible only by on-the-ground coverage, is lost by such a policy as the State Department insists on keeping in force.

Certainly this policy involves the fundamental right of the freedom of the press. But, more importantly, it involves the right of Americans to know, which is the basic reason for this constitutional guaranty.

The reasons thus far given by the State Department have failed completely to justify a continuation of their policy. Unless more compelling reasons can be submitted by the State Department, we can only conclude that they insist on the power to prohibit the right of access to news whenever their opinion dictates such a course.

This comes perilously close to censorship of news gathering at the source and is incompatible with our ideals of a free press.

Mr. President, I should like to have printed in the RECORD with my remarks several editorials from the Nation's leading newspapers on this subject.

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

#### CHINA REPORTING: MR. DULLES' BAN

We can hardly wait for Secretary of State Dulles' next press conference and the next State Department explanation of why American correspondents are being barred from Red China by this country.

The act is better than that of any quick-change artist.

Now Dulles says that the Chinese Communists are attempting to use the correspondent issue as an instrument of diplomacy. He outdoes himself on this one, stating that the Reds had picked correspondents they wanted to come to China and contending that passports are never issued for travel to a country whose regime we do not recognize.

The Chinese Communists may now be trying to use the correspondent issue as a form of blackmail, although Dulles has given no evidence whatsoever to support the charge. Even so, the United States should have refused to recognize a link between correspondents and prisoners, if it was proposed. It should have recognized from the start that the American public is entitled to know from representatives of its own newspapers what is going on in Communist China. (Milwaukee Journal.)

Mr. Dulles, in discussing the State Department's ban on the entry of newspapermen into Red China, has made a bad matter worse. He says now—this is the first the public has heard of it—that the Chinese

Communists "have said in effect that they want to have certain American correspondents come to Communist China and will hold Americans in jail until we allow them to come."

Mr. Dulles' implication that only correspondents favorable to Red China would be sent was wholly unfair. Had it not been for the State Department's opposition, backed by the threat of coercion at law, Mr. A. T. Steele would have gone to Red China for this newspaper—a correspondent whose loyalty, ability, and experience of China are beyond cavil.

If American newspapermen go to Red China, it will not be because of any Communist blackmail. A free press is not a subject for barter. The State Department cannot send correspondents anywhere in the world. That is done by the newspapers themselves, in the interest of the readers' right to know. (New York Herald Tribune.)

What the State Department is doing amounts to bargaining with a right of the American press: If Peiping will abandon its illegal and inhumane detention of the prisoners, then Washington will allow the press to do its duty in China.

There is no evidence that keeping the American press out of Red China is alleviating the plight of the prisoners. This restraint of the press is simply keeping Americans from obtaining accurate accounts of what is going on in a nation afflicted with a particularly virulent brand of communism. (St. Louis Post-Dispatch.)

The American public is entitled to know from their own observers what is happening in Communist China. This is a question of freedom of the press and freedom of knowledge, and it is farfetched to say, as Mr. Dulles did, that it means yielding to Communist blackmail and would set a precedent dangerous to Americans in other countries in the future. The Peiping government may have linked the entry of American correspondents to the release of American prisoners, but if so, the United States should have refused to recognize such a link. \* \* \*

Mr. Dulles claimed that he was not aware that any correspondents tried to go to China before the recent group. This is extraordinary, because his Assistant Secretary of State for Public Affairs, Carl McCordle, and his Deputy Under Secretary, Robert Murphy, among others at the State Department, have known for at least 2 years that American correspondents were trying to get to China and were blocked by the State Department. \* \* \*

The sooner the State Department drops its present position on American correspondents going to Communist China the better. As Mr. Dulles must have realized at his conference, the American press feels strongly about this and is not going to let up the pressure. (New York Times.)

#### TRIBUTE TO JAMES BOBO, FORMERLY CHIEF COUNSEL OF SUB-COMMITTEE ON JUVENILE DELINQUENCY

Mr. KEFAUVER. Mr. President, I call the attention of the Senate to the fact that a young man whom most Senators know and respect is today taking up new duties as assistant to the mayor of the great city of Memphis, in my home State of Tennessee.

Mr. James Bobo, a fine young lawyer, who has served for the past 3 years as chief counsel of the Subcommittee on Juvenile Delinquency, and who deserves much of the credit for the outstanding service performed by that subcommittee, has decided to return home and become associated with Mayor Edmund Orgill.

Mayor Orgill, an outstanding businessman and civic leader, is serving his first term as mayor of Memphis, and Mr. Bobo's cooperation in assisting him in the attack which he has launched on municipal problems will be both rewarding and provocative.

I know that most Senators share with me the regret at the loss to the Senate of such an outstanding staff member, but join in wishing him well in these new fields of public endeavor.

I recently read in the Memphis Press-Scimitar an article written by Washington Correspondent Milton Britten, which is both an excellent description of the work which Mr. Bobo has done so well while in Washington, and an announcement of his new position. I ask unanimous consent that the article be printed in the body of the RECORD as a part of my remarks.

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

#### ORGILL PICKS JIM BOBO AS AIDE—NOW COUNSEL FOR SENATE GROUP

Mayor Edmund Orgill announced today he will appoint as his administrative assistant James H. Bobo, chief counsel for the United States Senate subcommittee investigating juvenile delinquency.

In Memphis today after a trip to Washington, D. C., Orgill said: "I talked with Jim Bobo about it while in Washington. I intend to talk with members of the City Commission about it tomorrow.

"Jim was born in Memphis. He was graduated from Bruce School, Bellevue Junior High and Tech High. He served in the Air Force almost 4 years. He is a graduate of Memphis State with a B. S. degree in history, and he got his law degree at Vanderbilt.

"His experience in other cities as associate counsel and as general counsel of the Senate Judiciary subcommittee on juvenile delinquency will be of value to us here."

#### NAMED BY ESTES

Bobo was appointed to the committee post by Tennessee's Senator ESTES KEFAUVER, who chaired subcommittee until it was reorganized this month. New committee chairman is Senator TOM HENNINGS (Democrat, Missouri).

Bobo, 35, practiced law in Memphis 2 years before going to Washington 3 years ago. Recently, he was nominated in the Memphis Junior Chamber of Commerce competition for outstanding young man of the year.

#### STARTING FEBRUARY 15

Orgill said Bobo's present job in Washington will be completed February 7, and they discussed his going to work in Memphis February 15. Bobo will succeed William W. Farris, named city personnel director.

As chief counsel for the Senate Juvenile Delinquency Subcommittee, Jim, a big (6 feet, 5 1/2 inches, 267 pounds) attorney and Baptist layman, has come face to face with the czars of American smut.

In the course of his 200,000-mile travels throughout this country and Alaska he has sat across counsel tables from the sleazy representatives of the \$500-million-a-year pornography industry.

He has questioned filth-peddlers who sobbed in fear for their lives and invoked the fifth amendment rather than give testimony about others of their ilk who, they feared, might kill them.

The investigations he spearheaded were followed by at least one death. The body of a major pornography distributor who had customers in 35 States, Canada, and Mexico, was found crushed and lifeless between the

cars of a moving freight train in Houston, Tex. It was called a suicide.

Jim has also questioned the respectable citizens—the substantial ones—the ones you'd never suspect of peddling black market babies in interstate shipment.

And he has done his bit to snarl the drug traffic—the pushers who "hook" high school kids who perhaps spend the rest of their lives trying to get the "monkey off their backs."

"At first we heard," says Jim, "that the pornography racket was Communist inspired and the narcotics traffic was a Red Chinese plot, both aimed at undermining our American youth."

"We found this wasn't so. We found that the pornographers were just a bunch of good-for-nothings who peddled for money. Almost without exception the peddler was a man between 45 and 65 who had an extensive police record for various offenses, no apparent means of livelihood, and a reported income of between \$25,000 and \$75,000 a year."

#### VILLAINS AT HOME

"We found the same crumby type of character was also involved in the narcotics traffic. Above all, it was a profit motive. Apparently there are enough Americans willing to undermine our youth that we don't have to look abroad for villains."

"Those in the black market baby business were mostly pretty well known—doctors, lawyers, midwives; pretty substantial people whom you'd never suspect. They had probably been at it so long that they justified it as a public service and got to believing it. But the profits were tremendous. Babies sold for an average of \$1,500 to \$3,000, the only cost being for the prenatal care and hospitalization of the mother."

After 3 years, isn't Jim's faith in people jarred a little?

"Well, yes and no," he says.

For he has also questioned clergymen and teachers and parents and social workers and civic leaders—folks just as concerned as he and the Senate subcommittee about the future of American youth.

Since it was formed in late 1953, the subcommittee has spent \$458,000 in its investigation, and has come up with 10 reports—on the effect of motion pictures, TV, comic books, obscene literature on juveniles, on juvenile delinquency in Alaska and among the Indians, on youth employment and education as they relate to delinquency, and others.

There has been some criticism against the amount of time and money spent on the subcommittee's work. But Jim thinks the work has justified itself.

Jim's a bachelor. He is a member of the First Baptist Church in Memphis.

#### APPOINTMENTS TO THE SUPREME COURT OF THE UNITED STATES

**Mr. STENNIS.** Mr. President, the announced retirement of Supreme Court Justice Stanley Reed on February 25 presents the President with another, and his fourth, opportunity to select an eminent jurist to fill a vacancy on the Supreme Court of the United States.

I sincerely hope that the nominee will be selected primarily on the basis of judicial merit and experience. In years past many such appointments have been on the basis of other considerations. In failing to protest, and even to stop, such practices, the Senate has contributed to this unsound procedure, and has thereby failed to exercise one of its basic and positive constitutional functions; that is, "advising" with the President as to such appointments.

Article II, section 2 of the Constitution provides:

He (the President) shall nominate, and by and with the advice and consent of the Senate, shall appoint \* \* \* Judges of the Supreme Court.

Last year I submitted Senate Resolution 264. This would require that at least 1 of each 2 successive nominees confirmed by the Senate for the office of Associate Justice of the Supreme Court should have had at least 10 years of prior judicial service before confirmation. At the time of the submission of the resolution I sought to alert the Senate to its constitutional duty, long neglected, to advise with the Chief Executive prior to the appointment of a person to fill such a vacancy.

I know that I am not alone in my concern about the recent trend in Federal Court decisions resulting from the practice of making appointments to the Supreme Court on other bases than judicial merit and experience.

At the time the resolution was submitted I pointed out that the advice and consent clause of the Constitution, article II, section 2, was grounded in Anglo-Saxon law and that its use in America antedated the American Constitution by some 140 years. It is found in the Second Charter of the Massachusetts Bay Colony. The advice and consent concept is perhaps the most firmly grounded idea in Anglo-Saxon law. A study prepared by the Library of Congress at my request traced this concept back to the year 755, the theme of the advice being concurrence in a proposed action given by wise men to the sovereign; the concept is reaffirmed in the ad hoc committee of barons which exacted from King John the great charter—Magna Carta. In its preamble it is explicitly stated that it is granted at the advice of various individuals, high churchmen and nobles, all mentioned by name.

Again, it appears by act of Parliament in 1700, and was carried forward into the American concept of government in colonial charters prior to the emergence of our own Constitution. To me it is evident that the framers of our great charter intended to retain the advice and consent concept by creating, in effect, a fourth branch of government consisting of the President and the Senate in regard to the highly important matters of appointments to offices specified in the Constitution and to the conduct of our foreign affairs by treaty and otherwise. This is the concept which has been lost. This is a constitutional duty of the Senate, long neglected. Recognition of our duty in this regard can come no earlier than the Senate's awareness of its responsibility.

Consent is not advice. In practice, the word "advice" as it appears in article II, section 2 of the Constitution is meaningless. There is no play on words here. Two different functions are involved, and the Senate has historically—at least since Washington's second term—neglected its duty to advise with the Executive prior to the placing of a name in nomination. It has limited its activity to the admittedly arbitrary process of confirmation. I send to the desk and ask

to have printed a resolution identical in form and substance to that submitted last year, which reads as follows:

*Resolved*, That from and after the date of adoption of this resolution, at least 1 of each 2 successive nominees confirmed by the Senate for the office of Associate Justice of the Supreme Court shall, at the time of the confirmation, have had at least 10 years of judicial service. For the purpose of this paragraph, "judicial service" means service as a justice of the United States (as defined in sec. 451 of title 28, United States Code), a judge of a court of appeals or district court, or a justice or judge of the highest court of a State or of any other State court having general jurisdiction.

In plain terms, the resolution means that the Senate advises in advance that it will require that at least half of the Supreme Court nominees be persons having at least 10 years of prior judicial experience; otherwise the nominations will not be confirmed.

The language is simple, but the simplicity of the resolution's language is not intended to be misleading. Its effect, within the letter and spirit of the Constitution, is to establish qualifications for the office of Associate Justice of the Supreme Court of the United States. There is, in my mind, a serious constitutional question whether this could be done by law, but there is no doubt in my mind that the Senate may, in the exercise of its duty to advise the President on nominees, establish criteria for confirmation.

Its effectiveness will, of course, depend upon the self-discipline of the Senate, but the first question to be answered is whether the qualifications to be established are reasonable. I do not believe that anyone will seriously argue that less than the best available legal talent should be the area of selection for persons to fill vacancies in this highest tribunal. Certainly, experience should be seriously considered as a qualification for each nominee. Judicial experience, with its tempering influence of years of detached consideration of legal problems presented, must be the highest type of experience which could qualify anyone for this post. The resolution provides that only one of two successive—or half of the—nominees shall have had sufficient experience to demonstrate his ability as a judge. So far as this resolution is concerned, the other half may be chosen on any other criteria which may lead the President to make the nomination. Some such latitude is desirable, and I do not wish to restrict unduly any Chief Executive, nor do I desire completely to disqualify large groups of capable lawyers.

I sincerely hope that by my submitting this resolution early in the session it will result in its receiving the considered attention of all Senators, and that favorable action may eventually be taken during the session.

The response to my resolution last year was very gratifying. I appreciate the number of thinking citizens from all sections of the country who share my concern about the lack of prior judicial experience of present members of the Court, and those who understand that the Senate is not a rubber stamp in the appointing process.

The results of the present methods of selection are well known. The 85th Congress may look forward to a host of bills designed to correct the mischief done by inexperienced men placed in a position of great judicial power—on the Supreme Court of the United States.

There are, of course, issues on which men of good will may disagree, and, as is pointed out, there are two sides to every lawsuit. However, the number of revolutionary innovations in the constitutional law of this country, promulgated in incomprehensible opinions in recent years, has led to a legislative stampede to reverse individual Court decisions by specific legislation.

Mr. President, at this point I should like to read a list of ten bills passed in the last 20 years by Congress for the sole and specific purpose of reversing Federal Court opinion arrived at contrary to the intent of Congress in enacting the statutes under consideration. The list is not comprehensive, nor is it probable that an absolutely complete list could readily be compiled. Other examples will occur to Senators as they review these instances in the light of recent American legislative history.

The cases and the subsequent acts of Congress since 1935 include *Kessler v. Strecker* (307, U. S. 22 (1939), 54 Stat. 673)—deportation of alien Communists; *United States v. South Eastern Underwriters Ass'n.* (322 U. S. 533 (1944), 59 Stat. 33)—regulation of insurance companies; *Anderson v. Mt. Clemens Pottery Co.* (328 U. S. 680 (1946), 63 Stat. 910)—portal-to-portal pay; *Dobson v. Commissioner* (320 U. S. 489 (1943), 62 Stat. 991)—review of Tax Court Decisions; *Wong Yang Sung v. McGrath* (339 U. S. 33 (1950), 64 Stat. 1048)—application of Administrative Procedure Act to deportation of aliens; *Schwegmann Bros. v. Calvert Distillers Corp.* (341 U. S. 384 (1951), 66 Stat. 631)—Fair Trade Acts, resale price maintenance; *United States v. California* (332 U. S. 19 (1947)); *United States v. Louisiana* (339 U. S. 699 (1950)); *United States v. Texas* (339 U. S. 707 (1950), 67 Stat. 29)—submerged land; *United States v. Wunderlich* (342 U. S. 98 (1951), 68 Stat. 81)—finality clauses in Government contracts; *Federal Power Commission v. East Ohio Gas Co.* (338 U. S. 464 (1950), 68 Stat. 36)—regulation of gas distributing companies; and *United States v. State of Wyoming and the Ohio Oil Company* (331 U. S. 440 (1947), 62 Stat. 1233)—lands held and developed in good faith.

Besides invading the legislative field, and through decisions arriving at irreconcilable interpretation of Federal laws, the Court has also upset its own body of case law to the extent that judicial precedent probably means less in the Supreme Court of the United States than in any other court, State or Federal, in the country. Actually, 36 cases have been specifically overruled by the Supreme Court of the United States since 1932. This is 7 more than the 29 which were overruled by the same Court during the first 142 years of its history, from 1789 to 1932.

Mr. BRICKER. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I am glad to yield.

Mr. BRICKER. How many of those decisions were subsequently overruled by action of the Congress?

Mr. STENNIS. I do not know.

Mr. BRICKER. Quite a number that I remember very well have been changed by subsequent action of the Congress, when the Congress felt there was a misinterpretation on the part of the Supreme Court of the law as written.

Mr. STENNIS. Yes. In the cases I cited earlier I gave some illustrations of the cases in which the Congress has expressly overruled the interpretations made by the Supreme Court.

Mr. BRICKER. Yes. The Senator from Mississippi mentioned some 36, did he not?

Mr. STENNIS. Yes. Thirty-six cases have been specifically overruled by the Supreme Court of the United States since 1932.

Mr. BRICKER. Those were reversals of the Court's own position, taken previously, were they not?

Mr. STENNIS. Yes; the Court was reversing its own prior decisions.

Mr. BRICKER. In other words, in those cases the Court failed to follow the precedents established by its previous decisions; is that correct?

Mr. STENNIS. Yes. Those 36 are 7 more than the 29 which were overruled by the Supreme Court of the United States during the previous 142 years of its history.

Mr. BRICKER. How many of the 36 were involved in actions of the Congress legislatively to upset decisions of the Court?

Mr. STENNIS. I am sure I can supply the Senator from Ohio with that information, but I do not have it before me at this time.

Mr. BRICKER. I should like to have the information supplied for the RECORD.

Mr. STENNIS. I shall be glad to do so.

Mr. BRICKER. Mr. President, will the Senator from Mississippi yield for a further question?

Mr. STENNIS. I am glad to yield to the Senator from Ohio.

Mr. BRICKER. I think the Senator from Mississippi will agree with me that there is no way to enforce such a resolution, other than for the Senate to stand by its own judgment in such a matter.

Mr. STENNIS. The Senator from Ohio is correct. I have said it will be a question of self-discipline on the part of the Senate. However, I believe the proposed action should be taken, and can be taken.

Another course would be to incorporate such a policy into the rules of the Senate. However, amendment of the rules of the Senate is a rather touchy subject at this time; and I wanted to obtain a more practical approach to the matter, and one which might result in earlier favorable action.

Mr. BRICKER. I think it might be well for the Senate to discipline itself in that respect to such an extent that

if the President were to make an improper appointment to the Supreme Court, the appointment simply would not be confirmed by the Senate.

However, I agree with the Senator from Mississippi that the more emphasis we place upon the necessity for a requirement of judicial experience on the part of the judges on the Supreme Court, the better off the country will be.

Mr. STENNIS. I appreciate the Senator's opinion, which is a most worthy one.

If the Senate would see fit to announce, in advance, by a solemn resolution, its judgment on this highly important subject, it would have great weight with any President. In a few minutes I shall refer to a news item, and I shall also refer to what the present President has already done along the line of making appointments on the basis of judicial experience.

I thank the Senator from Ohio for his contribution.

Mr. President, I am gratified by the fact that since the submission of my resolution last year, the President selected a State judge as his only nominee for the office of Associate Justice of the Supreme Court. This is a healthy reversal of the trend which necessitated the submission of the resolution; and, of course, if judicial experience becomes a qualification applied in making nominations in the future, the purpose of the resolution will have been achieved.

Again, I express the strong hope that the President, in seeking a choice to fill the vacancy to be created by Justice Reed's retirement, will select only a mature and seasoned jurist with proven judicial capacity and experience on the bench. There are a number of such men on our courts of appeals, our district courts, our State supreme courts, and our trial courts of general jurisdiction.

Mr. President, I hold in my hand a news item from the New York Times of February 6, 1957. The headline is "Eisenhower Favors a Jurist in Reed Job."

At this time I wish to read one sentence from the article:

The President said he would not state it as an unqualified rule that he always would appoint men with judicial experience. But that was his preference, he continued, and he would depart from it only "in a very unusual circumstance" and for a "man who enjoyed in the United States a reputation in law something like that of the late John W. Davis, Elihu Root, or someone of that character."

Mr. President, I ask unanimous consent that the entire article be printed at this point in the RECORD.

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

#### EISENHOWER FAVORS A JURIST IN REED JOB

WASHINGTON, February 6.—President Eisenhower reiterated today his preference for men with judicial experience for appointment to the United States Supreme Court.

His answer to a news conference question appeared to rule out speculation that the next vacancy, to be created by the retirement of Associate Justice Stanley F. Reed on February 25, might be filled by appointment of Herbert Brownell, Jr., Attorney General, or former Gov. Thomas E. Dewey, of New York.

By his reply, the President again centered attention on judges now serving in the Federal courts—either at the district or circuit court levels—or in State supreme courts.

The President said he would not state it as an unqualified rule that he always would appoint men with judicial experience. But that was his preference, he continued, and he would depart from it only "in a very unusual circumstance" and for a "man who enjoyed in the United States a reputation in law something like that of the late John W. Davis, Elihu Root, or someone of that character."

Mr. Root, a noted lawyer, also was Secretary of State under President Theodore Roosevelt, and Republican Senator from New York. He died in 1937. Mr. Davis, who died in 1955, was Democratic presidential nominee in 1924.

Mr. BRICKER. Mr. President, will the Senator from Mississippi yield for a further question?

Mr. STENNIS. I am very glad to yield.

Mr. BRICKER. I do not wish to interfere with the orderly presentation the Senator from Mississippi is making.

Mr. STENNIS. I am very glad to yield to my friend from Ohio.

Mr. BRICKER. Mr. President, as I remember the Senator's resolution, it would apply such a requirement only to every other appointment made.

Mr. STENNIS. That is correct.

Mr. BRICKER. Thus, the resolution would provide an opportunity for the appointment of a person such as Charles Evans Hughes, who in my opinion was one of the great Justices of the Supreme Court, but had no previous judicial experience.

Mr. STENNIS. The Senator from Ohio has stated my own idea exactly. It is not my purpose to attempt to place an iron jacket on any President, insofar as such appointments are concerned. I do not care to attempt to exclude from consideration and appointment the very large body of trained, outstanding, fine lawyers who would not be eligible under an absolute requirement that only judges be appointed. The resolution leaves the door wide open for the consideration of persons who have not had judicial experience.

Mr. BRICKER. I thank the Senator from Mississippi.

Mr. STENNIS. Mr. President, regardless of when the impending vacancy is filled, this resolution should be duly considered and agreed to. This should be done without consideration to any prospective nominee or any particular President or any particular party in control of the executive department of the Government. We are dealing with a principle of government, and are legislating for generations to come. We have positive constitutional power, and hence we have a positive constitutional duty to perform.

Mr. GORE. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I am glad to yield to the Senator from Tennessee.

Mr. GORE. Would it be fair to deduce from the statements made by the able Senator from Mississippi and his attitude that in order to demonstrate that he would have no reference to a particular vacancy or pending appointment,

his resolution would not apply to a pending vacancy.

Mr. STENNIS. That point is very well made, and certainly that would be my intention. I would not wish to encumber any nomination or this resolution with personal considerations.

That is the very thing we want to get away from. I express the hope that the vacancy will be filled in accordance with the spirit of the resolution, but, of course, I do not expect it to apply, because of the time involved. I would expressly make an exception of any pending nomination.

The Senate should make a definite, clear-cut statement of its position on this important matter, and that position should be known in advance by the people, by the members of the bench and the bar, and by the appointive power. After a nomination has been made, personalities, matters of party loyalty, and loyalty to the President enter. These considerations should not be controlling, but they too frequently are controlling.

The United States Supreme Court should be the crowning achievement of our constitutional Government. It can reach this goal only through the exercise of the greatest caution in making selections of the members of the Court. Any President should be relieved of at least some of the pressures surrounding him in making such selections. The adoption of the resolution proposed would aid rather than hinder a President in performing his task.

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

Mr. STENNIS. I yield.

Mr. DIRKSEN. While I have no authority over the Supreme Court, I may say it has been my privilege to submit names for five vacancies on the Federal bench since I have been a Member of the Senate. Of the 5, 4 of the nominees served as circuit judges and 1 as a county judge in my State.

Mr. STENNIS. The Senator has a commendable record. I thank him highly for his interest in this matter.

The PRESIDING OFFICER. The resolution submitted by the Senator from Mississippi will be received and appropriately referred.

The resolution (S. Res. 96) submitted by Mr. STENNIS was referred to the Committee on the Judiciary, as follows:

*Resolved*, That from and after the date of adoption of this resolution, at least 1 of each 2 successive nominees confirmed by the Senate for the office of Associate Justice of the Supreme Court shall, at the time of the confirmation, have had at least 10 years of judicial service. For the purpose of this paragraph, "judicial service" means service as a Justice of the United States (as defined in section 451 of title 28, United States Code), a judge of a court of appeals or district court, or a justice or judge of the highest court of a State or of any other State court having general jurisdiction.

#### STUDY OF MATTERS RELATING TO THE ELECTION, SUCCESSION, AND DUTIES OF THE PRESIDENT AND VICE PRESIDENT

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The hour of 2 o'clock having arrived, the Chair lays

before the Senate the unfinished business, which will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 2), to create a joint congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice President.

#### URGENT DEFICIENCY APPROPRIATIONS, 1957

Mr. HAYDEN. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate resume the consideration of Calendar No. 63, House bill 4249, making appropriations for the fiscal year ending June 30, 1957, and for other purposes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 4249) making appropriations for the fiscal year ending June 30, 1957, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

#### VISIT TO THE SENATE BY CONCORDIA COLLEGE CHOIR

Mr. THYE. Mr. President, we have in the gallery with us today the choir of Concordia College of Minnesota. They are in the gallery to the right of the Presiding Officer, and to my left. I ask the members of the choir of Concordia College to rise so that Senators may see them.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection? The Chair hears none.

[The members of the choir rose in their places and were greeted with applause.]

Mr. THYE. The director of the choir is Paul Christiansen. He is the son of the late F. Melius Christiansen, who was the founding director of the famous St. Olaf's College Choir. It is a distinct pleasure for me to introduce to the Senate this splendid group of young folks from Concordia College. They will sing this evening in Washington.

#### FORTY-SEVENTH ANNIVERSARY OF BOY SCOUTS OF AMERICA

Mr. MARTIN of Pennsylvania. Mr. President, the Boy Scouts of America have just concluded the celebration of their 47th anniversary. This event was marked by activities in every city, town, and hamlet of our Nation.

Scouting's 4-year program, *Onward for God and My Country*, has challenged the youth of America. There are now 4,500,000 boys and leaders actively enrolled in this great movement, and since 1910, when scouting was established in the United States, 26 million boys and leaders have been members.

More than 1 million men and women have volunteered for service in scouting as leaders of the numerous units. They are rendering a great public service.

In its nationwide, nonpartisan get-out-the-vote campaign, the Scouts distributed more than 36 million Liberty Bell doorknob hangers to the homes of America and more than a million posters urging citizens to vote.

One of the great events of 1957 will be the fourth national jamboree to be held in July at Valley Forge. More than 50,000 Scouts, explorers, and leaders will attend. This will be followed by a jubilee jamboree to be held in England in commemoration of the 100th birthday of the founder of the Boy Scout movement, Lord Baden-Powell, and the 50th anniversary of the establishment of scouting in the world. Sixteen hundred American Boy Scouts will attend.

Mr. President, I have a proud recollection of my own part in the early days of scouting. I recall with real pleasure that back in 1911, a year after the Boy Scout movement was inaugurated in America, I organized a troop of Scouts in Waynesburg, Pa., and served as their scoutmaster for 3 years.

The record of these boys in later life has been compiled, and I am proud to say that without exception they became upright Christian citizens. Some of them achieved prominence in business, industry, and the professions. Of the 45 boys in the troop, 31 served in the Armed Forces during World War I. Four gave their lives in action, all members of the 110th Infantry, in which I served and later commanded.

#### PROPOSED JOINT CONGRESSIONAL COMMITTEE ON SCIENTIFIC RESEARCH

Mr. THYE. Mr. President, late last session, 16 of my colleagues joined me in sponsorship of a joint resolution to establish a Joint Committee on Scientific Research. Others came to me later, stating that they were not in time to add their names to the list of sponsors during the week the resolution laid on the desk, but stated that they wanted me to be advised of their support.

On January 7 of this year, I again introduced this resolution and it was referred to the Committee on Labor and Public Welfare.

I rise now, Mr. President, to urge that action be taken at this session of Congress on this joint resolution. I intend to elaborate briefly at this time on the nature, purpose, and urgency of this resolution and to make myself available to answer possible questions from my colleagues.

Mr. President, I cannot overemphasize the importance of this resolution. I would like first to make it clear that I am not one of those who pessimistically prophesy that war is inevitable. To the contrary, I believe this generation has the opportunity to build for a peaceful era which will last far beyond your lifetime or mine. I firmly believe this Nation can best help build for this lasting peace by maintaining her scientific and technological leadership.

I think we all realize, however, that modern warfare is based on science and technology. Therefore, Mr. President, if the peoples of this world were to be so unfortunate as to become involved in

world war III then we can be certain that the nation which would be victorious would be the nation which had the greatest scientific and technological advancement. The arsenal and frontline of our defense is the classroom and the laboratory. We are told that our scientists and technicians are doing an outstanding job in our schools and in the laboratories of private industry, but a great gulf exists between this legislative body and the scientist. The joint committee which I have proposed would bridge this gulf.

I think we will all agree that, as of this date, our Nation still maintains its leadership in scientific and technological development. However, our best intelligence reports indicate that the Soviet Union is today graduating more than twice as many scientists and engineers as are being graduated in the United States. We are faced with alarming decreases in the number of teachers at both the high school and college levels in the basic sciences and mathematics. The number of students taking mathematics, physics, chemistry, and related courses is dropping off.

The crux of the problem is this: at the same time that science and technology are moving to a position of unprecedented importance, the manpower to maintain that progress is declining.

Mr. President, it is for this reason that I introduced the joint resolution to establish a joint committee of the House and the Senate on scientific research.

We, in Congress, cannot escape our share of the responsibility for solving this alarming problem of advanced research and development. We, in Congress, must accept the facts; and the truth of the matter is that we are going to become more deeply involved, as time goes on, in entire field of science and technology. We, in the legislative branch, will be called upon more and more frequently to work with plans and programs in this area as established by the executive branch of our Government. Each of us will have to be better informed if we are to meet these problems with intelligent solutions.

To make certain there is no misunderstanding, I should like to make it absolutely clear that the joint committee I have proposed will in no way conflict with or attempt to replace the functions of any present congressional committee. I wish also to point out that there is no existing committee which could logically assume the responsibilities I propose for this Joint Committee on Scientific Research. Each standing committee now has an agenda which presses it to the limit.

The committee which I have proposed, though similar in structure to the Joint Committee on Atomic Energy, would embrace an entirely different field of activity. It would be broader in scope and interest and would in no way conflict with the Atomic Energy Committee or any other committee.

The committee which I have proposed would have as its main concern the field of manpower in scientific and engineering research and study. It would also serve to gather and maintain scientific

information which will help us in the legislative branch to deal with problems in this field more intelligently.

I wish also to make it clear that the proposed Joint Committee on Scientific Research would not conflict with the 19-man committee for the development of scientists and engineers as appointed last year by President Eisenhower. Rather, the committee I have proposed would direct itself toward the solution of legislative problems arising from the scientific and engineering manpower needs of our country. In this way it would complement the efforts being made in the executive branch.

President Eisenhower, by his action, has demonstrated that he is alert to the problems which I have brought to the attention of Senators. The President has appointed some truly outstanding Americans to his advisory committee, and I know that they are doing a highly commendable job. I know this firsthand, inasmuch as one of the members of the committee is a neighbor and close personal friend, Dr. Larry Gould, President of Carlton College at Northfield, Minn. Now, it is up to the Congress to assume its share of this responsibility so that we will be able to meet the rapidly arising problems with a maximum of intelligence.

Since I first introduced this joint resolution in the Senate last session I have been the recipient of letters, newspaper, and magazine clippings, and other messages of approval, testifying with one accord as to the critical scientific and engineering manpower shortage. As Mr. David Sarnoff, Chairman of the Board of the Radio Corporation of America, stated in his testimony on April 25, 1956, before the Joint Committee on Atomic Energy:

The existence of the problem of scientific and technological manpower shortage is by this time fairly common knowledge. There has been no dearth of warnings about the shortage of trained men for our vast and ever-growing industrial complex.

In other words, Mr. President, we are agreed on the problem, but thus far, this body has done little to acquaint itself with all the facts or even think about a solution of the problem. Yet there is little doubt but that eventually, legislative action will have to be taken to avert the ramifications inherent in this problem.

Only by working with the executive branch of our Government and with the leaders of education, labor, industry, and the military can we fulfill our responsibility.

It is essential that Congress approach the problem of a manpower shortage in the fields of science and technology and the problem of being well informed on scientific research and progress in the United States by the best means possible. Mr. President, I propose that the best medium available for meeting these problems is a Joint Committee on Scientific Research.

I respectfully urge that my joint resolution receive consideration during this session of Congress.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Minnesota yield for a question?

Mr. THYE. I am delighted to yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I am very happy indeed to hear what the Senator from Minnesota has said on this very important subject. My question is: How does the Senator's proposal relate to the National Science Foundation, which we have been working with for several years?

Mr. THYE. The National Science Foundation, and even the Presidential Advisory Committee, would be working outside the confines of the proposed committee. Much as the distinguished Senator from New Jersey is interested in the educational phase of our Nation's problems, I know that, with his many other legislative responsibilities and duties, he can give only occasional thought and study to that subject. What is needed is a committee, with an adequate staff, to devote its entire time to this important question, so that Senators, serving as they do on numerous committees, may know that there is in existence a committee which is directly concerned with this subject. We could feel certain, then, that the students of our high schools who showed the greatest aptitude in scientific fields would have an opportunity to enter college to pursue their scientific studies, and that college students, if they were found qualified, could continue their studies in advanced scientific fields.

If we fail in our endeavor along that line, we can be certain that Russia will surpass us, because of its greater manpower resource. If the information we have gathered is correct, the Soviet Union is making a much greater use of its advanced students than we are. This is particularly true with respect to its encouragement of students who show great scientific aptitude.

I believe the establishment of the committee I have in mind would give Senators contact with the kind of scientific committee I believe to be necessary, if we are to make certain that students with scientific aptitude will be encouraged to pursue advanced scientific studies.

Mr. SMITH of New Jersey. Would the committee the Senator has in mind be a committee similar to the Select Committee on Small Business?

Mr. THYE. I would rather compare the proposed committee with the Joint Committee on Atomic Energy.

Mr. SMITH of New Jersey. The Senator is proposing a joint committee, consisting of Members of the House and of the Senate; is that correct?

Mr. THYE. Yes; Members of the House and the Senate would be selected for membership on the joint committee. That is what I have in mind. I know that the Members of the House and of the Senate who serve on the Joint Committee on Atomic Energy will invariably excuse themselves from almost every other duty in order to be present at a session of the Joint Committee on Atomic Energy. They do that because they know that the joint committee deals with a field involving advanced scientific development.

They know that if they fail to be present at a session of the joint committee,

they not only fail to learn what is brought out in that particular session of the joint committee, but also fail to give the type of service that membership on the joint committee demands of them, in connection with developments in that advanced field.

As I see it, my proposal would provide the same basis as is now provided by the Joint Committee on Atomic Energy, and that it would bring about unity within the legislative field on the subject of scientific research, so that we in Congress could be certain that students with special aptitudes in the scientific field would be given the opportunity and, if necessary, the financial means of advancing into higher learning, and that such students would not be denied the opportunity of getting into advanced scientific fields.

Mr. SMITH of New Jersey. Mr. President, I thank the Senator from Minnesota. I should be very happy to identify myself with his proposal.

Mr. THYE. I thank the distinguished Senator from New Jersey.

#### URGENT DEFICIENCY APPROPRIATIONS, 1957

The Senate resumed the consideration of the bill (H. R. 4249) making appropriations for the fiscal year ending June 30, 1957, and for other purposes.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER (Mr. Scott in the chair). Without objection, it is so ordered. The clerk will state the first amendment of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Chapter I—Department of Agriculture—Agricultural Conservation Program Service—Emergency Conservation Measures," on page 2, after line 4, to strike out:

For an additional amount to enable the Secretary to make payments to farmers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created which, (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage which is unusual in character and, except for wind erosion, is not the type which would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use, and for reimbursement to the appropriation to the President for "Disaster relief," for allocations to the Secretary of Agriculture for such purposes, \$15 million; *Provided*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), and may be distributed among States and individual farmers without regard to other provisions of law.

And in lieu thereof, to insert:

Not to exceed \$25 million of the appropriation granted under the head "Agricultural Conservation Program Service," in the Department of Agriculture and Farm Credit Administration Appropriation Act, 1956, shall be available until June 30, 1958, to enable the Secretary to make payments to farmers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created which, (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage which is unusual in character and, except for wind erosion, is not the type which would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use, and for reimbursement to the appropriation to the President for "Disaster relief," for allocations to the Secretary of Agriculture for such purposes: *Provided*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), and may be distributed among States and individual farmers without regard to other provisions of law.

The amendment was agreed to.

The next amendment was, under the subhead "Farmers' Home Administration—Disaster Loan Revolving Fund," on page 4, line 5, after the word "exceed," to strike out "\$15,000,000" and insert "\$25,000,000," and in line 12, after "(68 Stat. 81, 88)," to insert a colon and the following proviso:

*Provided*, That, from the funds available, upon request of the Governor of any State, assistance to farmers, ranchers, and stockmen in major disaster areas under section 2 (d) of the act of April 6, 1949, as amended (12 U. S. C. 1148a-2 (D)), in providing roughage for livestock shall include assistance in procuring cottonseed meal or pellets which are available in the area, in amounts recommended by the State extension service as necessary to supplement available grazing or roughage to preserve basic herds of range livestock, upon conditions that such assistance shall be available only to farmers, stockmen, and ranchers who have customarily fed such protein supplements to their range livestock and that the price of such protein supplements, whether acquired by the State or by the Secretary of Agriculture and resold at less than cost or acquired by the farmer, rancher, or stockman from commercial suppliers, shall not exceed the average price charged by suppliers during the calendar year 1956. Insofar as funds are available, the Federal contribution hereunder for cottonseed meal or pellets shall be comparable in amount to the assistance made available to farmers in major disaster areas in the purchase of feed grains under section 301 of the Agricultural Trade Development and Assistance Act of 1954 (7 U. S. C. 1427).

Mr. WILLIAMS. Mr. President, I make the point of order that this amendment would constitute legislation on an appropriation bill, and is, therefore, out of order.

Mr. HAYDEN. Mr. President, I should like to be heard on the point of order.

The PRESIDING OFFICER. With reference to a legislative provision in a general appropriation bill, when the

House of Representatives inserts a legislative provision in a general appropriation bill, the Senate, under its precedents, has the right to propose legislative amendments, which, however, must be germane to the House provision.

A point of order will not lie against the Senate amendment on the ground that it is general legislation, but a question can be raised against such an amendment on the ground that it is not germane to the House language.

In such a case the Presiding Officer does not rule upon the question of germaneness, but is required, under paragraph 4 of rule XVI, to submit it to the Senate for a decision without debate.

The Senator from Delaware may raise a question of germaneness.

Mr. WILLIAMS. No, Mr. President; I do not want to raise a question of germaneness. I was raising a point of order—

The PRESIDING OFFICER. All in favor of the adoption of the amendment—

Mr. WILLIAMS. Mr. President, there are several Members who are off the floor who may wish to vote, and I shall suggest the absence of a quorum before a vote is taken.

Under this amendment we are proposing to authorize a policy which is a complete departure from existing law. Under existing law we have been making available for these relief programs commodities which are in surplus and which the Commodity Credit Corporation already owns. The language of the amendment does not say "may"; it says "shall." It will compel the Commodity Credit Corporation to enter the competitive market and buy these protein feeds for distribution. This will raise the price on all protein feeds which now are not in oversupply. It would unquestionably give an unfair competitive advantage to operators and feeders living in the drought areas.

Mr. President, I ask unanimous consent to have incorporated in the RECORD at this point a letter from the Department of Agriculture, dated February 15, 1957, in which these objections are pointed out, and in which it is stated that the adoption of this amendment would unquestionably raise the cost of administering the drought relief program.

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

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, February 15, 1957.

HON. JOHN J. WILLIAMS,  
United States Senate.

DEAR SENATOR WILLIAMS: The Department of Agriculture has opposed the inclusion of high protein concentrates in our drought relief program this season. Our position is based on the following:

1. High protein concentrates are relatively low in price and easily available. Hay and roughage in the drought area is high priced and must be shipped long distances. It is the thought of the Department of Agriculture that we can better assist drought-stricken farmers in aiding them to purchase high cost roughage and leave to the farmers the acquisition of the relatively low cost and easily acquired protein meals.

2. There is little doubt that if high protein concentrates are included in the program, an announcement of such action by the Department of Agriculture would result in a rise in price and the increase would offset any assistance that might be given the purchaser.

3. We have a large number of letters from dairy farmers, poultry raisers and feeders outside the drought-designated areas protesting the inclusion of high protein concentrates on the grounds that such action by the Department would make the purchase of these concentrates much higher in price to them.

4. If assistance is given in purchasing these concentrates in the drought-designated areas unquestionably there would be a demand for the same assistance outside the drought areas.

5. Assistance in the purchase of protein concentrates inside the drought-designated area given to a dairyman would give that farmer an advantage over the dairyman that might be located in an adjoining county in the same milkshed but outside the drought-designated area.

6. The Department now gives assistance to eligible farmers in drought-designated areas in the purchase of corn, oats, barley, and sorghum grains, all of which are held in surplus stocks by the Federal Government. Inclusion of assistance in the purchase of protein concentrates would result in less use of surplus stocks of grain held by the Federal Government.

7. Giving assistance in the purchase of protein concentrates in drought-designated areas would make the cost of the program considerably higher.

Sincerely yours,

TRUE D. MORSE,  
Acting Secretary.

Mr. WILLIAMS. I do not think, Mr. President, that this amendment should be adopted. It certainly should not be adopted without hearings wherein testimony can be taken. This language was written at the last minute by the Senate Appropriations Committee. Similar language was rejected by the House Committee on Agriculture.

Mr. HAYDEN. Identical language was not presented in the House Committee on Appropriations.

Mr. WILLIAMS. The House Agriculture Committee had rejected the principle.

Mr. HAYDEN. Mr. President, the bill to which the Senator refers provided for the purchase of protein meals with no price limitation involved. This provision would limit the price of such protein supplements. I would not be in favor of a widespread purchase of protein meals.

The hay program is a good illustration. The Department, under the same law, purchased hay, or contributed \$7.50 a ton to the farmer or ranchman who needed hay for drought relief. Immediately, the price of hay went up. The result was that no benefit accrued to anyone and it cost the Treasury \$7.50 a ton.

In this instance, there can be no increase in price. That is why the committee inserted a provision which would limit the price. If the protein supplements cannot be bought for that amount, they will not be bought.

But the Senator from Delaware is mistaken when he says there is no authority of law for it, because the same law which

provides for hay also provides authority for proteins.

Mr. WILLIAMS. If protein meals cannot be purchased except within the price limit, why is it desirable to have the provision in the bill? It would amount to a permanent support price for these protein feeds.

I should like to read from the Department of Agriculture the letter which I have just asked to have incorporated in the RECORD:

There is little doubt that if high protein concentrates are included in the program, an announcement of such action by the Department of Agriculture would result in a rise in price and the increase would offset any assistance that might be given the purchaser.

We have a large number of letters from dairy farmers, poultry raisers, and feeders outside the drought-designated areas protesting the inclusion of high protein concentrates on the grounds that such action by the Department would make the purchase of these concentrates much higher in price to them.

If assistance is given in purchasing these concentrates in the drought-designated areas, unquestionably there would be a demand for the same assistance outside the drought areas.

I understand the House Committee on Agriculture rejected this proposal. This proposal should go to the Committee on Agriculture and be considered by that committee, and not acted upon behind closed doors by the Appropriations Committee.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. DIRKSEN. Mr. President, I should like to inquire what the parliamentary situation is. Was the point of order overruled?

The PRESIDING OFFICER. The point of order was overruled, and the question is on agreeing to the amendment.

Mr. DIRKSEN. Was the point of order made on the ground that the amendment is not germane to the provision in the bill?

Mr. WILLIAMS. I made no point of order on the question of germaneness. I thought it would be better to vote directly on this question.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield further?

Mr. WILLIAMS. I yield.

Mr. DIRKSEN. I think our distinguished chairman will bear me out that I first raised this question in the committee when it came up, because there were a great many inquiries from my section of the country that inasmuch as there was no surplus of protein feed, this provision would require the Department to go into the market and buy protein feeds.

I think I concur in the statement of the chairman of the committee that there is authority, because in the colloquies which we had in the committee with the Department officials they indicated that they had authority, but that they had no intention of pursuing this program.

The difficulty might be surmounted by simply substituting the word "may" for

the word "shall", and then the Department could exercise its own discretion. If there are surplus protein meals which can be procured it might be well as a matter of economy so to do.

Mr. WILLIAMS. I repeat that I think the Department of Agriculture is correct. The amendment should not be agreed to. It would unnecessarily raise the cost of administering the program and would give an unfair competitive feed advantage to those in the drought area, an advantage which could not be overcome by those on the outside. It would result ultimately in an expansion of this type of program throughout the country.

I urge that the amendment be rejected.

Mr. President, before a vote is taken, I should like to suggest the absence of a quorum, because there are some Senators who wish to be present when the vote is taken.

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

Mr. WILLIAMS. I yield.

Mr. MORTON. Does the Senator know what comparison there is between the price of these proteins today and the average price in 1956?

Mr. WILLIAMS. I understand that the price today is slightly higher than it was in 1956.

Mr. MORTON. What is meant by "area"? How far would the proteins move, in other words?

Mr. WILLIAMS. In those areas or those counties which are certified to be drought areas or counties.

Mr. MORTON. Is it only within a county?

Mr. WILLIAMS. It could be within a State, if the drought area were statewide. If a whole State were certified as a drought area, then the area would be the whole State. Otherwise, the area would be only within the immediate lines of the county certified.

Mr. MORTON. In other words, under the proviso, if it be agreed to and made a part of the bill, it would not be contemplated, would it, that cottonseed meal would move from Memphis to the drought area in Texas or Oklahoma, or other places in the Southwest?

Mr. WILLIAMS. Oh, I understand that the meal could move in any direction, but it could be distributed only in the areas certified as being drought areas.

Mr. MORTON. Then, if there was a movement suggested into an area of protein need, there would be an increase in the cost of protein everywhere. There would be an increase in the cost of production of livestock in Delaware, in Kentucky, and in all other parts of the country.

Mr. WILLIAMS. Unquestionably the cost of feed would be affected in every area of the country by the adoption of this amendment.

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

Mr. WILLIAMS. I yield.

Mr. AIKEN. I might add that the price of cottonseed meal today is \$7.20 a ton more than the average price for 1956. That, of course, is rather perplex-

ing in connection with this amendment, because one naturally would wonder what good the amendment is if he could not buy any cottonseed meal under it.

The answer seems to be that there may be those who are desirous of writing congressional policy into a permanent law, which would provide cottonseed meal for those who finish their livestock.

As I read the bill, it would provide cottonseed meal not to all those in the drought counties, but only to those who have customarily fed such protein supplements to their livestock or to those who have finished or partly finished their stock on the range or on the feed lot.

Mr. HAYDEN. This provision is for the distribution of feed on the range.

Mr. AIKEN. Yes, but the provision of the bill reads:

Shall be available only to farmers, stockmen, and ranchers who have customarily fed such protein supplements to their range livestock.

Mr. HAYDEN. Yes.

Mr. AIKEN. And not to those in the mountain areas, such as Colorado, Montana, and Wyoming, who raise young cattle in those areas, and then move them into some other areas for finishing or partial finishing, and where they buy protein meal at the full price in order to finish their cattle.

Mr. HAYDEN. The intent of the amendment is to provide for the winter feeding of cows and heifers on the range. There is no other idea in mind than that. That is the way the feeding is done in my section of the country.

Mr. AIKEN. It would not affect those who have had poor pasturage and have moved their young cattle to better places. They would not get any benefits under the amendment.

Mr. HAYDEN. The idea is to keep the foundation herds alive on the ranges.

Mr. AIKEN. But the corn and wheat which the Government owns and which it distributes contain 14 percent protein. Cottonseed meal contains, I think, between 30 and 40 percent.

Mr. HAYDEN. That high protein content is what keeps the cattle alive.

Mr. AIKEN. That is true; but they get 14 percent protein anyway in the corn and wheat.

Mr. HAYDEN. Let me tell the Senator from Vermont what the practice is in Arizona. The ranchers mix cottonseed meal or cake with salt; then the meal is taken to the range. It can be carried on a light truck or on a pack-horse. The animals eat only so much of the meal with the salt content; then they have had enough meal for that day. After that the animals drink water and then they will go out on the range and eat whatever roughage they can find.

But if the rancher were to take some grain out to the range, the animals would stay right there and wait until the next day for another bale of hay or more grain. That kind of feed is too expensive and impractical. What is proposed in the bill is the only practical way to furnish feed.

Last October, we in Arizona asked that cottonseed cake or meal be supplied in the regular way, the way in which it has always been used in that area, but our

request was denied, on the ground that if the Government purchased any feed, the price of it would be increased throughout the country.

The cattle raisers then went to the cottonseed-meal producers in that area and asked, "Will you agree to sell your meal at a price no higher than you sold it to us before?" That was a reasonable price, and it was less than the price in 1954, and less than the price in 1955. They got such an agreement from the producers.

The Department was still afraid that it would make the same mistake it made with respect to hay. The same authority which will allow hay to be purchased in the program will allow cottonseed to be purchased; there can be no question about that.

When the Government bought hay, it simply announced that \$7.50 a ton would be allowed to anyone who needed hay as a supplement. The result was that the price of hay went up \$7.50 a ton. What we are trying to do is put a price ceiling on the cost of the cottonseed supplement.

Mr. AIKEN. Let me ask the Senator how the bill would apply to a rancher who summers his cattle in Montana, where there is plenty of grass, and then brings the cattle south for the winter, where most of the cattle are finished for the market. How would the bill affect such a rancher?

Mr. HAYDEN. The Senator is talking about fattening cattle; I am talking about trying to keep intact just the foundation herds of stockmen in the drought-stricken area so these cattle can live on the range, and the cattlemen will not have to sell them.

What has happened in Arizona has been that the cattlemen have had to strip the ranges of their herds, put the cattle on trains, and ship them to Los Angeles, where they got 6 cents a pound for very lightweight cows. I have not known of such a low price since the beginning of the great depression.

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

Mr. HAYDEN. I yield.

Mr. JOHNSON of Texas. I have had some experience in connection with the situation about which the Senator from Arizona speaks. I concur wholeheartedly in which the Senator recommends. I am familiar with the experience of cattlemen under the whole program.

This administration is trying to be helpful to those of us who are so unfortunate as to live in drought-stricken sections. There is much criticism of the drought program. Some of it is justified; some of it is not justified. The main reason for the criticism is that the Government tried to tell us in one breath that it does not want to control the farmer, while in the next breath it tells us what our cows have got to eat.

The average cowman knows that the basic herd of range livestock cannot be preserved in the wintertime in the drought section with a lot of dry hay. But the Department of Agriculture says to him, "You will have to feed the cattle hay, and it will have to be bought this way."

The dealers then say, "All right. How much will the Government allow on the hay?"

The Government says, "Seven dollars and a half a ton."

So the dealers then raise their price to \$7.50 a ton. That is the kind of relief we get with respect to hay.

The next thing the Government says is, "You will have to feed your cows with chicken feed."

So we get some maize. We can buy the maize, and the Government will deduct \$1.50 a hundred pounds for it. But the Government says that we have got to feed the cows with maize.

The cowman asks, "Why cannot I go to the mill and buy some cottonseed? That is what gives the cattle strength in the wintertime. I can buy it cheaper, and it is better for my cattle."

The Government says, "No. We will not give you relief along that line. We will not give you relief on cottonseed, because the feed dealers do not want us to do so. You have got to use maize."

I do not say many ranchers are doing it, but I know that some are getting maize and are getting it at \$1.50 a hundred off. I am not sure that I can state the names and the places where that is occurring, but rumor has it that the maize is being fed to chickens and to hogs, and that some ranchers are going to the banks and are borrowing what money they can borrow in order to buy cottonseed cake to feed to their cattle.

If we are to have a drought-relief program and if the purpose is to preserve the basic herds of range cattle and if we are to spend \$25 million on that program, we should not say to a cattleman, "I will let you have jello, but you cannot have lemon pie," or "I will let you have this type of feed, that the feed dealer wants you to have; but I will not let you have another type that will do the job."

Any cowman, Democrat or Republican, who has to feed his cattle on the range in the wintertime will tell any of us that the most economical feed he can get now is cottonseed cake, bought from the mill. The feed dealers will not say that. But if that is the most economical thing to feed the cattle, and if the Government is to have a program of this kind, why not permit the most economical type to be used?

Mr. YOUNG. Mr. President, will the Senator from Texas yield for a question?

Mr. JOHNSON of Texas. I do not have the floor.

The PRESIDING OFFICER (Mr. Scott in the chair). Does the Senator from Arizona yield to the Senator from North Dakota?

Mr. HAYDEN. I yield.

Mr. YOUNG. I should like to make a comment which I think is pertinent at this point, namely, that such an amendment would not result in creating a new market for this type of feed. In fact, the cattlemen have always used concentrates as feed; it is the most economical kind of feed they can buy. But if it should result in increases in price, the Department of Agriculture will not be able to spend the money to buy cottonseed, pellets, and so forth.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Arizona will

yield further to me, let me say there is no use in saying that we are going to give this money to the people of Nebraska, to permit them to fatten the calves that the Texas cattlemen send to Nebraska. In the first place, I doubt that Nebraska is in the drought area, although I do not know whether that is so; and I doubt that Nebraska would qualify for such relief. Furthermore, the language of the amendment makes the meaning of the amendment, as written, abundantly clear, namely, that such protein supplements are to be ordered to protect the Government from the very thing the Senator from Vermont has been talking about, and from the very thing that I understand the Senator from Delaware [Mr. WILLIAMS] talked about—although I was not in the Chamber when he spoke—namely, to preserve the basic herds of range livestock, and to require that the "price of such protein supplements shall not exceed the average price charged by suppliers during the calendar year 1956."

The feed dealers say it cannot be purchased for the average price charged during the calendar year 1956, and some Senators say it cannot be obtained. If it cannot, then the amendment will not be applicable. But if such a protein supplement can be purchased—and some of those in Texas say it can be purchased—then the amendment will be applicable.

I do not think that an administration that is dedicated to removing controls from the farmers should, on the one hand, say "I will give you drought relief," and on the other hand should say "But I will tell you what your cow has to eat, where you can buy it, who is to sell it, and how much profit he can make in selling it."

Mr. AIKEN. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. AIKEN. I cannot understand the urgency of placing into permanent law a provision establishing a congressional policy for something which on its face cannot possibly work.

Mr. JOHNSON of Texas. Mr. President, at this point will the Senator from Arizona yield further to me?

Mr. HAYDEN. I yield.

Mr. JOHNSON of Texas. The urgency is that the amendment relates to feed, and we are now in the middle of the winter. The urgency is that in some places in my State there has not been a wet year for 10 years. The urgency is that the cattle have eaten the roots out of the ground, and have pulled out the grass, and now the ground is just like a flower bed. The urgency is that it is necessary to feed those cattle now. And the urgency is that otherwise our people would be required to try to feed the cattle maize and hay from which the feed dealers would profit. That is the urgency.

Mr. AIKEN. How could the cattle be fed cottonseed meal furnished by the Government, when on the face of things it is not possible to buy the cottonseed meal?

Mr. JOHNSON of Texas. We would not require that cottonseed meal be furnished by the Government. We favor

the purchase of cottonseed cake from the mills, and that is what I understand the amendment is intended to cover.

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Texas. If that amendment is included in the law, the dealers will not be able to raise the price, as they have done in the case of the hay program and the other programs.

Mr. AIKEN. It may be that the dealers in the Southwest are more charitable than the dealers in the Northeast are, but I do not know about that.

Mr. JOHNSON of Texas. I make no claims or charges regarding the charity of feed dealers anywhere. All I say is that our information is that the cottonseed cake can be purchased. If it cannot be purchased, the inclusion of this amendment will not harm anyone or anything.

Mr. AIKEN. Why would the cut-price cottonseed meal be restricted to use by those who have been able to buy it and pay the full price in the past? Why should not the amendment also apply to those who, perhaps, last year were not able to buy cottonseed meal?

Mr. HAYDEN. I cannot understand the Senator's reasoning.

Mr. AIKEN. The provision of the amendment is that: "Such assistance shall be available only to farmers, stockmen, and ranchers who have customarily fed such protein supplements to their range livestock."

That would eliminate many of them from consideration.

Mr. HAYDEN. What the Department of Agriculture feared was that if the words included in the amendment at that point were protein supplements, the amendment would then lead to a demand for the use of soybean meal or other kinds of protein supplements. We tried to restrict the amendment, so that it would result in what is common practice in the drought-stricken areas.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. JOHNSON of Texas. I wonder whether it would satisfy the Senator from Vermont if we were to include in line 23, after the words "ranchers who have customarily fed such protein supplements," the words "and ranchers who desire to feed such protein supplements."

If the Senator from Vermont wishes to extend the application of the amendment, and if that is his real purpose, would not such additional language achieve what he desires? Then we could permit the farmer to decide for himself what he would feed his cattle. Have we reached a point where the Government must make that decision for the farmer?

Would such additional language be agreeable to the Senator from Vermont?

Mr. AIKEN. If there were a termination date—for instance, July 1 or September 1 of this year—rather than to call for a Government policy of purchasing a particular type of feed for distribution at cut rates to producers, that would be an improvement.

Mr. JOHNSON of Texas. Would the Senator from Vermont be willing to support the amendment if we were to include a termination date?

Mr. AIKEN. For instance, the 1st of July? I would be very happy to have such a provision included.

Mr. JOHNSON of Texas. I would prefer the 1st of September, in order that the Senator's committee, which in the past he has so ably headed, would have an opportunity to hold hearings on the matter. I think the appropriate committee to consider such proposed legislation is the Committee on Agriculture and Forestry, and I have entire confidence in the fairness and justice of the Senator from Vermont. If he will agree to a September 1 date, I will agree to it.

Mr. AIKEN. I believe there is before the Committee on Agriculture and Forestry proposed legislation in this field. I, for one, would be glad to have a hearing on the proposed legislation before the Committee on Agriculture and Forestry. I can assure the Senator from Texas and the Senator from Arizona that we have every sympathy in the world for those who live in the drought-stricken communities.

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from Vermont will exercise some of his sympathy today; I hope he will agree to permit some of this cake to be fed, instead of requiring the ranchers to feed their cattle some of the old, worn-out dry hay which is profitable only to the feed dealers. Instead of doing that, let us take steps to permit the ranchers to feed the cottonseed cake during this emergency. We are willing to agree to a September deadline. Then the Senator's committee can get busy on its hearings, and can report proposed legislation on the subject, and the Senate can pass it.

Mr. HAYDEN. Mr. President, I shall be only too glad to accept a limitation as to the date.

Mr. DIRKSEN. Mr. President, I should like to inquire who has the floor.

Mr. HAYDEN. Mr. President, I believe I have the floor.

Mr. JOHNSON of Texas. Mr. President, if we can enlist the support of the powerful Committee on Agriculture and Forestry, I shall be glad to include such a date. But there is no point in including it, if the members of that committee are going to object to the amendment anyway.

Mr. DIRKSEN. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. Certainly.

Mr. DIRKSEN. I do not wish to complicate the situation or delay the proceedings, but I should like to have the RECORD show the entire story. When inquiry was first made of me in regard to this matter—namely, whether protein feeds were to be purchased—of course, I assumed that they would be purchased in the open market. I proceeded on the theory that it would be necessary to go into the open market, because there were no surpluses of such commodities.

In view of the fact that at the end of the fiscal year the Commodity Credit Corporation will either be indebted for commodity purchases or will have loans to the extent of \$7,500,000,000, certainly it would not seem wise for the Government to buy for this purpose a commodity which was not in surplus supply, inasmuch as there are surplus feed

grains which already belong to the Government's account.

Mr. HAYDEN. But they do not serve the purpose.

Mr. DIRKSEN. I understand, and I am not quarreling about that at all. That is why I did not resist the amendment in the committee, because—as a result of freight rates, and geographical considerations, including distances from market, and so forth—there is a very particular problem in that part of the country, and it is a problem which the farmers in the State which I in part represent probably do not face.

But I wish to have the RECORD show clearly that this program is not confined to "worn out hay," which I believe was the expression used by my friend, the Senator from Texas; but that, instead, something else is involved, namely, the question of going into the market and making purchases, notwithstanding the billions of dollars the Government now has invested in commodities which have been purchased by it.

Mr. JOHNSON of Texas. Mr. President, I appreciate the position of the Senator from Illinois. If the Senator from Arizona will yield, in order to permit me to reply, I shall appreciate it.

Mr. HAYDEN. Certainly, Mr. President, I yield.

Mr. JOHNSON of Texas. I appreciate the assistance of the Senator from Illinois, and we are very grateful for it, because the drought-stricken rancher needs help, and needs it badly, and I think the administration is trying to help him. In this case, we are hung up on only one point, namely, whether to try to force him to force his cattle to eat some kind of feed that will not nourish them during this period.

If we simply had a disposal program, and that was all, there would be some merit to taking it in surpluses; but it is not merely a question of the disposal program. It is a question of cattle getting the protein they need. I am afraid the present program, if the truth were known, is being abused by some people, because the feed is going to chickens and hogs, but in the case of cattle, the growers go to the bank and say, "I have to feed my cattle cake," or they go to an oil mill, because they can keep their cattle sustained on two pounds of oil cake a day, since it is cheaper.

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

Mr. HAYDEN. I yield.

Mr. CARLSON. I think the amendment is very meritorious. Those of us who live in drought areas have some real problems. I think the distinguished chairman of the committee [Mr. HAYDEN] expressed it well when he said under the law with respect to hay no benefit accrued from the \$7.50 a ton which was allowed. In the States of Kansas, Colorado, Texas, Arizona, and New Mexico, the hay must originate in Nebraska, Minnesota, or some other northern State. Every day thousands of tons of hay go through Kansas, Oklahoma, Texas, and I assume Arizona, the State of the chairman of the committee. If we can assist the ranchers to use cottonseed meal, it will be advisable to do so. I hope the amendment will be adopted.

It may be too broad. It may be that we shall have to set a date, but I think the amendment will be helpful.

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

Mr. HAYDEN. I yield to the Senator from Colorado.

Mr. ALLOTT. There are 2 or 3 matters I should like to touch on briefly. First of all, I believe, on an overall basis, the amendment is meritorious. However, I should like to call to the attention of the Senator from Texas, who has just discussed the matter, the fact that while it may not be possible to carry cattle through the winter on old-worn-out hay, it is just as impossible to carry them through on cottonseed without some roughage. So it becomes a dual feeding process. Ranchers are probably better qualified to discuss this subject than I, but we all know it is true.

Secondly, it seems to me while we are talking about the amendment for the RECORD, I should mention that one of the most serious faults in the administration of the law is that there is not a uniform method of administration throughout the States. For example, one State may have very stringent rules for the administration of the law. Some States and some counties have even gone so far as to require financial statements from the persons who receive assistance under the drought program. The practical effect is that a premium may be imposed on some people who have put forth the same effort. There are situations of which I am aware in which a man on one side of the road could obtain assistance because he had used his bounty of the last few years, while the man across the road could not because he had a little credit left at the bank.

Mr. HAYDEN. What the Senator complains about is due solely to the fact that the Department of Agriculture has never issued uniform regulations, but has left the matter up to the various States to be handled by them in their own way.

Mr. ALLOTT. There is a regulation, but it is so loose that States can interpret it with a great deal of latitude. In fact, I know in the States of New Mexico, Colorado, and Texas there was a great difference in administration last year, and the program operated very greatly to the detriment of my own State.

I should like to make another statement to clear the RECORD. It does not pertain to the subject directly under discussion, but I think in comparing what has been done credit should be given to the railroads for the voluntary part they have played in the drought program. As the program is being administered they are not receiving any funds for themselves, and they have forsaken half of their freight rates. They are donating that income out of their own pockets.

Mr. HAYDEN. The railroads should be commended.

Mr. ALLOTT. I think the attention of the Congress should be called to that fact.

Mr. JOHNSON of Texas. Mr. President, would the Senator from Arizona

be willing to modify his amendment? I call this proposal to the attention of the Senator from Vermont [Mr. AIKEN] and the Senator from Delaware [Mr. WILLIAMS], not because I expect them to be favorable to it, but so they may have information as to what I am doing. I ask the Senator from Arizona this question: Is it agreeable to the Senator to strike out in line 22 the word "only"?

Mr. HAYDEN. I was trying to limit the provision. I would not object, if it would help accomplish the objective.

Mr. JOHNSON of Texas. I should like to strike out the words "have customarily" at the end of line 22 and the first part of line 23. Then I should like to strike out the word "fed" and substitute the words "desire to feed," so that the language would read: "shall be available to farmers, stockmen, and rangers who desire to feed such protein."

Mr. WILLIAMS. Mr. President, I merely wish to point out that the Senator is opening this program now to everybody in that area, and we would have to provide another \$100 million, because with the amount provided hardly a start could be made.

Mr. JOHNSON of Texas. Mr. President, the Senator from Delaware has knowledge of a great many subjects. I do not know how much he knows about cattle feeding in Texas. Now many ranchers feed cattle cottonseed cake. I do not think many new ones would be brought under the program. The suggestion comes from the former chairman of the Committee on Agriculture and Forestry. It is perfectly agreeable to me, and I hope it is to the chairman of the committee. If so, I should like to try to comply with the Senator's suggestion.

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

Mr. JOHNSON of Texas. I yield.

Mr. AIKEN. What is to stop a dealer from saying, "We will sell you this ton of cottonseed meal for \$60, and we will sell you soy meal for another \$10?"

Mr. JOHNSON of Texas. Not a thing in the world, any more than we can stop a man from committing suicide or lying or thieving or anything else. It is abundantly clear that he shall not sell cottonseed cake or meal or pellets for more than the average price charged. I think crooks would be found under any formula, but the Senator from Vermont has been one of the most able exponents in this body of the idea of giving farmers some freedom and removing some controls and taking away some restrictions and getting some handcuffs off them and getting them out of straitjackets. I admit some administrations of my own party have contributed to enacting more regulations than I liked, but today all we are trying to do is get a practical program which will result in the feeding of some hungry cows in the winter with something they ought to eat, instead of something feed dealers want them to eat.

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

Mr. HAYDEN. I yield.

Mr. WILLIAMS. In connection with the request of the Senator from Texas, would he accept a provision requiring some form of State participation, under

which the State of Texas and other States would make more contribution to its own citizens, rather than asking the United States Government to underwrite all the relief?

Mr. JOHNSON of Texas. I favor State participation. I think the Federal Government ought not to enter many fields of activity which it does enter. I frequently feel that the States neglect some of their responsibilities by not supplying assistance when it is needed, and permitting the Federal Government to take over. But I do not want Old Muley, out on the range, to wait for all the State legislatures to meet before she can eat, unless she eats some Republican maize which carries a big profit for feed dealers. I want her to eat the cheapest feed she can get. If we can pick up the vote of the Senator from Delaware, and if I can persuade the Senator from Vermont to agree with me, I am willing to provide for a termination date, so as to allow the program to continue for 4 or 5 months, trusting the committee to hold hearings.

However, I have had a bill in the committee which has not been reported. I have fought the feed dealers before. I know the hand of Jacob and the voice of Esau. I know how the feed dealers operate. They say to us, "You ranchmen cannot feed cottonseed cake under the drought-relief program. You cannot use the feed which you customarily and traditionally have used." Anyone in the cattle-raising business, whether he be a Republican, a Democrat, or what not, knows what feed a cow ought to have in the wintertime, when she cannot get good grass. Yet we are told, "You cannot feed that product, because we will not allow it under our administration. You must feed some Republican maize, which is handled by a Republican middleman, who collects a Republican commission, or you must feed some of this old dry hay the price of which has already been increased \$7.50"—taking away all the benefits the Government proposed to confer.

I do not believe that Members of the Senate wish to do that. I am not willing to wait for State legislatures in all the States to meet. February, March, and April will pass, and the winter will be over before we can obtain action. I am willing to agree to a termination date, if the Senator from Delaware will support the amendment with a termination date. I think the Senator from Delaware is against the amendment in any form.

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

Mr. HAYDEN. I yield.

Mr. WILLIAMS. I supported the programs for relief, but I want some commonsense used in administering them.

Mr. JOHNSON of Texas. The Senator is approaching the question in a round-about fashion. For 3 weeks I have heard the Secretary go around and around the mulberry bush. He is a good man, and I think he is trying to do the best job he can, but he never answers a question "yes" or "no."

Let me ask the Senator from Delaware this question: If we agree to the suggestion which has been made, that there be

a termination date, in order that the committee may have an opportunity to hold hearings and bring forth some legislation, so that the cows can get something to eat in February and March, will the Senator go along? Will the Senator from Delaware go along with this amendment if I agree to a termination date?

Mr. WILLIAMS. I will, provided the Senator will also agree to the other part of the proposal, namely, to provide for a 25-percent State participation. If the States involved do not have enough sympathy to make some contribution to its own citizens, there is something wrong.

As to whether or not the ranchers are being gouged by the feed dealers in your area, the Senator is in a better position than I am to know the character of those men. If the Senator says they are all crooks and are gouging, I will not attempt to defend them.

I think the Committee on Agriculture and Forestry should look into the situation, however, if the situation is as bad as you describe it.

Mr. JOHNSON of Texas. Let me answer the Senator's observations one at a time. I wish to give direct answers.

I have made no charge that any group of men are a bunch of crooks.

Mr. WILLIAMS. The Senator says they are gouging your farmers, and if that be true it is a serious charge.

Mr. JOHNSON of Texas. The record shows that when the hay program allowed them \$7.50, the price went up \$7.50. I am not willing to say that because a man makes a profit of \$7.50 he is a crook. But I do say that he does not help a drought-relief program. I will say to the Senator that I would not care to nullify the effect of this amendment by waiting for all the State legislatures to meet. It might be that after hearings the committee would wish to require some State participation. I would be willing to agree to a termination date of September 1, so as to meet the present emergency with this proposed legislation. Then let the committee hold hearings, and if the committee decides to recommend that the States participate, and the majority of the committee agrees to that proposal, the Senator from Texas will be glad to follow it.

So far as Texas is concerned, let me say that there are not many people in Texas who vote in Delaware. It is becoming popular, in some quarters outside of Texas, by implication and otherwise, to criticize Texans and to talk about their not having any interest in this, that, or the other thing. I recognize the situation. However, let me say to the Senator from Delaware that I went to Texas and to other drought-stricken States in company with our distinguished President some time ago. We met with a number of governors. It is true that I do not always see everything in the same light as the ex-governor of that State, Governor Shivers, who participated in that meeting. We have had our differences, as Senators are well aware. Yet Governor Shivers was the only governor I heard who told the President of the United States, after he had advocated State participation, that he stood ready, if the Government

would evolve a national plan and establish standards, to recommend such a policy to his legislature.

I know, and every other Senator who has been here long enough to draw a paycheck knows, what the purpose of the Senator from Delaware is. First, he talks about an expiration date. Second, he talks about State participation. He says he will not support the amendment, even if we insert an expiration date in it.

The Senator from Delaware is against the amendment, and he is frank and honest enough to say so. He will defeat it if he can. So I do not think there is any purpose in watering it down further, to try to satisfy a Senator who is against it anyway. The Senator is convinced that it does not serve the best interests of the people of his State. If he is convinced of that, he ought to oppose the amendment. I do not reflect on his State. I do not imply that the citizens of his State are not citizens with the most patriotic instincts. I do not think they always exercise the best judgment at election time—but I do not use the Senator from Delaware as an exhibit in that respect. However, the citizens of Delaware do not always vote as I would vote.

I hope the Senator from Delaware, who does not live in the drought-stricken area, and who does not have a herd of hungry, bawling cows who need feed, will not force the money of Federal Government taxpayers into old, dried hay which will not sustain a cow in the wintertime.

Mr. WILLIAMS. There is nothing in the amendment that mentions hay. The ranchmen can obtain any type of commodity on hand in the Department of Agriculture. Of various commodities, \$8 billion worth are being held in inventory by the Department of Agriculture. Certainly they are not damaged. They can be used for these programs and their use will not affect market prices.

As to refusing the farmers of Texas the right to use cottonseed meal, they can use all they wish. All we are talking about is what the United States Government is to give them.

Furthermore if ranchers have been obtaining maize under this relief program and feeding it to chickens in violation of the law, then I certainly am interested and will ask the Department for a report tomorrow. I am sure the Committee on Agriculture and Forestry will check this charge. If the Senator from Texas knows of any such misuse of feed, I would appreciate it if he would bring it to the attention of our committee. I am sorry to hear that the recipients of relief in your area are abusing the program in such a manner as you describe.

Mr. JOHNSON of Texas. Let me point out one abuse. One abuse is that, without the language suggested, the only alternative we have is to feed hay or grain; and we think that is more expensive, less nutritious, and less productive than the proposal we make. We feel that our proposal would save money. If the Senator will not require us to feed hay, and will not require us to go hat in hand to the feed dealers and carry out their wishes, I think we shall all be better off.

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

Mr. HAYDEN. I yield.

Mr. AIKEN. Since 1943 I have had legislation pending before this body which would provide balanced diets for hungry people in this country. The Department of Agriculture tells us that there are 25 million people who get unbalanced diets today, and who could be enjoying balanced diets. Such diets would enable them to make their full contribution to our economy and society, if they could get the food they ought to have at reduced prices. I have been promoting that idea for 14 years; and I have never seen one one-hundredth part of the excitement on the floor of the Senate in behalf of such legislation as 100,000 Texas steers threatened with unbalanced diets have created.

I still think that we should take care of people, because there are so many of them, for one thing, particularly the people who are not enjoying a balanced diet, before we go into the question of Texas steers and cows and bulls, and any other livestock which do not have a balanced diet.

Mr. JOHNSON of Texas. If the Senator will yield at that point, I should like to say that if the distinguished Senator from Vermont ever becomes chairman of the Committee on Agriculture and Forestry—and I pray to heaven that that tragedy will never befall this Nation—and if the farmers of the United States must look to that great agricultural section of Vermont for a chairman of the Committee on Agriculture and Forestry, and if he should be powerful enough to persuade a majority of the members of his committee to report to the Senate his bill, which has been in his own committee for 14 years—and I have not read the Senator's bill—that would be a tragedy indeed. I say further that it is an indictment of the Senator from Vermont to say that he had had a bill in his own committee for 14 years and that he cannot convince a majority of his committee to report the bill.

Mr. AIKEN. That is not an indictment of the introducer of the bill, I will say to the Senator from Texas.

Mr. JOHNSON of Texas. Apparently he cannot get his own committee to report the bill.

Mr. AIKEN. The fact of the matter is that after a great deal of effort we did get legislation passed which permits the Commodity Credit Corporation to give cornmeal flour to the hungry people of this country.

Mr. JOHNSON of Texas. I have read some of the comments made by some of my friends on the other side of the aisle about some of the great proposals that have been made from time to time to distribute surplus food, such as the food-stamp plan.

Mr. President, that is not the issue. I am willing to support such a plan. I call to the attention of every Senator who has been listening to this debate that this is merely a move to becloud the issue, and that it is something intended to confuse Senators and to make the Department of Agriculture continue to serve the feed dealers, and something

which would require us to continue to use Government money for that purpose. The only thing we cannot use money for, apparently, is for old dried hay. The Senator from California [Mr. KNOWLAND] asked, "Why is it always Republican hay, not Democratic hay?"

In answer to that question I will say that although we raised a great deal of hay, we did not make much last November. [Laughter.]

Mr. President, the Senator from California is always fair with me, and I will revise my remarks, with the permission of Senators, and I will say that it is Republican and Democratic hay, because it is just as bad as it can be in wintertime, compared with cottonseed cake, whether it is Democratic or Republican.

I believe the chairman of the Committee on Appropriations, one of the wisest Members of the Senate—supported by men like the Senator from Georgia [Mr. RUSSELL], the chairman of the Subcommittee on Agricultural Appropriations, and by the Senator from North Dakota [Mr. YOUNG], the ranking minority Member on the subcommittee, who has great knowledge in the field of agriculture—has brought before the Senate an amendment which will provide much relief, and will permit a more honest operation of the program, and will put more weight on our cows and bulls. That is something that even the Senator from Vermont ought to command.

Mr. AIKEN. When we do for livestock exactly what we do for people, I believe that ought to be good enough.

Mr. JOHNSON of Texas. No; that is not the situation. I believe it ill behooves the Senator from Vermont, and so-called self-advertised exponents of free enterprise, and the men who go around the country saying, "We are taking regulations and controls off," to come to the Senate and say, "Yes; we will do that, but we will tell you what kind of feed to buy for your cows, and we will tell you that you must buy it from the feed dealer, with a middleman profit being paid, and that if you do not do it that way, we will not let you have any money."

Many ranchers go to the cotton oil mill and are able to buy cottonseed cake without paying any middleman's profit. He can buy the seed which his experience determines is best for his cattle.

If we adopt the amendment of the Senator from Arizona, that situation will prevail. If we do not adopt the amendment, we will make the rancher buy the kind of feed he does not think is best for his cattle, and it will be more costly and will get less desirable results for the cowman.

Mr. COTTON. Mr. President, I should like to take this opportunity to make one observation. From the first day I have served in the Senate my respect and regard and confidence in the distinguished majority leader has increased.

Mr. JOHNSON of Texas. I thank the Senator; but I hope that he will not ask me to do something that will change that situation. When I hear a compliment like that, I become very much concerned.

Mr. COTTON. The fact remains—and we can express it in any words we wish—that if the language in the appropriation bill means anything, it means that we are going to include in the drought relief program commodities which are in short supply and which are not in surplus. I am perfectly aware of the fact that the distinguished majority leader has suggested that through some kind of manipulation, the feed can be purchased at the price stated in the amendment offered by the Senator from Arizona.

However, I represent some people in New Hampshire, as does the distinguished Senator from Vermont, in his own State, who are dairy farmers and poultry farmers, who all through the years have never had the benefit of price supports. The fact remains also that when we have passed agricultural measures providing price supports, we have in that way raised the price of grain which the people we represent must buy to feed to their cows and to their poultry.

If it were true—and I am not suggesting that the Senator is not completely sincere in what he says—that this provision would insure against a price rise, and that there would be an abundance of this protein cottonseed meal to relieve the drought conditions without causing its price to increase, I would be the last one in the world to hold up my hand and try to deny them that relief.

However, within the past few minutes I have already heard that amendments will be offered to broaden the provision and increase the threat to New England farmers.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator to yield at that point to say to him that the information we have from the area which is the great cottonseed, cotton cake, cotton meal, cotton-pellet producing area, is that, first of all, there is not only a substantial supply, but one of the largest supplies we have ever had on record; secondly, those who have the supply, are willing to sell it at a price not in excess of that provided by the limitations placed in the bill; thirdly, I will say to the Senator, if they are not willing to do so, the provision in the bill will not apply, and not a dollar will be spent.

Mr. COTTON. My information is that—

Mr. JOHNSON of Texas. Does that answer the Senator's question?

Mr. COTTON. It does not quite answer it. I will say that I have heard—

Mr. JOHNSON of Texas. Will the Senator restate his question, so that I may answer it?

Mr. COTTON. I will say to the Senator that if what he says proves to be correct, he answers my question.

Mr. JOHNSON of Texas. Very well.

Mr. COTTON. However, let me add a further word. It is my information, obtained from experts in the Department of Agriculture, that there is no back door from which it is possible to get these protein feeds, and that in order to get them it is necessary to go beyond the price of 1956. If we place this entering wedge in the appropriation bill, and in that way go on record, then if it does not work out, we will have to expand the provision a

little more, and then in a short time we will have an expanded provision dealing with that subject. I cannot go back to my farmers, under such circumstances, and say that I have done all I could to protect their interests.

Mr. JOHNSON of Texas. I want the Senator to protect his farmers. I would be the last man to do anything to harm a New Hampshire or a Vermont farmer, because we look to that great area of our country to make its appropriate contribution in supplying the food and fiber by which this great Nation exists.

I will say to the Senator that I am not an expert on backdoors; I do not know anything about backdoors. I do not know what the Department of Agriculture knows about them. But why the Department of Agriculture, the Senator from Vermont [Mr. AIKEN], the Senator from Delaware [Mr. WILLIAMS], and the Senator from New Hampshire [Mr. COTTON] should want to require those of us who live in the drought-stricken areas to feed our cattle something the cattle do not want, I cannot understand. It would be more expensive for the taxpayers and, ultimately, the farmers would pay a part of the bill. The administration has said, "We will give you \$7.50 a ton on hay." Then the price jumped \$7.50 a ton. That is what the record shows; is it not?

Mr. HAYDEN. That is correct. That is what we are trying to avoid.

Mr. JOHNSON of Texas. Our problem is to get proper feed for our animals. Those animals are not in Delaware or Vermont or in New Hampshire. I appreciate the solicitude of my friends. I will follow them on matters which involve food for their people, but we cannot spend a dollar under this provision if the price exceeds the 1956 price. Furthermore, I assure the Senator that if it is determined that we cannot get the feed at that price, I shall not be here wanting to change this section and moving it to 1957-58.

One of the first things I did when I came here was to introduce a bill providing for an economical way of feeding our cattle.

Do not make us buy the feed from this particular place or that particular place. Do not make us buy this particular type or that particular type, but let us buy the cheapest and the best.

Mr. COTTON. Why does the Senator not want his cows to eat other food supplements? Why does he force them to eat cottonseed products?

Mr. HAYDEN. That was done to cure the situation of which the Senator complains.

Mr. YOUNG. Mr. President, the bill provides for the inclusion of cottonseed meal and pellets which are available in the area. Soybeans make a very good high protein supplement, and soybeans are in surplus. I do not know why we should force a cattleman to feed something that is not economical and would result in a hardship to him.

I should like to say to my friend from New Hampshire that dairy supports will be around 83 percent of parity this year. Last year dairy supports for the program were by far the most expensive of all price-support programs. Price sup-

ports for feed grains have been lowered for 1957 to around 70 percent of parity.

Mr. JOHNSON of Texas. Mr. President, I wish to say one more word to my friend from New Hampshire. The administration want to force the cowmen from Texas or from New Mexico or from Arizona or from Colorado or from Nevada to feed hay, and allows \$7.50 a ton after it has gone up \$7.50. That is the present program.

Then they say, "We will force them to feed grain." Why force the cattlemen to feed something that is impracticable? The most practical thing, the cheap thing, the wise thing to do, as proved by the men on the range for years, is to feed the cows cottonseed in the wintertime if there is no grain.

Mr. President, there is an old saying in Texas, "If you know you are right, just keep on coming and no gun can stop you."

I have enough confidence not only in the charity of my friend from New Hampshire, but in his good judgment and fairness, to think that he will not require us to buy something that it is not good business to buy. If he is going to help us with the program at all, let him help us to apply it most efficiently and get the most for our dollars as an ordinary yankee businessman would.

Mr. COTTON. I have not said, and I do not say, that we want to force anyone anywhere to buy anything for his cows that the cows do not want to eat. I simply say that even though I enjoy listening to these arguments, I am not going to be lulled to sleep and made to believe that buying something which is in short supply will not raise its price. I cannot believe that, even if it is stated by the most charming and eloquent gentleman of my acquaintance. We have something that is in short supply, and sooner or later we are going to have to pay for it. Cows can starve even when there is not a drought. They can starve if their owners cannot afford to buy feed. The Department of Agriculture says this provision will raise the price. That is the reason why they refused to favor it. They say it will raise the price to other farmers throughout the country. We are those other farmers, and we want to be heard.

Mr. KNOWLAND. Mr. President, we have been on this subject for some time. I know it is an important subject. I have discussed it with the distinguished Senator from Illinois [Mr. DIRKSEN] and other Senators. I wonder if the Senator from Arizona would be willing to accept an amendment along the line previously suggested, only providing that the authority shall expire on July 1, 1957. In other words, that would take us through the fiscal year, and in the meantime, presumably, the Committee on Agriculture will be meeting.

Mr. HAYDEN. If the Senator will look at the bill, he will see that the date is September 1, 1957.

Mr. KNOWLAND. I suggest until July 1, 1957.

Mr. JOHNSON of Texas. Mr. President, I do not wish to be adamant. I would be willing to accept September 1, but I see no great advantage in moving it

up to July. Would the Senator agree to August 1?

Mr. HAYDEN. I will split the difference, and make it August 1.

Mr. KNOWLAND. I have no intention of quibbling as between September and July. An amendment has been suggested by the Senator from Delaware, and, like the Senator from Texas, I am inclined to believe there is a good deal of merit in it. I am not inclined to oppose it, but I suggest that on line 16 where the word "shall" appears, it be changed to "may."

While the Senator from Arizona says—and it is probably true—that the Department has authority at the present time, I think this educational discussion on the floor, which I think has a great deal of merit, at least fortifies the Senator to the extent that it bears on the particular conditions which may exist in his part of the country, and which may not exist elsewhere. This proposal would not tie the hands of the Department of Agriculture. I think it would give the Department a sound educational background.

In the meantime, the Committee on Agriculture and Forestry could proceed to hold hearings. If the committee felt, after holding the hearings, and after giving the Department ample time in which to present its views, that it was desirable to make the provision mandatory in the case of either this or any other grain, the situation would be entirely different.

But I think that when a mandatory provision is included in an appropriation bill, without the holding of the full hearings which would normally be held before a legislative committee, we are going pretty far.

I think the Senator has established quite a useful record, one of which, I think, the Department of Agriculture will certainly take cognizance.

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

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I appreciate my friend's argument. I assume he is aware that the effect of his amendment would put us back where we are today.

Mr. KNOWLAND. Except, as I think the Senator will agree, that we have laid a background in the Senate today, and thus have a stronger case than I think normally has been presented, so far as I know, on the floor of the Senate.

Mr. JOHNSON of Texas. I appeal to my friend from California in this respect. I think we have had a background. We have appealed to the Department of Agriculture consistently since the program has been in effect. We have appealed to the President. We have introduced proposed legislation which has been referred to the appropriate committees. A similar bill passed the House only last week by an overwhelming vote, permitting proteins in the form of cottonseed cake, and doing, in effect, the same thing the committee amendment proposes to do.

If the Senator strikes out the word "shall" and inserts the word "may," I would want to warn one of the greatest exponents of having the coordinate branches of Government exercise their

appropriate responsibilities that we will be right back at the point of allowing discretion to the executive department. Mr. Benson will finally determine whether we will have to continue to use hay and grain, or whether we can get cottonseed cake which is produced in the area, and which we want to use.

It is my opinion that, if we strike out "shall" and insert "may," Mr. Benson, in his own judgment—and I do not question his sincerity—will not want us to have cottonseed cake, because he has not permitted us to have it up until now.

The only way in which we are going to get cottonseed cake is by having Congress say what it wants. If we simply say "may," maybe we will not get it.

Mr. KNOWLAND. I want the cows in Texas, and the bulls and steers, and whatever else there may be, whether they be Republican or Democrat, to have a diet which will keep them going and will fatten them. But, at the same time, in an appropriation bill, when we are dealing with some important matters of legislation, I do not want to be doing something which will adversely affect other farmers, whether they be in New Hampshire, Vermont, or any other section of the country.

There is apparently some concern—and I think it is a legitimate concern—on the part of some other Senators, as well as on the part of the Senator from Texas, about this matter.

All I am saying to the Senator is—and the Senator asked a categorical question of the Senator from Delaware—that if he is prepared to accept those two amendments, and only those two amendments, and to support those amendments on the floor, and to urge their adoption, I think the matter then becomes permissive, not mandatory, but it puts a termination date on the program.

The Senator from Vermont has said he believes the matter should be considered by the Committee on Agriculture and Forestry. I think a good foundation has been laid for the beneficial effects of the cottonseed cake, and I think some progress has been made without the doing of something which might dislocate economic conditions in some other area.

Mr. JOHNSON of Texas. There is no man whose support I would welcome more than I welcome that of the Senator from California. I can understand that he would want to be certain that the people of New Hampshire, Vermont, and other areas of the Nation are properly protected.

My chief concern is to see that economical feed is moved into drought-stricken areas. I am not unaware of the problem of the cattle raisers and farmers of that region. Because of the awareness of their problems, we have tried to give them all the protection which the English language can give them, even though the feed dealers say it cannot be done. If it cannot be done, the only ones who will suffer are the cows of the drought-stricken areas and the owners of those cows.

I call the Senator's attention to lines 2 and 3, on page 5, which provide that the price "shall not exceed the average price charged by suppliers during the calendar year 1956."

That is the limitation, that is the protection, which even the Senator from New Hampshire said he was not afraid of.

What the Senator is afraid of is that subsequently we might return and say that we cannot get the cottonseed for that price, so give us money.

There is proposed legislation pending which would provide the money, but I say to the Senator that the time to fight that provision is when we come to it, if we ever do.

I am willing to ask unanimous consent—and I so ask unanimous consent at this point—and I ask the Senator from California to follow me—that in line 16, after the word "shall," the committee amendment be modified in the following respect: add a comma after the word "shall" and insert the following: "until August 1, 1957."

Will the Senator from California go along with that? May we have that proposal acted on?

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

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

Mr. KNOWLAND. I am certain the Senator from Texas would not want to foreclose any subsequent amendment.

Mr. JOHNSON of Texas. Oh, no.

Mr. KNOWLAND. So far as the date is concerned, since we were talking about whether to make the date July 1 or September 1, I have no objection, and would concur in this proposal as one amendment. However, I would not want to be foreclosed—

Mr. JOHNSON of Texas. The Senator from Texas would never attempt to do that to the Senator from California if he could. But the Senator from Texas could not do it.

All I am asking is that we get things straightened out and provide for a limitation, which seems to be desired by Senators who are not even for the amendment. I think we can stop that part of the argument.

Mr. WILLIAMS. Mr. President, I hope the Senator from Texas will go along with the suggestion of the Senator from California and will agree to changing the word "shall" to "may."

Mr. JOHNSON of Texas. I will come to the Senator's request in a moment. Let us not gobble up all the requests at once.

Mr. WILLIAMS. I think it is very important that the two changes go together. I think the Department of Agriculture is sincere in its objection to the proposal. The distribution of cottonseed meal was tried once before, but its abuse became so widespread that it was necessary to discontinue its use.

The PRESIDING OFFICER. Does the Senator from Delaware object to the unanimous-consent request?

Mr. KNOWLAND. I urge the Senator from Delaware not to object. If this amendment shall be agreed to, I will try to continue the discussion, in the hope of getting an agreement on the other amendment. But I think the language is improved to this extent, and I think its proponents have a right to modify the amendment, in any event.

Mr. WILLIAMS. No; I do not think so, unless we vote on it.

Mr. JOHNSON of Texas. I am surprised. I thought the Senator, earlier in the day, suggested this amendment. In any event, it came from his side of the aisle. I did not want to put the date in at all. I am trying to be agreeable.

The PRESIDING OFFICER. Does the Senator from Delaware object to the unanimous-consent request of the Senator from Texas?

Mr. WILLIAMS. I am seeking recognition before a vote is taken.

Mr. JOHNSON of Texas. I yield to the Senator. Before the question is put, the Senator from Delaware has some questions to ask.

Mr. KNOWLAND. I do not quite know how I lost the floor, but I am not going to quarrel about it.

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

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. THYE. I have only one reservation in connection with this question, and it is simply this: If any of the high protein feed were going into feed lot operations, that would be absolutely improper. It would be improper for the Federal Government to subsidize a person who was in the business of commercially feeding steers or fattening cattle.

Mr. JOHNSON of Texas. Mr. President, at this point will the Senator from Minnesota yield?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Minnesota yield to the Senator from Texas?

Mr. THYE. I am glad to yield.

Mr. JOHNSON of Texas. I agree wholeheartedly with the Senator from Minnesota, and so does the chairman of the Appropriations Committee. As we have previously stated, we have tried to limit the use of this particular feed, so that it will be used only by "farmers, stockmen, and ranchers" for the following purpose: "to preserve basic herds of range livestock." This legislative record should be perfectly clear to those who must administer the program; we should make it perfectly clear that the only purpose is to preserve basic herds of range livestock, and not to preserve the feeder livestock.

Mr. THYE. That is correct.

Mr. President, the other reservation I have in connection with this emergency feed program for the drought-stricken area is simply this: We know that a young animal, such as a calf that is nursing from a cow that is underfed, may find the cow's milk supply inadequate; it may be inadequate to keep the calf in thrifty condition. Therefore, it will be necessary to provide high-protein feeds as a supplement to the other grains, if that young animal is to be brought through the winter in thrifty condition. That was the motivating factor which led me to support the amendment in the Appropriations Committee—namely, the thought that there might be on the range some young livestock whose physical condition would be in jeopardy unless we made some high-protein feed available.

The other purpose was to safeguard the program, so as not to subsidize those in the commercial business of handling feeder cattle. Furthermore, we should not put the Department of Agriculture in the position of making this protein available in unlimited quantities to the feeders. I wish to be certain that we do not get into that position.

My other point is that protein which is needed by an undernourished calf, if the calf is to be brought through the winter in a normal manner, should be made available.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. It seems to me that we should return to the language of the bill which is before us. I say so in view of the observations made by my distinguished friend, the Senator from Minnesota [Mr. THYE].

First of all, this money is available under the disaster loan revolving fund, and it cannot be used except in a major disaster area. That is clear as print can make it. Consequently, the appropriation is an emergency appropriation, pure and simple.

One other thing which should be disposed of is the question of State participation. I think the chairman of the committee will bear me out when I say that, so far as I know, in the basic law there is no requirement for State participation. So I see no reason why we should start on that line now.

Furthermore, in the case of the hurricane which occurred in Rhode Island, we should remember that we did not require the Rhode Island Legislature first to make money available, before Federal funds were made available. In the committee the distinguished Senator from Florida [Mr. HOLLAND] raised that question, and I think we explored it rather thoroughly. So those points should be disposed of.

Finally, Mr. President, let me point out that under the present program there are being made available to ranchers and cattlemen mixes that contain 20-percent protein, at a price of approximately \$72.50 a ton. That is available now. Those who operate this program did not care particularly about participating in a program which would provide 100-percent protein; but they testified that they are making available now, under this program, mixes that contain a very substantial amount of protein.

Mr. HAYDEN. There is no doubt about that, and it is 20 percent. But cottonseed meal contains 40 percent.

Mr. DIRKSEN. I appreciate that. But I remember the observations made by our friend, the Senator from New Hampshire [Mr. Corron], namely, that it would appear that that has not been done before. But protein mixes are being made available under the existing program, and they have been made available for quite some time. So the question is whether we shall make a little more protein or a little less protein available.

The distinguished Senator from California raised the question of whether this provision shall be made discretionary, rather than mandatory. I think the

answer to that point is to be found in the testimony given before the committee by Mr. Berger. Mr. Berger has had a great deal of experience. During World War II, he handled the feed distribution program for the entire country. At the hearing before the committee he testified:

You want to remember that I was down here during World War II, and had charge and responsibility of distributing all feed supplies all over the United States. I am very, very fearful of walking into this one. I certainly recommend that we do not.

Mr. President, I believe we should leave it to those who have administrative charge of the program. If they want to do it, all right. Then those who need it will have the burden, at least, of persuading them that they should raise the protein content by going to a cottonseed and pellet diet for some of these famished animals.

Mr. JOHNSON of Texas. Mr. President, will the Senators permit us to dispose of one thing at a time? We are seldom in agreement on anything, but I think both sides are now in agreement as to the date.

Mr. DIRKSEN. I am content.

Mr. JOHNSON of Texas. So, Mr. President, before we proceed to anything else, I should like to see whether I can modify the amendment in such a way as to improve the language in the way suggested by some Senators on this side of the aisle.

The first modification is to insert, in lines 16 and 17, the words "until August 1, 1957."

The PRESIDING OFFICER. The proposed modification of the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 4, in line 16, after the word "shall", it is proposed to insert a comma and the words: "until August 1, 1957."

Mr. WILLIAMS. Mr. President, if the Senator from Texas will further modify the language by striking out the word "shall," and inserting the word "may," I shall go along with this proposition. I say that for the reason that I have great sympathy for those in the drought-stricken area who are in bona fide need of this program.

Whenever the question of drought relief has been before us, I have supported that principle. However, I believe we would have a better administered program if there were some form of State participation. I think that should be required, regardless of the State involved—whether it be Texas, Delaware, or any other State.

But I think the amendment before us now takes us into a dangerous area. When the first drought-relief program was inaugurated, the Department of Agriculture included cottonseed meal and pellets as a part of the program; and widespread abuse was found to exist. For instance, the Department called to our attention the fact that the King Ranch, in Texas, which has a million and one-quarter acres—an area larger than the entire State of Delaware—was on relief; and under the first program, the King Ranch purchased—and a similar proposal is before us for approval

today—930 tons of cottonseed pellets, at a reduced price, or subsidy from the American taxpayers, of \$32,585. A few days after the check was paid to the King Ranch, one of the King Ranch horses won the Belmont Sweepstakes, and the King Ranch had other race horses in various other tracks of the country at the time. The American people did not know, Mr. President, that the horse that won the Belmont Sweepstakes—a horse belonging to the King Ranch—was on relief, and that the American taxpayers all over the country were subsidizing this King Ranch and its race horses.

The representative of the Department of Agriculture have a valid point when they say they do not want to make this program wide open, so that the King Ranch and others that do not need relief can receive it. I will vote for relief if it is demonstrated that the relief supply will go to those who are in bona fide need of relief. But I will not support such a program if it brings about a return to the old situation which was wide open and loose, as the representatives of the Department of Agriculture have said. At that time they said that under the loose language of the law, they could not do anything to prevent the King Ranch from going on relief.

I favor allowing the Department of Agriculture to exercise discretion in connection with the program. If those who administer the program for the Department of Agriculture are allowed to exercise their discretion, they will not permit all who are ineligible for relief to receive it.

If they do permit abuse to occur again, we will take them to task. I shall not support the proposal if it is made mandatory that the relief must be provided to every resident in the drought-stricken area, including those who operate the King Ranch.

Mr. WILLIAMS subsequently said:

Mr. President, I ask unanimous consent that a letter from the Department of Agriculture under date of June 29, 1954, be incorporated following the remarks I made earlier today.

This letter confirms that the King Ranch in Texas was receiving relief in 1954 under the same type program we are about to vote on here today.

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

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, June 29, 1954.

Hon. JOHN J. WILLIAMS,  
United States Senate.

DEAR SENATOR WILLIAMS: This is with further reference to your letter of June 1 in which you asked for a complete report of any assistance of any nature which has been extended by the Department of Agriculture to owners of the King Ranch in Texas. This matter has been looked into carefully and we believe that the only assistance given was in connection with the drought-emergency-feed program which was in effect in that area for a few weeks last fall.

The county USDA drought committees for the area in which the King Ranch is located approved and there was delivered to King Ranch 931 tons of cottonseed pellets at \$35 per ton. This was the price at which cottonseed pellets were being made available

at the time from CCC stocks, being approximately one-half the prevailing market price. It is our estimate that this meant a reduction of \$32,585 in the cost of this quantity of feed to the King Ranch. We have been unable to find evidence of any other assistance or relief in any form that has been extended to the King Ranch or any of the owners thereof.

This is an outstanding example of a large livestock ranch, where it is common knowledge that the owners have substantial resources, which received assistance under the emergency-feed program. The county committees which handled the feed applications were informed and knew that the King Ranch had a large number of cattle on hand and that there were serious drought conditions in that area. We believe the county committees acted in good faith.

As I mentioned to you during our telephone conversation a few weeks ago, the most difficult problem in an emergency-feed program is that of restricting the assistance to established stockmen who are actually in need of such assistance. It is not possible to write regulations that can be used automatically to accomplish this purpose. We think there is a great deal of merit in having these programs administered by carefully selected committees in the counties and States. In view of the heavy responsibility that such committees have, we think they are entitled to and must have a reasonable amount of discretion in which to exercise judgment in the handling of day-to-day transactions.

We have been reviewing the experience with these programs carefully and seeking the suggestions of State and county people who have been on the firing line for the purpose of firming up the procedures and striving to further guard against the possibility of abuses. The areas in which these emergency-feed programs have been available have been watched continually and aggressive action taken to discontinue the assistance as quickly as local conditions warranted. For some time the program has been available only in a section of Colorado and part of New Mexico where the prolonged drought continues.

We will be pleased to discuss this matter with you further or stand ready to furnish any additional information which you may desire.

Sincerely yours, K. L. Scott,  
Director, Agricultural Credit Services.

Mr. JOHNSON of Texas. My colleagues are perfectly competent to judge the quality of the arguments that have been made both for and against the proposal. I am not informed as to who won the Belmont horse race, and I am not informed as to whether the horse that won it was on relief. I do have more than a casual acquaintance with the owners of the King Ranch in Texas. They are good, honorable, God-fearing Americans—and they are Republicans.

Mr. WILLIAMS. And perfectly able to pay their own expenses. And I care not what their politics may be.

Mr. JOHNSON of Texas. So far as I know, they have supported this administration through thick and thin. I do not believe that, as an honest man, Ezra Benson, careful and prudent as he is, would take this section, which the staff tells me requires a certification that a man does not have the funds and does not have the credit before he is eligible, and certify ranchers who do not need the help. But I assume it is still possible for people who have accumulated large holdings and preserved those holdings to

suffer from a drought. I am not a race-horse fan. I do not follow the bookies as some of my friends. A staff member tells me the Secretary of Agriculture would never certify under this section someone who had won many purses and who had many resources. I am willing to follow the judgment of the staff.

If the Senator from Delaware wants to offer an amendment along the line he has suggested, he knows his rights, and he knows how to protect them. As soon as the Senate acts on the amendments which were suggested by Senators on the other side of the aisle, I shall be glad to relinquish the floor so the Senator may offer an amendment, and we can let the majority of the Senate determine the question. I think that is the appropriate way to proceed.

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

Mr. JOHNSON of Texas. I yield.

Mr. AIKEN. I wish to say one more word about the price. It has been said the proposal could not result in the price of cottonseed oil being raised. I do not think that is accurate.

Mr. JOHNSON of Texas. May I say to the Senator there will be an opportunity to debate that question. The present question is on the date.

Mr. AIKEN. I have no objection.

Mr. JOHNSON of Texas. Mr. President, may we have the question put?

The PRESIDING OFFICER (Mr. CLARK in the chair). The question is on agreeing to the amendment proposed by the Senator from Texas, to the committee amendment, which the clerk has stated. Does any Senator desire that the amendment be stated again? Hearing no such request, the question is on agreeing to the amendment proposed by the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, on page 4, line 22, I ask unanimous consent to strike out the word "only"; following the word "who" in the same line, to add the words "desire to"; at the end of line 22 and the beginning of line 23, to strike out the words "customarily fed" and insert the word "feed."

Mr. WILLIAMS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. WILLIAMS. If the Senator insists, I shall go along with his suggestion that the Senate act on his proposal, but if we could, I should like to have the Senate vote on striking out the word "shall" and inserting the word "may" in lieu thereof, because it would make a great deal of difference to me now how I would feel about the Senator's other amendment if we could act first on the amendment I have just mentioned.

Mr. JOHNSON of Texas. I have made my request, and since I happen to be ahead this one time, I should like action taken. Then the Senate can vote on the Senator's suggestion later.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Has the Senator from Texas completed his request for an amendment?

Mr. JOHNSON of Texas. Yes.

**THE PRESIDING OFFICER.** Is there objection to the request of the Senator from Texas?

**MR. KNOWLAND.** Mr. President, a parliamentary inquiry, so we may be perfectly clear. As I understand, the proposed amendment is to the committee amendment on page 4, line 22, to strike out the word "only"; at the end of that line and the beginning of line 23 to strike out the words "have customarily fed", and insert in lieu thereof "desire to feed." Is that correct?

**MR. JOHNSON** of Texas. That is correct.

**THE PRESIDING OFFICER.** Is there objection to the amendment to the committee amendment proposed by the Senator from Texas?

**MR. WILLIAMS.** I think the door is being opened much wider, unless the Secretary is given some discretion. If the Secretary were given discretion, I would support the amendment. Without that change I would not go along.

**THE PRESIDING OFFICER.** Is the Senator from Delaware opposing the request?

**MR. WILLIAMS.** Yes —

**THE PRESIDING OFFICER.** The Chair hears no objection.

**MR. JOHNSON** of Texas. I suggest that the Presiding Officer ask for a vote by saying "Those in favor say 'aye'; those opposed say 'no.'"

**THE PRESIDING OFFICER.** No objection having been heard —

**MR. JOHNSON** of Texas. The Senator from Delaware objects. If the Chair will put the question properly, we shall not be in this difficulty. Will the Chair please say, "Those in favor say 'aye'; those opposed say 'no,'" to determine the sense of the Senate.

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment proposed by the Senator from Texas to the committee amendment. [Putting the question.] The Chair is in doubt.

**MR. JOHNSON** of Texas. I ask for a division, Mr. President.

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

**THE PRESIDING OFFICER.** The Senator will state it.

**MR. KNOWLAND.** I believe if the Chair will recognize the Senator from Connecticut we may be able to proceed to a vote.

**MR. JOHNSON** of Texas. Does the Senator from Connecticut desire recognition on this question?

**MR. BUSH.** I wanted to suggest that the word "shall" be changed to "may."

**MR. JOHNSON** of Texas. Mr. President, that is not in order.

**THE PRESIDING OFFICER.** The Senator from Texas has the floor.

**MR. JOHNSON** of Texas. Mr. President, may we have a vote on my proposal? That is all I want. Please say, "Those in favor say 'aye.'" [Laughter.]

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

**MR. JOHNSON** of Texas. Mr. President, I have another amendment to offer,

to make it abundantly clear that we are all talking about cottonseed products. Otherwise, either with a mandatory requirement or with discretionary authority, the language might be interpreted as not including cottonseed cake. I ask the distinguished chairman of the Appropriations Committee whether or not it is intended to permit the purchase of cottonseed cake as well as cottonseed meal under this amendment.

**MR. HAYDEN.** The Senator is correct.

**MR. JOHNSON** of Texas. In order to make it abundantly clear, on page 4, line 17, after the word "meal", I propose to insert a comma and the words "cottonseed cake."

**MR. YOUNG.** Mr. President, will the Senator yield?

**MR. JOHNSON** of Texas. I yield.

**MR. YOUNG.** Would the Senator accept a modification so as to include soybean meal?

**MR. JOHNSON** of Texas. Let us dispose of my amendment first, and then the Senator can offer his amendment.

**MR. YOUNG.** The reason I make the suggestion is that soybean meal is a good high-protein feed.

**MR. JOHNSON** of Texas. Cottonseed cake is already included in the definition. I merely wish to spell it out. When my amendment shall have been disposed of, the Senator can offer his amendment.

**THE PRESIDING OFFICER.** The amendment offered by the Senator from Texas to the committee amendment will be stated.

**THE LEGISLATIVE CLERK.** On page 4, line 17, in the committee amendment, after the word "meal" it is proposed to insert a comma and the words "cottonseed cake."

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Texas [Mr. JOHNSON] to the committee amendment on page 4, line 17.

The amendment to the amendment was agreed to.

**MR. KNOWLAND.** Mr. President, I offer an amendment at the end of line 16 on page 4, to strike out the word "shall" and insert in lieu thereof the word "may."

**THE PRESIDING OFFICER.** The amendment offered by the Senator from California to the committee amendment will be stated.

**THE LEGISLATIVE CLERK.** On page 4, at the end of line 16 in the committee amendment, it is proposed to strike out "shall" and insert "may."

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from California [Mr. KNOWLAND] to the committee amendment on page 4, line 16.

**MR. JOHNSON** of Texas. Mr. President, I hope my friend from California will not insist on this amendment. If we substitute the word "may" for the word "shall," in the opinion of the Senator from Texas we modify ourselves completely out of all the effect this amendment would have. The Secretary may take such action. The Secretary may buy cottonseed meal. The Secretary may buy cottonseed cake. The

Secretary has been able to do so all along, and he may do so now. If we use the word "may" this language is superfluous, because the discretionary authority is in the existing law. We tried the "may," but cows cannot eat "may," and the Secretary will not furnish them cake, unless we say "shall" to him.

I do not say that we should not have State participation. Like the Senator from California, I am willing to have the appropriate committee consider the question, but we are faced with an emergency.

**MR. HOLLAND.** Mr. President, will the Senator yield?

**MR. JOHNSON** of Texas. I yield.

**MR. HOLLAND.** Let me say to the distinguished majority leader that the Senate Committee on Agriculture and Forestry considered this question. When this proposed legislation was considered, that specific issue was presented, and the committee, by a large majority, declined to add the condition suggested, the reason being, as already stated by the Senator from Illinois [Mr. DIRKSEN], that this was an amendment to the Distress Act, which applies not only in cases of drought distress, but also in cases of hurricanes, earthquakes, great fires, and other disasters.

It was clear that speed of action was a very necessary ingredient in bringing relief to distressed areas. The committee, in its wisdom, by a very large majority, declined to accept the idea of the State's contribution in that sort of case.

Moreover, the committee felt that the State where the disaster took place was already the largest contributor among the units of government and that no matter how much relief the Federal Government might afford in some particular State whose people had suffered from disaster, those people naturally experienced the greater measure of injury and damage. It was felt that the least the Federal Government should do would be to bring its little measure of help, which I believe, in this case, amounts to a reduced rate on feed, without placing any price upon it.

**MR. JOHNSON** of Texas. I deeply appreciate the contribution my friend from Florida has made. I appreciate the information he has brought to the Senate. He is always helpful.

I plead with my colleagues not to modify ourselves completely out of all we have sought to achieve, and all that was accomplished by the vote in the committee, by striking out "shall" and inserting "may."

**MR. ELLENDER.** Mr. President, will the Senator yield?

**MR. JOHNSON** of Texas. I yield to my friend the distinguished chairman of the Committee on Agriculture and Forestry.

**MR. ELLENDER.** If the pending amendment is adopted, we may as well strike all the language now provided in the bill under consideration.

As has been pointed out on several occasions, the Secretary of Agriculture already has the right to do what we are seeking to compel him to do, but he will not do it.

When this amendment was proposed to the Committee on Appropriations it was carefully drafted. A mere reading of it

will show that the amendment is clothed with all manner of restrictions.

To begin with, the meal or cake proposed to be purchased must be available in the area where the cattle are, that is, in the drought area. The meal is intended to be used, not to fatten cattle, as was argued today on several occasions, but merely to preserve the basic herds of range cattle.

Further, the price of the meal must not be in excess of the average price charged by suppliers during the calendar year 1956. We have protected the Department of Agriculture in every way possible, as to price, where the produce is to be used, and the purposes for which it is to be used.

We now have before the Committee on Agriculture and Forestry several bills relating to drought relief problems which are now being considered by a special subcommittee, headed by the Senator from South Carolina [Mr. JOHNSTON].

The provision contained in the pending bill is only of a temporary nature. We hope that in a short while we shall have before the Senate a bill covering the entire subject matter.

I hope the pending amendment will be defeated.

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

Mr. JOHNSON of Texas. I yield.

Mr. AIKEN. I do not believe that the amendment of the Senator from California leaves things quite where they are now, because, in effect, it would be a directive to the Department of Agriculture to give consideration to the furnishing of cottonseed meal.

Mr. JOHNSON of Texas. Mr. President, I do not want "consideration." We have had consideration. The Secretary is one of the most considerate men I have ever known, but he still says "no."

We are a coordinate and independent branch of the Government. I have heard the distinguished Senator from California say time and time again that we must act on our own. Upon one occasion the distinguished former Senator Millkin of Colorado said to me, "I am glad I do not have to go downtown and find out what the position of the executive department is before I take a position."

I know how the Secretary of Agriculture feels on this subject. What I want the Secretary of Agriculture to know is how the Congress feels about it. If we say "may," he will be perfectly within his rights in still refusing to permit us to follow the economical route. The Senator from California does not contend that he would be compelled to permit us to do so. That is the reason the Senator offers the word "may"—in order that there will be discretion.

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

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. Apropos of what the distinguished Senator from Vermont has said, and with full realization of the comment just made by the Senator from Texas, I feel that this amendment would be an improvement so far as the people who desire to use cottonseed cake are concerned.

I think it would put the Secretary of Agriculture on notice, first, that the

Committee on Appropriations has reported an amendment using the word "shall"; second, that there has been considerable debate on the floor of the Senate pointing out the reasons why a great many Members of this body, including some holding extremely responsible positions as committee chairmen or ranking members of the Committee on Agriculture and Forestry, as well as other Senators, have indicated that they think that there is a great deal of justice in permitting ranchers to use cottonseed as a means of feed.

The Secretary is certainly put on notice that wherever feasible he ought to try this procedure. Personally I think he should do it. I do not know whether he is right or whether the Senator from Texas is right. However, rather than to have a mandatory provision compelling such procedure in every area where it was requested, the Secretary could select certain locations to give the plan a trial, so as to determine whether the Secretary is right, or whether those on the other side are right.

Mr. JOHNSON of Texas. Mr. President, the only language the Senator from California knows is the language of frankness and candor. I ask him this question: If the amendment is adopted, will there be anything in the bill which will require the Secretary of Agriculture to furnish cottonseed products under this program?

Mr. KNOWLAND. No; I will say to the Senator from Texas, not from a mandatory point of view; but I believe that if the Secretary of Agriculture should read the RECORD and the statements which have been made on the floor of the Senate, he would be very wise to determine whether it would not be feasible to use some of the cottonseed products.

Mr. JOHNSON of Texas. The Senator from California has been in the Senate a long time, and the Senator knows of men in high positions in government who have not always acted wisely.

Mr. KNOWLAND. Yes; but I have also known of people in high places who were responsive to discussions on the floor of the Senate with respect to Government policies.

Mr. JOHNSON of Texas. That is what I want the Senate to do; I want the Senate to say what it means. We have reached the point, after months of experience and thousands of dollars of waste in the program, where the Senate ought to prescribe a standard and write into law what it wants done. I hope and pray that the people of my State will not have to be subjected to the mercies of an administrative official. We have presented our facts to the committee, and we have had favorable action by the committee. There is no reason why we should now nullify or modify ourselves out of court by striking the word "shall" and inserting in lieu thereof the word "may." I hope the amendment will be defeated.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

Mr. AIKEN. On which amendment is the vote to be had?

Mr. KNOWLAND. On my amendment, to strike out the word "shall" and insert the word "may."

Mr. AIKEN. I wish to speak on that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

Mr. KNOWLAND. Mr. President, on the amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, the amendment is a very simple one. It is a clear-cut amendment. It is an amendment every Senator can understand, without any detailed explanation. It merely strikes the heart out of the entire amendment reported by the Committee on Appropriations. It nullifies the entire effect of the committee's amendment. It, in effect, says that the Secretary of Agriculture may do something that he already may do. It says that he may continue to waste taxpayers' money and use that money only for hay and only for grain in areas where cottonseed is produced and where cottonseed products are in abundance, and where they can be bought at not to exceed the average price charged by suppliers in 1956.

It has no ill effect on the chicken producer. As a matter of fact, it probably makes more grain available for the chicken business. It relates solely to cottonseed cake, cottonseed meal, and other cottonseed products. The Secretary of Agriculture has discretion now. He has refused to exercise the discretion. He has required the purchaser to use drought dollars to buy feed that he would not ordinarily feed his cattle.

I think the time has come for Congress to say, if we want to participate in drought relief, that we will permit the farmers to buy the most economical feed they can get and the feed which will give the best results. I think it ill behooves an administration that rides into power on the platform that they are going to take the shackles off the farmers to tell a farmer or a rancher in a drought-stricken area what kind of feed he must give to his animals. I hope we have not reached that point. I hope this amendment will be overwhelmingly defeated.

Mr. KNOWLAND. Mr. President, with all due respect to my friend from Texas, I believe this amendment will be helpful to the ranchers who may properly feel that there is some advantage in feeding cottonseed meal. I think the Secretary of Agriculture would be well advised at least to try it out to see whether those who are advising him are correct or whether those who are urging this amendment are correct.

I think a sufficient foundation has been laid here—certainly it has been

educational to me—to undertake this permissive action, at the same time giving recognition to the importance of cottonseed meal—

Mr. THYE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. THYE. Is it the understanding of the Senator that the Secretary of Agriculture would furnish cottonseed meal in an area in Texas, Arizona, Oklahoma, or anywhere cottonseed was grown—

Mr. KNOWLAND. I will say to the Senator that I do not understand it would be mandatory, but it seems to me that would be a sound procedure whenever it could be done at a price equivalent to the other grains, where the local ranchers feed in that way and where it will not dislocate the economies of New Hampshire, Vermont, and other States. I think he would be well advised to try it and experiment and see whether he can get the facts.

Mr. THYE. Mr. President, I have recognized that hay has been shipped from Minnesota, Wisconsin, and the Dakotas all the way down into Texas. That involves a tremendous amount of freight. Then, in return, cottonseed cake is shipped across country to the feed lot or dairy lot to be fed to that type of livestock. The feed is shipped in the form of cottonseed cake to be used in the feed lots and dairy barns of the north and northeast. My only concern is in connection with the man who has young stock or cattle that are run down and must have high protein feed. If I thought we could accomplish the objective by the use of the word "may" I would support the amendment.

Mr. KNOWLAND. I may say to the distinguished Senator from Minnesota that it would not be mandatory on the Secretary to do it in drought areas, nor would it be mandatory for him to do in it other areas where drought conditions do not prevail, but I think wherever it could be done and wherever it would be feasible to do it, the Secretary should try it out.

#### GOVERNMENT VERSUS COMMONSENSE

Mr. MALONE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MALONE. I should like to say that so far as commonsense is concerned in a matter of carrying out the legislative intent of Congress, my State is 600 miles long and 400 miles wide. The hay in northern Nevada was shipped to Texas while southern Nevada's application for hay in the drought area was pending, then when southern Nevada was put on the hay program the hay was shipped from the Middle West area. I do not know how much commonsense the Secretary of Agriculture might use but our experience and observation in such application in the usual bureaucrat—it might be well to direct what the Congress really wants.

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

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Apropos of what the Senator from Minnesota [Mr. THYE] said, I wish to point out that I do

not know what he would do if he were Secretary of Agriculture. I should dislike to lose him from the Senate, but, on the other hand, I should like to see him as Secretary of Agriculture, because I think my farmers would get very understanding and very sympathetic treatment.

Mr. THYE. Mr. President, so long as we are shrinking from a war economy to a peacetime economy, I do not think I would like to be Secretary of Agriculture. I told the Secretary of Agriculture that I thought he was entering into a most difficult assignment when we were passing from a war economy to a peacetime economy.

Mr. JOHNSON of Texas. I did not suggest that the Senator become Secretary of Agriculture. I merely went along with the implication of my friend from California. But if the Senator from Minnesota were the Secretary of Agriculture and read this RECORD and saw that the Appropriations Committee had unanimously reported this amendment, and that the distinguished Minority Leader struck out the word "shall" and inserted the word "may" thereby giving the amendment the same effect that the present law now has, leaving it discretionary with the Secretary of Agriculture, I believe the Senator from Minnesota, if he were the Secretary of Agriculture, would feel that it was definitely within his rights not to approve the cottonseed-cake program for all the drought-stricken areas.

I think if he read the RECORD he would say, "Why do they not say what they mean and mean what they say?"

I have sat here and listened to the great Senator from Ohio who talked about the three separate and independent branches of the Government, each performing its separate functions. I have sat at the feet of the great Senator from California and heard him day after day say he would speak his mind, and then he comes here today and says, "I will strike out the word 'shall' and make it read 'may'."

I do not think the Senate should do that. I hope the Senator from Nevada and the other Senators will not go along with it.

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

Mr. JOHNSON of Texas. I yield.

Mr. KNOWLAND. I will simply say again that while I do not quite agree with the distinguished Senator, I respect his opinion. I hope that nothing will be said which will undermine the legislative record I was trying to build up, because I think the Senator, in what he is seeking, is strengthened by the proposed language as contrasted with what the law now provides.

I think that in the event the amendment is agreed to, the Secretary will be on notice that this is a matter of concern to Congress; and in areas where it is feasible to do so, I think the Secretary would be well advised to try out this process, without its being mandatory on him in every section of the country.

Mr. JOHNSON of Texas. I think Congress ought to say what it wants to have done. I think Senators from the drought-stricken States and Senators

from agricultural States who are familiar with the way the program operates believe that Congress has the right to say that cottonseed cake shall be used. That is what the committee said unanimously.

Mr. SYMINGTON. Mr. President, Missouri does not happen to be receiving any drought aid. We do not have any hay or grain for our drought-stricken farmers. Only in the last month have we been extended any credit, and this despite the fact our pastoral conditions are but 26 percent of normal, which is, with the exception of Texas and Oklahoma, the lowest rating of any State in the Union, according to the records of the Department of Agriculture.

In Missouri, we also grow cotton. Many persons do not know that in some years cotton is the largest cash crop in Missouri. We would like to see as much cotton, and products from cotton, used as possible.

In examining this farm and drought picture, I find that some States have been given unusual assistance. I do not object to that. But I believe the State of Missouri also has a right to have its drought problems considered. In my humble opinion we should not continue to nit pick this whole agricultural program. Rather we should attempt a broad approach to the program, instead of having various people working very hard for their particular crops, and often against other crops.

On that basis, I hope the amendment will be defeated, and that the Secretary of Agriculture will be directed by Congress to handle cottonseed cake as he is directed to handle other feeds as provided in the law.

Mr. HOLLAND. Mr. President, I want to say a few words about the practical side of the question. Under the chairmanship of the able senior Senator from Kansas [Mr. SCHOEPPEL], who was here a moment ago—I hope he will return to the Chamber—I traveled with other members of the committee through the States of Kansas, Missouri, Arkansas, and Texas in the first year when the drought impact was so severe that Congress enacted the present law. At that time the program was confined to grains and other feed products which were in the hands of the Commodity Credit Corporation. Also hay, which, of course, was not in the hands of the Commodity Credit Corporation.

The fact was that at that time cottonseed meal and cottonseed-meal products were in great surplus. There was a large quantity of these on hand. We found that that was one of the feeds still under the program of reduced price, which was doing a great deal of good throughout the area where we were traveling.

I think that if every Senator had had the experience which our subcommittee had one night, he would feel a little more sympathetic toward this subject. We were stopping at a motel in the northern part of Arkansas—and I observe the two Senators from Arkansas in the Chamber. It was a fine place at which to stay; but under the drought conditions which prevailed that night, we were most miserable, because the small herds of cattle which remained—and

they were all that remained, because the herds had been cut down to basic size—did not have sufficient feed and they were complaining all through the night, so that the members of the subcommittee could not get any sleep at all. It was indeed a pitiful sound. I do not suppose that anyone who has not heard it will realize the impact it made upon us.

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

Mr. HOLLAND. I yield.

Mr. THYE. The Senator from Florida said that the cattle were complaining. In other words, the cattle were simply bawling because of plain hunger. One of the most pitiful sounds a person can hear is the incessant bawling of cattle, hour after hour, simply because they want feed. I think that is a better word than "complaining." Cattle do not complain when they are hungry; they bawl.

Mr. HOLLAND. I thank the distinguished Senator. I accept his word. I think that is a better explanatory word. But it was a miserable sound, and it kept us awake the whole night through.

The next day we were made even more miserable as we found that numerous animals had died along the road because of insufficient feed, while others were so thin and miserable that we could see they could not live very long.

I am not talking about the whole animal population of that area, but only about the basic herds which had been held together.

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

Mr. HOLLAND. I yield.

Mr. BARRETT. I invite the Senator's attention to the language beginning on line 17, page 4, of the bill, as follows:

Procuring cottonseed meal or pellets which are available in the area.

Does that refer to the area where the cottonseed meal is produced?

Mr. HOLLAND. Not necessarily at all; but to cottonseed meal which is available in the area where the need exists—that is, the drought area.

As a matter of fact, there are words of limitation which are more apt. The words of limitation which are the most businesslike ones in the amendment are those which require that the price shall not exceed the 1956 levels.

I was going to say that under the earlier program we did not have to worry about any such consideration as that, because we were confining the Federal assistance to the sale, at partial value, of stocks which we had on hand and which were in surplus. But now, in order to prevent any such result as that which is feared by my distinguished friends from the dairying and the poultry areas of the Nation, a condition is imposed that under no considerations can cottonseed products be used unless they can be found and offered at not more than the 1956 price.

Mr. BARRETT. But I refer to the matter of the price, on page 5, which is contained in this language:

Insofar as funds are available, the Federal contribution hereunder for cottonseed meal or pellets shall be comparable in amount to the assistance made available to farmers in major disaster areas in the purchase of feed

grains under section 301 of the Agricultural Trade Development and Assistance Act of 1954.

I call the Senator's attention to the fact that a 50-percent reduction is allowed for corn taken from the stockpile. Does that mean that assistance will be given on the same percentage basis for the purchase of cottonseed meal and pellets?

Mr. HOLLAND. My understanding is that this provision applies only to cottonseed meal and pellets which are bought through the regular channels of trade, and that they will be bought on a comparable basis with feed grains now being bought from the Government, that is, emergency funds will be used to pay \$1.50 per hundredweight of the cost.

The limitation here is that the total purchase price paid by a stockman shall not exceed the average price charged by feedmen in 1956.

Mr. BARRETT. In order to make the RECORD abundantly clear, I should like to invite the attention of the majority leader to the language on page 4, line 18, where reference is made to "procuring cottonseed meal or pellets which are available in the area." Exactly what does that language mean?

Mr. JOHNSON of Texas. I may say to my distinguished and able friend from Wyoming that I have consulted with the staff member of the Committee on Appropriations who is familiar with the meaning of this language in its original draft, and who understands its effect and implications. He informs me the meaning of the clause is that cottonseed meal and pellets and cottonseed cake will, under the amendment as now amended, be available to those areas where it may be produced, processed, or customarily fed to range livestock.

Mr. BARRETT. That would mean that in a drought disaster county in Wyoming where cottonseed cake or cottonseed pellets are customarily fed to livestock, advantage may be taken of this proposed legislation.

Mr. JOHNSON of Texas. I have visited the Senator's State of Wyoming, and I have great respect for its people. We get some of the best cattle from the Wyoming Hereford cattle ranch. I know those men have good judgment. I know that in the dead of winter they will not feed dry hay which is not nutritious, if they can get cottonseed cake which is full of proteins. I know that cottonseed cake has been customarily fed in that area. I say to the Senator from Wyoming that the answer to his question is "Yes," that they could feed cottonseed cake to range cattle in Wyoming if they were in the drought area.

Mr. BARRETT. I thank the distinguished majority leader for his unequivocal statement, making this point abundantly clear. Furthermore, let me say that the compliment the Senator from Texas paid to the cattle produced in my State, particularly the W. H. R. bulls produced at the celebrated Wyoming Hereford Ranch at Cheyenne, is quite a compliment, coming, as it does, from the distinguished Senator from Texas.

Mr. HOLLAND. Mr. President, I wish to say that if I were the Secretary of Agriculture—and I certainly am happy

that I am not—I would hope very strongly that the pending amendment to the committee amendment would be rejected; because if it were adopted, it would throw upon him controversial decisions which the Secretary of Agriculture will not have thrown upon him if the committee amendment as now worded is adopted, without the pending amendment to it, which—on page 4, at the end of line 16—would strike out the word "shall" and insert the word "may."

It seems to me that about the most indecisive thing we could do—since we know that the Secretary of Agriculture now has permissive authority, but has not exercised it—would be to say all over again, "You may do this thing that you have not seen fit to do." Instead, it seems to me we should decide whether in our own judgment this thing should be done.

Personally, I think it should be done, although I am happy to say that not a county or an acre in my State is affected by it. But having decided that it should be done, I think we should use the word "shall"; and I believe the Secretary of Agriculture would be the most relieved man in the Capital when we did that, because that would mean that the Congress was taking the responsibility. I think Congress should take it, and I think there is ample justification for having the Congress take it.

I hope the pending amendment to the committee amendment will be rejected; I refer to the amendment proposing that the word "shall" be stricken out and the word "may" be inserted. I hope that after rejecting that amendment to the committee amendment, we shall then proceed to adopt the committee amendment.

#### CUSTOMARY USE OF COTTONSEED CAKE

Mr. MALONE. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Texas yield to the Senator from Nevada?

Mr. JOHNSON of Texas. I yield.

Mr. MALONE. As long as we are stating for the RECORD where cottonseed cake has customarily been used, I wish to say that in my State of Nevada in both good times and bad, cottonseed cake is fed to both sheep and cattle.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

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

Mr. JOHNSON of Texas. I understand that the Appropriations Committee reported the amendment, and I am told that the committee voted unanimously to do so. I further understand that on page 4, at the end of line 16, the word "shall" appears. My question is this: Is the Senate about to vote on the following amendment proposed to the committee amendment, namely, to strike out the word "shall," and insert the word "may"?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, in my opinion if that amendment to the committee amendment is not rejected, the whole effect of this entire

provision will be nullified. I appeal to my colleagues to defeat the proposed change.

Mr. DOUGLAS. Mr. President, I wonder whether the sponsors of the bill would include provision that the fund may be used for the purchase of corn, as well as for the purchase of cottonseed meal. Corn is an unexcelled food for both man and beast, and I would hate to see the Senate vote to confine the diet of cows to cottonseed meal.

Mr. JOHNSON of Texas. Mr. President, I agree completely with my distinguished friend from Illinois. He and I do not agree on everything, but generally speaking we are in agreement.

The corn producers are always a little bit ahead of the cotton producers. Corn is already included in the program, so it would be entirely useless to include corn in this provision of the bill, inasmuch as corn is being included and is being used.

Mr. DOUGLAS. Then I take it that there will be no objection to making line 17 read "in procuring corn and cottonseed meal or pellets."

Mr. JOHNSON of Texas. If that change is to be made, I think every commodity now being used should be set forth at that point, and I believe that would be a mistake.

The pending question is whether the committee amendment should be amended, on page 4, in line 16, by striking out the word "shall" and inserting the word "may."

If the Senator from Illinois desires to offer, later, the amendment to which he has referred, as an amendment to the committee amendment, he may do so. However, at this time, the question is on agreeing to the amendment submitted by the Senator from California [Mr. KNOWLAND] to the committee amendment; and on that question the yeas and nays have been ordered. Therefore, I hope my friend, the Senator from Illinois, will permit us to vote on that question. After it is voted on, the entire subject will be open to amendment.

Mr. DOUGLAS. Mr. President, I hope my friend, the Senator from Texas, will show compassion for the Middle West by accepting, as a part of the committee amendment, inclusion of the word "corn." I hope that will be done before the vote is taken on the pending question.

Mr. JOHNSON of Texas. Mr. President, it is not my prerogative to accept such a change. The pending amendment was offered by the distinguished minority leader to the committee amendment, and on that question the yeas and nays have already been ordered. That amendment to the committee amendment calls for striking out the word "shall," at the end of line 16, on page 4, and inserting the word "may." As soon as we either accept or reject that amendment to the committee amendment, if the Senator from Illinois then desires to insert the word "corn" in the committee amendment, he may propose such an amendment to it.

Mr. DOUGLAS. I think there might be a better chance of having the word "corn" included if that insertion were

proposed now, rather than after the vote is taken.

Mr. JOHNSON of Texas. Mr. President, the Senator from Illinois well knows the rules.

I ask that the vote on the pending question be taken.

Mr. AIKEN. Mr. President, now that the debate has been reduced to the level of giving opinions, I should like to give my opinion, which is as follows: If the bill as now proposed is passed and is enacted into law, there will be a substantial increase in the cost of feed to dairy and livestock producers—a substantial increase of possibly as much as \$3 or \$4 a ton, within the next 8 weeks.

Furthermore, I should like to say that the cotton grower will get nothing from the bill, because according to my information, he has already disposed of his seed, and those who bought it at a low price will be able to get what they can in the future.

Mr. JOHNSON of Texas. Mr. President, I should like to point out that the committee has taken adequate precautions, and there is in the committee amendment a provision that no purchase price shall "exceed the average price charged by suppliers during the calendar year 1956."

Mr. DIRKSEN. Mr. President, I should like to use just 20 seconds to say that corn, barley, oats, and grain sorghums are already in the program; and the 2 types of feed now being supplied must have either 75 percent or 60 percent of these surplus grains in them.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KNOWLAND] to the committee amendment, to strike out, on page 4 at the end of line 16, the word "shall," and insert the word "may."

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

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Delaware [Mr. FEAR], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], and the Senator from Florida [Mr. SMATHERS] are absent on public business.

The Senator from West Virginia [Mr. NEELY] is absent because of illness.

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

Also necessarily absent are the Senator from Maryland [Mr. BUTLER], and the Senator from Indiana [Mr. CAPEHART].

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from Connecticut [Mr. PURTELL] would each vote "yea."

The result was announced—yeas 32, nays 49, as follows:

YEAS—32		
Aiken	Goldwater	Payne
Beall	Hickenlooper	Potter
Bennett	Javits	Revercomb
Bricker	Jenner	Saltonstall
Bush	Knowland	Smith, Maine
Case, N. J.	Kuchel	Smith, N. J.
Cooper	Lausche	Thye
Cotton	Martin, Iowa	Watkins
Dirksen	Martin, Pa.	Wiley
Dworshak	McCarthy	Williams
Flanders	Morton	

NAYS—49		
Allott	Green	Mundt
Barrett	Hayden	Murray
Bible	Hennings	Neuberger
Blakley	Hill	O'Mahoney
Byrd	Holland	Pastore
Carlson	Jackson	Robertson
Carroll	Johnson, Tex.	Russell
Case, S. Dak.	Johnston, S. C.	Schoeppel
Church	Kefauver	Scott
Clark	Kennedy	Sparkman
Curtis	Kerr	Stennis
Douglas	Long	Symington
Eastland	Malone	Talmadge
Elender	Mansfield	Thurmond
Ervin	McClellan	Young
Fulbright	McNamara	
Gore	Monroney	

#### NOT VOTING—15

Anderson	Frear	Magnuson
Bridges	Hruska	Morse
Butler	Humphrey	Neely
Capehart	Ives	Purtell
Chavez	Langer	Smathers

So Mr. KNOWLAND's amendment to the committee amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the Knowland amendment to the committee amendment was defeated.

Mr. HAYDEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. On page 5, line 5, have the words "cottonseed cake" been added as a perfecting amendment?

The PRESIDING OFFICER. There seems to be a discussion of the question at the clerk's desk.

Mr. JOHNSON of Texas. On page 5, line 5, in the committee amendment, following the words "cottonseed meal," there should be inserted a comma and the words "cottonseed cake."

The PRESIDING OFFICER. The Chair is informed that those words have not been inserted.

Mr. JOHNSON of Texas. I ask unanimous consent that following the words "cottonseed meal" on page 5, line 5, there be inserted a comma and the words "cottonseed cake."

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

Mr. ALLOTT. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

**THE PRESIDING OFFICER.** The amendment offered by the Senator from Colorado will be stated.

**THE CHIEF CLERK.** In the committee amendment on page 5, line 3, after "by", it is proposed to insert "the respective"; and on page 5, line 4, after "1956", it is proposed to insert a comma and the words "or in the case of new suppliers, the average price for 1956 of the county in which the supplier is located."

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. ALLOTT] to the committee amendment on page 5, beginning in line 3.

**MR. HAYDEN.** Mr. President, I have conferred with the Senator from Colorado. This is a perfecting amendment, which I think improves the provision. I am glad to accept it.

**THE PRESIDING OFFICER.** Without objection, the amendment offered by the Senator from Colorado to the committee amendment is agreed to.

The question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

#### LEGISLATIVE PROGRAM

**MR. JOHNSON** of Texas. Mr. President, I should like to announce to Senators who may be interested that it is our hope that we may be able to complete consideration of the appropriation bill this evening. I am sorry that we have had to spend most of the time arguing about "shall" and "may."

It was expected that we would take up the contempt citations today. However, I will say to the Senate that it will be too late this evening to do that. Therefore, any Senators who may be waiting, expecting those citations to be taken up this evening, should have this information, I should also state to the Senate that consideration of the joint resolution dealing with the Middle East situation, reported by the Committee on Foreign Relations and the Committee on Armed Services, will not be taken until some time tomorrow. I hope after we have completed consideration of the contempt citations.

**MR. CARROLL.** Mr. President, I offer the amendment which I send to the desk and ask to have stated.

**THE PRESIDING OFFICER.** The amendment offered by the Senator from Colorado will be stated.

**THE CHIEF CLERK.** On page 3, line 8, after the words "carry out" it is proposed to insert: "(or who, after having requested and been granted approval by their county agricultural stabilization and conservation committees, have carried out subsequent to September 30, 1956)."

**THE PRESIDING OFFICER.** The amendment offered by the Senator from Colorado is an amendment to the first committee amendment, which has heretofore been agreed to. Without objection, the vote whereby the committee amendment was agreed to will be reconsidered, in order that the amendment of the Senator from Colorado may be in order.

**MR. WILLIAMS.** Mr. President, may we have an explanation of the amendment?

**MR. ELLENDER.** Mr. President, may we have the amendment stated?

**THE PRESIDING OFFICER.** The amendment will be stated.

**THE CHIEF CLERK.** On page 3, line 8, in the committee amendment, after "carry out," it is proposed to insert: "(or who, after having requested and been granted approval by their county agricultural stabilization and conservation committees, have carried out subsequent to September 30, 1956)."

**MR. CARROLL.** Mr. President, let me say to the distinguished Senator from Delaware that the purpose of this amendment is to carry out the original intent of the legislative enactment concerning drought. It will be observed from the committee amendment that its purpose is to apply the benefits of the program to those who carry out emergency programs in the future.

What has really happened under this program is this: There is an unexpended balance of approximately \$38 million. Twenty-five million dollars is to be applied to a wind-erosion program. However, that means that in about five States there are hundreds of farmers who have filed their applications, and have treated their soil under the wind-erosion program, and who are now asking to be included in the program.

Today, after examining the records of the House, I called the Assistant Secretary, Mr. Peterson, and told him of the information which came to me today from Colorado. Some farmers came to see me and told me their story. I will say to my distinguished colleague from Colorado that they came from his area.

**MR. HAYDEN.** Mr. President, will the Senator yield?

**MR. CARROLL.** I yield.

**MR. HAYDEN.** I wish it to be made perfectly clear, if the Senator will so state, that he has conferred with representatives of the Department regarding this amendment. Of course, retroactive legislation is not looked upon with favor either in this body or in the other body. However, in connection with such proposed retroactive legislation, if the Department is willing to confine it to cases in which approval was granted with respect to a request which had been made, and the Department did not get around to doing anything, I shall be glad to take the amendment to conference and see what can be done with it. However, I am sure that unless it is recommended by the Department of Agriculture it is not likely that it will be agreed to in conference.

**MR. CARROLL.** I will say to the distinguished Senator from Arizona that the statement of Assistant Secretary of Agriculture Peterson was that he had not had an opportunity to take up the question with the Farm Policy Committee. I accept the recommendation of the distinguished chairman of the Appropriations Committee that the amendment be taken to conference. I hope the Farm Policy Committee of the Department will give it support. I believe that in all equity we should give consideration to farmers who have been

made this promise. I think that is a fair statement of the whole situation.

**MR. CARLSON.** Mr. President, I appreciate very much the statement on the part of the chairman of the Appropriations Committee that he is willing to take this amendment to conference. I sincerely hope that it will be adopted.

I was prepared to offer an amendment which I think would have been stronger than the language just offered by the Senator from Colorado and accepted by the chairman of the committee. I had intended to offer an amendment on page 3, line 8, after the word "out" to insert the words "or who, subsequent to September 30, 1956, have carried out." That would take care of farmers who, in October, November, and December of last year did this chiseling, which prevented wind erosion in a great area, and entitled them to some payment. We paid them in 1955, so we did it retroactively. This is nothing new. We have done the same thing before. The farmers who delay work on the soil which badly needs work in the entire area are the ones to be paid under the present program. As I understand, under the amendment offered by the Senator from Colorado, those who made application for payments and were certificated previous to that time would be paid. The amendment of the Senator from Colorado would not go as far as I would like to go, but in view of the fact that the chairman has offered to take the amendment to conference, I shall not press my amendment.

**MR. ALLOTT.** Mr. President, I should like to make the amendment clear. There is one thing which has not been mentioned as to the effect of the program. If we make this program retroactive, what we are doing is encouraging the people who have done their work conscientiously upon their farms. If we do not adopt such an amendment as this, or the one suggested by the Senator from Kansas, we shall be penalizing the conscientious people who have done this listing and chiseling on their farms. This is the only amendment by which they can obtain payments.

**THE PRESIDING OFFICER** (Mr. KERR in the chair). The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. CARROLL] to the committee amendment on page 3, line 8.

The amendment to the amendment was agreed to.

**THE PRESIDING OFFICER.** Without objection, the committee amendment, as amended, is agreed to.

**MR. COTTON.** Mr. President, I must object, because I want the RECORD to show that I am opposed to the committee amendment as amended.

**THE PRESIDING OFFICER.** The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

**THE PRESIDING OFFICER.** The Secretary will state the next committee amendment.

The next amendment was, under the subhead "Loan Authorizations", on page 5, line 13, after the word "amended", to

strike out "\$20,000,000" and insert "\$26,000,000".

The amendment was agreed to.

The next amendment was, under the heading "Chapter II—Small Business Administration—Salaries and Expenses", on page 5, at the beginning of line 22, to strike out "\$1,100,000" and insert "\$1,200,000", and in line 23, after the word "Administration", to strike out the colon and the following proviso:

*Provided*, That this authorization shall be effective only upon enactment of S. 637, or similar legislation, increasing the limitation on the amount of business loans which may be outstanding at any one time.

The amendment was agreed to.

The next amendment was, under the subhead "Revolving Fund," on page 6, line 6, after the figures "\$45,000,000," to strike out the colon and the following proviso:

*Provided*, That this authorization shall be effective only upon enactment of S. 637, or similar legislation, increasing the limitation on the amount of business loans which may be outstanding at any one time.

The amendment was agreed to.

The next amendment was, under the heading "Chapter III—Department of Health, Education, and Welfare—Public Health Service—Foreign Quarantine Service," on page 6, after line 15, to strike out:

The provisions of law that govern the financing (including rates of pay for personnel) of the overtime activities of the Bureau of Customs, Department of the Treasury, and the Immigration and Naturalization Service, Department of Justice, shall, effective 60 days after the enactment hereof, also govern the financing (including rates of pay for personnel) of the overtime activities of the Foreign Quarantine Service, Department of Health, Education, and Welfare: *Provided*, That in case of difference between provisions of such law, the provisions governing the Immigration and Naturalization Service shall govern the Foreign Quarantine Service: *Provided further*, That wherever a title of a Government official or employee, name of an organizational unit, designation of an appropriation account, or similar nomenclature, appears in such law, the most nearly comparable title, name, designation, or descriptive term in the Department of Health, Education, and Welfare shall be substituted for the purposes of this paragraph.

And in lieu thereof to insert:

For an additional amount for "Foreign quarantine service," \$67,500.

The amendment was agreed to.

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared with relation to the amendment just agreed to.

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

STATEMENT BY SENATOR BUTLER IN SUPPORT OF SUPPLEMENTAL APPROPRIATION FOR THE REMAINDER OF FISCAL 1957 TO ENABLE PUBLIC HEALTH SERVICE TO PROVIDE 24-HOUR QUARANTINE INSPECTION, FEBRUARY 18, 1957

I wholeheartedly urge the granting of the President's request for a supplemental appropriation of \$67,500 to cover 24-hour quarantine inspection by the Public Health Service of vessels arriving in United States ports.

At the present time quarantine inspection by the Public Health Service of vessels arriv-

ing in United States ports is provided only on the basis of a 12-hour day. This means that no matter how much it costs vessels to lay over in order to wait their turn at quarantine inspection, and no matter how willing the steamship companies are to pay inspectors for overtime services, quarantine inspections are permitted only 12 hours out of every 24; from 6 a. m. to 6 p. m. or 7 a. m. to 7 p. m.

The undisputed testimony presented to the House and Senate committees is to the effect that inability to obtain quarantine inspection 24 hours a day is costing the owners of American-flag vessels about \$12 million a year. In turn, the United States Government, which has valuable recapture rights in the case of profitable subsidized operators, plus taxation rights, is losing between \$6 million and \$8 million a year.

As Members of the Senate all know, the Department of Defense's Military Sea Transportation Service operates a great many merchant vessels. Some it operates with its own personnel; others it operates by contractual arrangements with private companies. The fact that the United States Government foots the bill for the operation of these vessels does not entitle them to any special treatment insofar as quarantine service is concerned. MSTS vessels, like privately owned and operated merchant vessels, must wait until the next morning for quarantine inspection if they arrive in port after 6 or 7 p. m. Those who have computed what this enforced layover of MSTS vessels is costing the taxpayer tell us that it exceeds the \$67,500 here being sought.

There is one final factor worthy of mention. In times such as these, we have, generally speaking, a shortage of vessel tonnage in relation to the actual demand. Artificial delays such as that being caused by the fact that quarantine inspection is afforded only 12 hours out of every 24, aggravates the actual shortage.

I respectfully submit that it is clear beyond a shadow of a doubt that to save \$67,500 by turning down the President's request will cost the United States many, many millions of dollars. Such a course, obviously "pound foolish," is at the same time far from "penny wise."

Accordingly, I urge all Senators to vote in favor of granting this supplemental appropriation request.

I attach hereto to be printed in the RECORD, a copy of a letter which I wrote to the chairman of the Senate Committee on Appropriations on February 5, 1957, concerning this matter.

The letter is as follows:

FEBRUARY 5, 1957.

The Honorable CARL HAYDEN,  
Chairman, Committee on Appropriations,  
United States Senate,  
Washington, D. C.

DEAR MR. CHAIRMAN: On January 14 President Eisenhower requested a supplemental appropriation of \$67,500 for the fiscal year 1957 in order that the Public Health Service could provide 24-hour quarantine inspection of vessels arriving in United States ports. The House Committee on Appropriations has denied this request. Because of the importance of this matter, I felt I should write to you today to urge that your committee recommend approval of the President's request. If the Senate approves, the House, in conference, will reinstate the sum, I am sure.

At the present time the maritime inspectional services of the Public Health Service's Division of Foreign Quarantine are dispensed only on the basis of a 12-hour day. This means that no matter how much it costs vessels to lay over in order to wait their turn at quarantine inspection, and no matter how willing the steamship companies are to pay inspectors for overtime services, quarantine inspections are permitted only 12

hours out of every 24; from 6 a. m. to 6 p. m. or 7 a. m. to 7 p. m.

Inability to obtain quarantine inspection 24 hours a day has cost the owners of American-flag vessels, as I recall the latest figures, about \$12 million a year. This means that the United States Government, which has valuable recapture rights in the case of profitable subsidized operators, plus taxation rights, is losing approximately five to six million dollars yearly.

And this is not all. I am reliably informed that the present 12-hour-a-day program is costing the Military Sea Transportation Service (MSTS) a great deal more than the sum needed to provide 24-hour service.

It is thus clear, beyond a shadow of a doubt, that to save \$67,500 by turning down the President's request will cost the United States many millions of dollars. I respectfully suggest that such a course is not even penny-wise.

Accordingly, I urge that your committee give this matter the serious consideration it merits. I am confident that if this item is restored, our colleagues in the House will see the wisdom and justification of our position.

Sincerely,

JOHN MARSHALL BUTLER,  
United States Senator.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, under the subhead "Social Security Administration—Grants to States for Public Assistance," on page 7, line 14, after the figures "275,000,000," to strike out the colon and "Provided, That not more than \$15,728,000 of this amount may be used for State and local administration."

The amendment was agreed to.

The next amendment was, on page 7, after line 16, to insert a new chapter, as follows:

CHAPTER IV—DEPARTMENT OF THE INTERIOR  
OFFICE OF THE SECRETARY

Acquisition of strategic minerals

For an additional amount for "Acquisition of strategic minerals," \$30,000,000, to remain available until December 31, 1958: *Provided*, That the limitation in section 2 (a) of the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956, on the acceptance of offers for delivery of ores under said act in any one calendar month, shall not apply to offers made between December 1, 1956, and the end of the month preceding the date of enactment of this act, and the quantity of such offers which may be accepted shall be on a cumulative basis.

Mr. NEUBERGER. Mr. President, I wonder whether I might ask a question of the distinguished Senator from Arizona.

Mr. HAYDEN. I yield for a question.

Mr. NEUBERGER. The Senate adopted the amendment on page 7, lines 9 and 10, to provide \$67,500 for the Foreign Quarantine Service. Is that considered an adequate amount to provide around-the-clock inspection service, which so many ports on the west coast and on the east coast have been requesting? It is essential that ships not be unduly delayed and detained.

I ask that question because a great many people in the shipping business and in the maritime business and in the navigation business, and in commerce generally, have been writing to me from my State, which is a seacoast State, re-

questing that the quarantine service receive an adequate amount of money with which to conduct a round-the-clock operation.

Mr. HAYDEN. That is the sum which was estimated by the Department to be sufficient to take care of the work necessary to be done between now and the 30th of June.

Mr. NEUBERGER. That was the question I asked. Was that amount considered adequate?

Mr. HAYDEN. That is correct.

Mr. NEUBERGER. That is the sum—\$67,500—that was estimated to be sufficient; is that correct?

Mr. HAYDEN. That is correct.

Mr. NEUBERGER. I thank the Senator. I shall support the bill.

Mr. WILLIAMS. Mr. President, the amendment that has just been stated, authorizes \$30 million, for the acquisition of certain minerals, namely tungsten, asbestos, fluorspar, and columbium-tantalum. None of these four minerals, according to the Secretary of Defense, are needed in our stockpile program. There is sufficient testimony throughout the Record that these minerals are not needed in our defense stockpile. For that reason and since the language is obviously legislation on an appropriation bill, I make the point of order against that chapter in the bill.

The PRESIDING OFFICER. The Chair will sustain the point of order.

Mr. HAYDEN. To which section of the amendment does the Senator make his point of order?

Mr. WILLIAMS. I make the point of order to the entire chapter IV.

Mr. HAYDEN. To the entire chapter?

Mr. WILLIAMS. Yes.

Mr. HAYDEN. I invite the Senator's attention to the fact that the acquisition of strategic minerals in the amount of \$30 million is authorized by law. I concede that a point of order may be made against the proviso, because that is not authorized by law.

The PRESIDING OFFICER. Under the ruling of the Chair, the point of order will be sustained against the entire amendment. The Senator from Arizona may offer an amendment containing language which does not include the proviso.

Mr. HAYDEN. The point is that the language for the additional amount involved for the acquisition of strategic materials is authorized by law. The proviso is not authorized by law.

Mr. JOHNSON of Texas. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. HAYDEN. I concede that the Senator from Delaware may make a point of order against the proviso.

Mr. WILLIAMS. It is my understanding that under rule XVI, section 2, a point of order may be made against the entire chapter; therefore I made the point of order against the entire chapter.

Mr. HAYDEN. I concede the point of order. I now move to insert in the bill at page 7, lines 21 and 22:

For an additional amount for "Acquisition of strategic materials, \$30 million, to remain available until December 31, 1958."

The PRESIDING OFFICER. That amendment is in order. The question is on agreeing to the amendment offered by the Senator from Arizona.

Without objection, the amendment is agreed to.

Mr. WILLIAMS. Mr. President, I make the point of order that I have been trying to get recognition. I tried to get recognition while the Chair was making its announcement with respect to the amendment being agreed to without objection.

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. WILLIAMS. I understand that the vote on the amendment has been announced but I wish to oppose this amendment.

The PRESIDING OFFICER. The amendment has been agreed to.

Mr. WILLIAMS. I make the point of order that I was trying to get recognition.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the action by which the Senate adopted the amendment offered by the Senator from Arizona be reconsidered, so that the Senator from Delaware may be heard.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the amendment offered by the Senator from Arizona.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator from Arizona if there was any testimony given before the committee to the effect that these minerals would be needed in the stockpiling program.

Mr. HAYDEN. No; the strategic stockpile has been filled. The purpose of the appropriation is not to build up the stockpile any further. It is designed to take care of a situation that exists; namely, that the administration has promised to submit to Congress a bill designed to encourage the mining of strategic minerals and metals in the United States. This is an intermediate program, to take care of the situation in the meantime, because these particular items in the bill are already fully supplied in the stockpile.

Mr. WILLIAMS. Is it not a fact, according to all the testimony before the committee, that in the event of an all-out war, if all the foreign importation were stopped and if all the domestic production were stopped, there would be enough tungsten on hand to last a minimum of 5 years?

Mr. HAYDEN. I have heard no such guaranty.

Mr. WILLIAMS. Was not that the testimony that was given before the Senator's committee? It is so stated in the House report.

Mr. HAYDEN. I know that tungsten is a metal the steel industry must use. I doubt that a 5-years' supply is on hand for the entire steel industry.

Mr. WILLIAMS. I should like to read from the report from the House committee on this question. First, I should like to have the Senate note that the House committee issued a very strong report on this section, and I should like to read an excerpt from that report, if I may.

I quote from page 11 of House Report No. 24, 85th Congress, 1st session:

The committee has disallowed the supplemental budget request of \$30 million to continue, under Public Law 733, the domestic purchase of tungsten, asbestos, fluorspar, and columbium-tantalum for the remainder of the current fiscal year. Considering that there is clearly no defense justification for further acquisition of these minerals, the committee feels that continuation of this subsidy program at an estimated total cost of \$91 million is entirely unwarranted.

The Director of the Office of Defense Mobilization assured the Congress in June 1956, that there was no defense justification for further domestic purchase of any of these four minerals, pointing out that in each instance the amount on hand and on order met both the minimum and long-term stockpile objectives. For example, Mr. Flemming testified as follows concerning tungsten, for which \$68,750,000 has been proposed, representing 80 percent of the total purchase program:

"Tungsten on hand exceeds both the minimum and long-term stockpile objectives. The inventory plus orders is larger than the total 5-year wartime requirements. \* \* \* There is clearly no defense justification for a continuation of this program because even without any access to either domestic or foreign sources of supply in the event of war, we would have enough in the stockpile to meet total requirements for approximately a 5-year period."

Continuing, the committee said:

The committee believes there is even less justification for continuing this subsidy program at this time than there was on August 14, 1955, when the President vetoed H. R. 6373, which would have directed the continuation of the existing domestic minerals purchase programs under the Defense Production Act for certain minerals, including at least 3 of the 4 in question. In his veto message, the President said:

"Finally, the provisions of H. R. 6373 would apply to only a small segment of the domestic minerals industry and would not reach the fundamentals of the program. Indeed this bill would make solution of the overall problems of the industry more difficult. \* \* \* The interests of the domestic minerals industry will be better served by proceeding with the careful development of a long-range minerals program than by approving a stop-gap measure extending substantial Government aid to only a segment of the industry."

It is obvious that no long-range program has yet been developed by the administration. This is best evidenced from a review of the situation prevailing in the tungsten industry. Since 1951 the Government has purchased from domestic producers, at \$63 per unit, 3 million short-ton units under Defense Production Act authority at a total cost of \$187,562,751. During this period, the Government also awarded certificates of tax necessity and provided assistance under Defense Minerals Exploration programs to many of these same producers.

During the first half of 1956 almost all of the domestic production was being delivered to the Government under the purchase program at the price of \$63 per unit, while industrial needs were being supplied from imports at about \$43 per unit. As the amount on hand and on order exceeded even long-term stockpile objectives, it was necessary in June 1956 to discontinue defense purchases from domestic producers.

Under the new subsidy program, the Government has purchased since August 1, 1956, over \$15 million worth of tungsten from domestic producers at \$55 per unit while the United States market price was approximately \$35. It should be noted that while it was contended that about 700 domestic producers might benefit from this program, only

49 producers have participated, 9 of whom have received 87 percent of the funds.

The largest purchase during this period was from a group of 3 affiliated companies and totaled \$2,875,730, representing 19 percent of the total. A top executive of these companies testified previously that the authorizing legislation was needed in order that the domestic mines "can survive foreign competition." The committee was astounded to discover through its own investigation that a dominant company in this group has the largest contract to supply tungsten to the Government from foreign mines. The committee is advised that this contract, for the purchase of over \$39 million of tungsten at \$55 a unit, will not terminate until December 1959.

In the light of these facts, there can be no sound justification for continuing in peacetime a subsidization program for the sole benefit of a very limited segment of the industry at such an exorbitant cost to the taxpayers of the Nation.

I point out again as the House report states Mr. President, this \$30 million is to subsidize one phase of the mineral industry in that it would commit the United States Government to buy tungsten of which we have sufficient to last us for 5 years in the face of any foreseeable emergency, even an all-out war. Representatives of the department testified to that effect. But we are trying to expand the program to permit the Government to buy tungsten at \$55 a ton and to store it in another hole in the ground, when the prevailing market price is only \$35 a ton. That represents a heavy subsidy.

During the recent campaign a great deal was said by Members of the Senate about desiring to curtail expenditures. We have all of us been shedding tears with our constituents about the necessity of bringing Government expenditures under control. Every Member of the Senate has been telling his constituents, whenever an item that is not essential has been pointed out, that he will support a cut in the appropriations.

Here is an instance of \$30 million going down a rathole for the benefit of a few people at the expense of the American taxpayers. Certainly, Mr. President, this is one amendment which should be defeated.

#### USES OF TUNGSTEN NO SURPLUS—A SHORTAGE

Mr. MALONE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS. I yield.

Mr. MALONE. Mr. President, I should like to ask the distinguished Senator from Delaware if he has ever heard of Mr. Ickes who, for 20 years, said we had no tungsten in the United States and that it had to be shipped across major oceans, which, incidentally, of course, would be impossible in wartime.

Mr. WILLIAMS. I do not recall that.

Mr. MALONE. He said that we had very little tungsten—and must save it and import all we used.

The administration policy through the 1934 Trade Agreements Act—free trade—put the sweatshop foreign labor in direct competition with our high standard of living wages—so of course none could be produced without a guaranty price.

Mr. WILLIAMS. I was quoting the testimony of representatives of the Government who say we have adequate supplies of tungsten on hand.

Mr. MALONE. Has the Senator ever heard of Mr. R. H. Thielemann?

Mr. WILLIAMS. No; I have not heard of him, but I have heard from a large percentage of the 170 million taxpayers who say they are tired of subsidy programs which cannot be justified. Here is another program which, in my opinion, cannot be justified.

Mr. MALONE. I have just asked the Senator a question.

Mr. WILLIAMS. I think I have the floor. If the Senator from Nevada wishes to approach this problem from the standpoint of raising the tariff, to protect our industry, I would certainly agree with him; but I would not agree that we can continue in this country to pay \$55 a ton for this product when there is not a steel company or manufacturing company in America that is using the product. It is all being stored in the Government's stockpile. Certainly, in my book, that is not the proper way to handle the problem. I hope the amendment will be rejected. By so doing we can save a minimum of one-half of the \$30 million involved.

Mr. MALONE. Mr. President, the Senator from Delaware has not heard of Mr. Thielemann, perhaps the outstanding metallurgical research expert in the Nation today. Will the Senator from Delaware yield for another question?

Mr. WILLIAMS. I yield.

Mr. MALONE. I should like to ask if the Senator has heard of Mr. Thielemann's recent investigation results showing that the only way we can make a jet engine function with a 2,000-degree heat resistance metal is through the use of tungsten alloys. And that perhaps 50 percent of this metal will be tungsten—trebling or quadrupling our annual use of this indispensable metal.

Mr. WILLIAMS. Yes; but I come back again to the point that I do not say it is not an essential commodity. I do not say we do not need it, but we should not be exceeding the maximum amount recommended by all the departments. There are many other things we need in this country.

Mr. MALONE. Mr. President, will the Senator from Delaware yield for another question?

Mr. WILLIAMS. I yield for a question.

Mr. MALONE. This is what Mr. Thielemann, one of the outstanding research men in metallurgy, has said.

The difficulty with most predictions of use of metals is that they ignore research and laboratory work.

I heard Mr. Thielemann testify before a House committee in San Francisco. He said that to attain a 2,000-degree heat resistance metal tungsten alloys would be used and that there would probably have to be 50 percent tungsten in the alloys, and that instead of 8 million units, a minimum of 25 million units annually will be needed.

We do not have a surplus on the basis of present knowledge—we have a shortage.

Mr. WILLIAMS. If there is such testimony it should be presented to the departments of the Government and to the committees of the Congress. As of

this moment there has been no evidence presented to the Congress or to the committees which would justify this amendment or change the present position that we now have more than an adequate supply of this metal.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. WILLIAMS. Surely.

Mr. MALONE. Mr. Quarles testified before our committee last year. Mr. Quarles had never heard of the production of tungsten in this country. He still thought it to be in short supply—and must be rationed—that is, the amount of tungsten which could be used in jet engines, or percentage must be reduced below the needed amount for a maximum life of the engine. The life of the engines was very much shortened through this shortsighted policy.

However, as soon as he learned that we were producing large amounts of tungsten in this country he abolished the limitation provision.

I should very much like to have the Senator from Delaware listen to what I am saying, because I believe he needs the information.

Government officials are generally the last persons to learn what domestic producers can do, since 24 years of education has gone on that we cannot produce critical metals.

We had a Secretary of the Interior who for 20 years maintained that the United States had no critical materials at all—no tungsten, no manganese, no critical raw materials of any kind. He mouthed the Harry Dexter White and Alger Hiss program of importing all such critical materials and shutting our own mines down.

Now, since we have fixed a price which merely represents the difference between the wage standard of living and the cost of doing business abroad and in the United States, we know that we can produce all the tungsten we need in this country.

As the research experts say, we need three times the amount of tungsten we are now using, and we need it right away for high heat resisting tungsten alloys. We have no surplus on that basis and we can now break the news to the bureaucrats.

I ask unanimous consent to have printed in the RECORD at this point a statement by Mr. R. H. Thielemann, chairman, department of metallurgy, Stanford Research Institute, of February 8, 1957.

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

TUNGSTEN AND THE HIGH TEMPERATURE AGE  
(By R. H. Thielemann, chairman, department of metallurgy, Stanford Research Institute, February 8, 1957)

#### INTRODUCTION

Since the beginning of World War II, accelerated technology in many fields has been moving constantly in the direction of higher and higher temperatures. This trend is particularly significant in the development of new and improved military devices, but there are many known commercial requirements for higher temperature operation. Today, the situation is particularly critical. In practically every field, engineering technol-

ogy has advanced to the point where the only direction left for realizing significantly improved performance is by going to higher temperatures. The main obstacle is materials, and it follows that we simply do not have the materials available to withstand the high temperature conditions that are being called for. We are utilizing the properties of our presently available nickel and cobalt base super-high-temperature alloys to the maximum possible and there is reason to believe that any future gains which might be realized in the high temperature properties of these types of alloys will be marginal, at best.

In analyzing the problem, it appears that there is only one course available to us and that is to develop alloys based on the refractory metals which have melting points considerably higher than those of the iron, nickel, and cobalt base alloys that we have been working with. Of the 18 metals which have higher melting points than those of iron, nickel, and cobalt, there are only four which have significantly higher melting points that are available in sufficient quantities to be considered for the applications intended. These four refractory metals are columbium, molybdenum, tantalum, and tungsten. Although all four of them will undoubtedly prove to be important in developing alloys for service at temperatures of 2000° F. and higher, tungsten appears to be the most attractive for the extreme high temperature requirements.

#### APPLICATION AND PROBLEMS

Probably the most important application for improved high-temperature materials is in the gas-turbine field. The gas turbine is a thermal device in which the kinetic energy of a high-velocity gas which is at high temperature and pressure is converted to mechanical energy by expansion through the turbine. The efficiency of the cycle increases as the pressure and temperature of the gas are increased. Although the gas-turbine engine has great promise as a prime mover for power generation and for ship and other types of propulsion, its main application is in the turbojet engine to power aircraft.

As we all know, we are moving into the jet age very rapidly. All of the military combat aircraft are now jet-propelled and within a year, the debut of commercial jet transportation will have occurred. There is every reason to believe that the turbojet engine will be with us for some time to come and that its continued development will place increased emphasis on improved reliability, increased efficiency, and the desire to obtain more and more power from the lightest weight engine possible. The limiting factor in the ultimate development of the turbojet engine will be the ability of materials to withstand the high temperatures which are encountered in the turbine and combustion components. With the advent of higher energy fuels, and nuclear heat sources, the importance of being able to increase turbine temperatures is even more critical and we must find materials which will permit us to take full advantage of these benefits which are technologically available.

The Pratt and Whitney J-57 turbojet engine, which is shown in figure 1 [not printed in the RECORD], is fast becoming the "workhorse" engine in both military and commercial aviation. Without the afterburner, this engine develops over 10,000 pounds of thrust. The alloys that affect the performance of a modern turbojet engine the most are the so-called super-high-temperature alloys that are used for the turbine blades, vanes, and disks. A typical jet-engine turbine wheel is shown in figure 2 [not printed in the RECORD]. The turbine blades in a wheel of this type may be either forgings or precision castings. The alloy used must have high creep and fatigue strengths at the high operating temperatures and at the

same time be capable of resisting oxidation, thermal shock, and mechanical abrasion. With all of the work that has been done to develop improved turbine-blade alloys, we are still limited to a maximum temperature of about 1,650° F. for a stress of 20,000 pounds per square inch and a 1,000-hour life.

In considering the development of a new high-temperature alloy, the main factors, aside from the strength problem, are oxidation resistance and metallurgical stability. In retrospect, it is interesting to look back over the high-temperature alloys which have been and still are prominent in the applications for which they were developed. The compositions of six alloys that are well known and have been used in substantial quantities in critical high-stressed, high-temperature applications are shown in table 1. It is significant that tungsten is present in all six of these alloys.

The cast X-40 alloy (Stellite 31) was developed in 1943 and is still being used for the turbine blades and vanes in our most advanced jet engines. During the course of the research program sponsored by the Tungsten Institute at Stanford Research, it was decided to investigate the effect of increasing the tungsten content on the rupture properties of the X-40 alloy. As shown in figure 3, the effect of increasing the tungsten content from 7.5 percent to 12.5 percent is to double the rupture life at 1,600° F. with a stress of 20,000 pounds per square inch. If, however, a small amount of an effective carbide former, such as columbium, is added so that the tungsten can act as a solid solution strengthener, the rupture life with 15 percent of tungsten is more than 30 times that of the original X-40 alloy.

This investigation was carried further to find an optimum composition which would have improved properties at 1,600° F. and 1,700° F. and have good castability. As a result of this work, an analysis designated WI-52 was arrived at. The composition and properties of the WI-52 alloy are shown in table II. The rupture properties of the WI-52 alloy are 75° to 100° better than the average properties of the original X-40 alloy composition. Cast nozzle vanes of the alloy, as shown in figure 4, have been made and submitted to one of the leading engine builders for evaluation. The reports from the preliminary tests indicate that the alloy shows considerable promise and plans are being made for full-scale engine evaluation. Even though the WI-52 alloy offers the possibility of improved life at temperatures of 1,600° F. and 1,700° F., it must be looked upon as an interim alloy that is still limited to operations where, under stress, the temperature will not significantly exceed 1,650° F.

If we look ahead to the possibilities that present themselves in the turbojet, nuclear power, and missile fields, it is apparent that to meet the high temperature requirements for materials, we will have to develop alloys based on the refractory metals which have melting points considerably higher than those of the iron, nickel, and cobalt base alloys that we have been working with. In all pure metals and alloys, the loss of strength with increasing temperature is gradual until a certain temperature level is reached. Above this temperature level, the loss of strength is markedly accelerated. We have known for some time that the limiting temperature at which a pure metal will still have a useful load-carrying ability has a definite relationship to the melting point of the metal. This limiting temperature is the temperature at which deformed grains in the metal will recrystallize on heating. Textbooks tell us that the recrystallization temperature of pure metals is approximately 40 percent of the melting temperature in degrees absolute. From experience, we also know that we can raise the effective recrystallization temperature of some of the

metals several hundred degrees by proper alloying.

The recrystallization temperatures as determined for several metals are shown in figure 5 [omitted in the RECORD]. It is readily apparent that the four refractory metals, columbium, molybdenum, tantalum, and tungsten are the ones that we must develop if we are to achieve our goals. It should be possible by alloying these metals with each other or with other metals to develop alloys which will have useful engineering properties at temperatures up to 3000° F.

If we examine the physical properties of these four metals, as shown in table 3, it is seen that all of them have certain properties which make them attractive for high temperature. They all have low coefficients of thermal expansion which is important where thermal stresses resulting from rapid heating and cooling are involved. They all have a body centered crystal structure, which is indicative of inherent ductility. The low density of columbium is attractive, but the low modulus of elasticity is not indicative of high strength. Molybdenum is attractive in all respects except for the low melting point of its oxide. Tantalum has a high melting point but in combination with its high density, the modulus of elasticity is low. Tungsten, except for its high density, has a combination of properties which are the most attractive from the standpoint of being able to develop alloys which will have useful engineering properties at temperatures over 2,000° F.

A tabulation of the available tensile properties at various temperatures for the four metals is shown in table 4. Even though only two tests are available for tantalum, it would appear that it is the weakest metal of the four and that tungsten is the strongest with molybdenum and columbium in between.

The one problem with all of these metals is to find methods of protecting them from oxidation at the high temperatures. The only metals that resist oxidation at temperatures much higher than 2,000° F. are the noble metals, of which platinum is outstanding. So the job for the research worker is to find an alloy system that has the oxidation resistance of platinum. At the same time the alloy must be sufficiently ductile so that it can be rolled into thin sheet, formed, and bonded to the refractory metal. Some of the rarer metals which are now becoming available, such as yttrium, rhodium, and rhenium have characteristics that may be useful in solving this problem. With the high melting point metals, it seems quite likely that the protection problem is going to be more important than the strength problem.

#### CONCLUSIONS AND RECOMMENDATIONS

In summary, the need for metals and alloys which will have useful engineering properties at temperatures of 2000° F. and higher is urgent. The best and probably the only method we have of developing these materials is with the four higher melting point refractory metals—columbium, molybdenum, tantalum, and tungsten. Because of its high recrystallization temperature and high modulus of elasticity, tungsten appears to be the most promising for the more severe applications.

The development of new high temperature alloys which are based on the high melting point refractory metals will be expensive and there will be many difficult problems to solve, but the stakes are high. The Tungsten Institute, through the research program it is sponsoring at Stanford Research Institute to develop high temperature alloys based on tungsten has started the ball rolling. Studies are now underway to determine the most promising alloy systems and equipment is being installed to melt and

fabricate these alloys. It is hoped that this work will stimulate other research and development activity on tungsten and tungsten alloys, as a great deal of work needs to be done.

The United States Government, through its stockpiling program, has created the incentive to find new sources of those metals which have been in short supply. Known deposits of columbium and tungsten have been found in the Western Hemisphere which could supply fairly large requirements. Since the application for these metals will

be strategically important, it is imperative that methods be found to provide the incentive for keeping both the exploration and domestic mining operations active. This is the only way by which a stable supply of these metals can be insured. In the case of tungsten, the United States is now consuming about 10 million pounds annually. If a satisfactory tungsten base alloy can be developed which will have useful engineering properties at temperatures of 2000° F. and higher, the expected consumption would be doubled or tripled.

Now that the Department of Defense has rescinded its orders which limited the use of the six critical metals in aircraft, there is assurance that once the improved refractory, high temperature alloys are available, they will be used. Interest in these alloys is increasing, and the one job remaining is to develop the alloys and methods of protecting them from oxidation so that our engineers and scientists can move forward on all fronts and realize the improvements in design, performance and operation that they know are possible.

TABLE 1.—Important tungsten-containing high-temperature alloys

	TPA valve steel	Cyclops 17W	S-816	NA-22H (Blaw Knox)	X-40 (Stellite 31)	L-605 (Stellite 25)
Carbon	0.50	0.50	0.50	0.50	0.50	0.15 max.
Chromium	12.0	15.0	20.0	28.0	25.0	20.0
Nickel	12.0	15.0	20.0	48.0	10.0	10.0
Molybdenum			4.0			
Columbium			4.0			
Tungsten	3.0	4.0	4.0	5.0	7.5	15.0
Cobalt			45.0		Balance	Balance
Iron	Balance	Balance	5.0 max	Balance	2.0 max	2.0 max
Form	Wrought	Wrought	Wrought	Cast	Cast	Wrought
Principal usage	Exhaust valves in aircraft engines	Turbo supercharger blades and disks	Jet engine blades	Furnace supports	Jet engine blades	Combustor components in jet engines

TABLE 2.—Composition and properties of WI-52 alloy

COMPOSITION		
Element	Range	Aim
Carbon	0.35/0.45	0.40
Manganese	0.50 max	Low
Silicon	0.30 max	Low
Chromium	19/21	20.0
Tungsten	10/12	11.0
Columbium	1.25/1.75	1.5
Nickel	3 max	Low
Iron	2 max	Low
Cobalt	Balance	Balance

  

TENSILE PROPERTIES		
Temperature, ° F.	100-hour rupture strength	1,000-hour rupture strength
1,600	24,000	20,000
1,700	19,000	15,000

TABLE 3.—Physical properties of refractory metals

Property	Columbium	Molybdenum	Tantalum	Tungsten
Melting point ° F	4,487	4,720	5,425	6,150
Density lb./cu. in.	0.310	0.369	0.600	0.697
Lattice structure	BCC	BCC	BCC	BCC
Linear expansion coefficient in./in./° F × 10 <sup>-6</sup>	4.0	2.7	3.6	2.4
Young's modulus of elasticity lb./sq. in. × 10 <sup>6</sup>	15.1	40	27	60
Melting point of oxide ° F	2,600	1,463	3,450	2,676

TABLE 4.—Tensile properties of recrystallized refractory metals

Temp. ° F	Columbium	Molybdenum	Tantalum	Tungsten
Room temperature	50,000	68,000	50,000	80,000
1,600	23,000	25,100	—	36,600
1,800	18,000	—	36,500	—
2,000	17,000	—	33,500	—
2,200	14,800	18,000	9,400	31,800
2,322	—	—	—	10,700
3,182	—	—	—	8,250
3,632	—	—	—	5,800
4,082	—	—	—	3,400

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. CASE of South Dakota. The Senator from Delaware has overlooked two facts; first, that the \$30 million is for a program for six metals; it is not limited to tungsten. Second, he overlooked the fact that the Director of the Office of Defense Mobilization, Mr. Flemming, in his statement before the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs last spring said:

In view of the fact that the purchase program is about to terminate and that all defense needs have been met, we believe that this also is a situation where Congress should take appropriate action to assist the industry by providing for the purchase of specified amounts from nondefense funds until Congress has had time to consider recommendations from the Department of the Interior for a long-term program.

Mr. Flemming further said:

I suggest that where a domestic purchase program is about to terminate, and where all defense needs have been met, the Congress should make provision beyond the scope of defense legislation to assist the industry by providing for the purchase of specified amounts from nondefense funds until the Congress has had time to consider recommendations from the appropriate non-defense agency, namely, the Department of the Interior, for a long-range program.

That bore directly upon the tungsten program.

The other point which the Senator from Delaware overlooked is that other metals are included in the program, and the defense needs have not been met as to those metals. I call attention to the fact that Mr. Liebert, speaking for Mr. Wormser, as the Assistant to the Assistant Secretary on Mineral Resources, said this:

Ferro-columbium and ferro-columbium-tantalum is used primarily in the manufacture of stainless steel. However, columbium-bearing high-temperature alloys which are unsurpassed for use in jet engines and gas turbines may now require more columbium than the stainless steels. This is a new technological development and if technology continues to develop in this direction columbium is going to be far more im-

portant as a strategic material than it is today and the quantities which would be used would be far greater than anything we are using today.

Chairman HAYDEN. There are American sources.

Mr. LIEBERT. There are very few American sources of columbium and tantalum, sir. In fact, it is one of the things for which we feel there must be a continuing program.

This \$30 million is to make possible a continuing program, so that columbium and tantalum reserves may be increased, so that other sources may be developed, so that we can have this material for the jet engines.

Senator BRIDGES then asked:

Where are the American sources located?

Mr. Liebert answered:

The largest source of columbium and tantalum today is in Idaho and small amounts of columbium and tantalum have been delivered under this program from New Hampshire and South Dakota. It is expected that other new deposits will be brought in as they are discovered and can be developed.

I want this final sentence to be heard by Senators, because the Senator from Delaware has given the impression that no one connected with the Government wanted to have this program continued—or, at least, I think that might be a fair inference.

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

Mr. CASE of South Dakota. Not until the Senator has heard this sentence. This is the statement of Mr. Leibert, representing the Secretary of the Interior:

We must, in my opinion, develop additional sources of these strategic materials in the United States if we are not going to be utterly dependent on sources outside the United States for our industrial supplies as well as our future defense requirements should they be increased above the current requirements.

There was an official representing the Department of the Interior supporting a budget estimate for the continuation of this program. He was basing his support upon the need for developing the sources of supply of columbium and tantalum and some of the other metals

which are a part of the continuing program.

I now yield to the Senator from Delaware.

Mr. WILLIAMS. What I said, Mr. President, was that no representative of any agency of the Government has said there was a need for the further stockpiling of these metals. I know there are some officials, including the Director of the Budget, who have said they will go along with \$30 million under certain circumstances, although I recall also that last year the Director of the Bureau of the Budget wrote a rather strong letter against this program on which we are acting today. In addition, last year the President vetoed a similar bill on the basis the minerals were not needed.

Why they have changed their position, I do not know. But I do know that in changing their position, they said they were not changing it based upon the fact that we needed the minerals, but rather based upon the fact that the industry itself might need some help. Are they going to establish a relief program now for every industry in America every time they get in trouble? If so then let us stop talking about cutting the budget.

The budget can only be cut by votes here in the Senate.

If at any time those representing the Department of Defense, or those who are in a position to know, will come before Congress and say that they need these particular metals, I shall vote for the further acquisition of these metals. I certainly am not placing myself in the position of being a better authority than they are. But as of today, those metals are not needed and the responsible officials all say they are not needed.

In addition to that, if we need greater amounts of tungsten, we can buy all we want at \$35 a ton. Why pay \$55? Why not remember the American taxpayers for once?

Mr. CASE of South Dakota. The Senator from Delaware is persisting in his error of trying to judge the program upon tungsten production. He is overlooking the direct testimony. He is attempting to say that no responsible official has said that we have need for it. But I read what the representative of the Department of the Interior said, namely:

Columbium-bearing high-temperature alloys which are unsurpassed for use in jet engines and gas turbines may now require more columbium than the stainless steels.

He said:

This is a new technological development—

And—

we must develop additional sources of these strategic materials in the United States if we are not going to be utterly dependent on sources outside the United States for our industrial supplies as well as our future defense requirements.

So it seems to me that there has been a responsible official of the Government who has said that this program is needed and should be continued.

Mr. ALLOTT. Mr. President, I want to add one thought. I think this should be made abundantly clear, because I believe the Senator from Delaware mis-

states the true purpose of the act. In the report, at page 8, the committee has said:

In recommending the initial appropriation (\$21 million was agreed to in the conference committee) the committee gave its approval to the intent of the authorizing act, which is to grant interim relief to the producers of tungsten, asbestos, acid-grade fluorspar, and columbium-tantalum until such time as a long-range nondefense minerals policy is submitted to and acted on by the Congress.

The law to which that refers is Public Law 733, 84th Congress, and was passed at the last session.

What I think is not seen by those who oppose the measure is the true nature of the proposal. The question has been asked, Do we need it? If so, we can go out and buy it on the world market.

Yes, we can; that is true. But we could also buy oil on the world market in 1941 and 1942. I have used this example, in fact, I used it before the committee, when it was having hearings on the bill during 1942. I saw ships of the United States burn and sink off the shores of Florida. We could not get that oil for this country.

Today we have another good example, because today the situation at the Suez Canal is limiting the oil shipments to a considerable portion of the Western World. Two years ago, the great Senator Millikin, then the senior Senator from Colorado, and I and the 2 Senators from Wyoming and the 2 Senators from Utah and several other Senators supported the provision for the development of the oil shale lying in our Western States. The reserves of that shale are fantastic, as compared with any other known oil reserves. Today many of us wish we were closer to having the ability to produce that oil in competition with other sources of oil, because, as we have learned, the other sources of oil may be shut off at any time, as has occurred in the case of the oil from the Near East and Middle East.

At this time I should like to refer to the remarks of the chairman of the committee, as they appear at page 96 of the hearings:

Chairman HAYDEN. There seems to be some confusion as to the purpose of this program. The program was authorized by the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956. A copy of this act will be included in the record.

The act was accordingly set forth in the hearings.

Mr. Liebert stated very concisely—as appears on page 98 of the hearings—the real reason for this proposed legislation. I read his statement:

With respect to the four minerals, we well considered last year that these industries would die if they were not supported for an interim period within which their operations could somehow be oriented to our normal peacetime economic life, or otherwise provided for by some method of assistance through the long-term minerals program which was promised the Congress.

On page 99, he said, in reply to a question:

In many cases particularly in your big mines which are usually deep mines, you

have a water problem always. If you pull your installation then you pull your pumps; your mine floods with water, your timbers rot, and your mine caves in. It might be true that there is some ore left in the mine but the excessive costs of going after that ore are enormously greater than they were in the first instance.

So, Mr. President, what this boils down to, as I see it, is that last year we passed Public Law 733, in which we enunciated the policy of the Congress of the United States in keeping alive these industries, which produce vital and strategic minerals for this country. It was not a program to build a strategic stockpile. It was a program to keep those industries alive, so we would not lose these valuable tungsten, columbium, and other mines which have been developed in the last few years. Relying upon that, the miners developed their mines. In many instances they refurbished their equipment, and in many more instances they bought new equipment. Having done so, and having relied upon the expressed intent of the Congress, as set forth in that law, and as the committee has so well expressed it, we, according to the Senator from Delaware, should now say to them, "We did not mean what we said."

Mr. President, all of us are looking forward to the long-term minerals program. Let us keep our faith with those who are doing their job in keeping these strategic minerals mines going, until the time comes when we can debate and pass upon a long-term minerals program for the United States.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The question is on agreeing to the amendment of the Senator from Arizona [Mr. HAYDEN].

Mr. JOHNSON of Texas. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WATKINS. Mr. President, it has been said here that the Government officials are opposed to this program. I call attention to the fact that the Bureau of the Budget and the President of the United States submitted this item for \$30 million, in order to meet the requirements of an act passed by the Congress. That act has been discussed here today, and \$30 million has been requested by an authoritative representative of the Government. That fact negatives anything said to the effect that some officials have said we do not need this or that. The President of the United States has said we do need the appropriation of this amount of money in order to carry out the provisions of the law; that cannot be gainsaid. The \$30 million is included in the budget the President sent to the Congress.

I also call attention to the fact that the Senator from South Dakota suggested a very important consideration; namely, that other minerals, in addition to tungsten, are included in this item. My State of Utah is interested in tungsten. The miners of my State have developed this industry in good faith. They have made heavy investments, and they are trying to carry on until the so-called long-range minerals policy is developed.

The fluorspar operators have done the same thing, but they are caught in a special squeeze. The metallurgical fluorspar producers were told that the program would apply to them, and that it would not be necessary for them to be mentioned in this particular act, because of the situation then existing; namely, that the Office of Defense Mobilization would have sufficient authority to grant them relief and to buy the metallurgical fluorspar. But because of a \$6 freight differential, they were not given any relief whatsoever. I went to the Office of Defense Mobilization last year and called its attention to the fact that a \$6 freight differential was working against the producers of metallurgical fluorspar. Then the Administrator, Dr. Flemming, said, "We will remedy that"; and he did so at once.

So we advised the Utah operators that they could go ahead under that arrangement, and they did so. Suddenly they are told that the House committee and the House of Representatives have jerked the rug completely from under their feet, because now there will be no money with which to go ahead, as authorized by the Office of Defense Mobilization.

Mr. President, the \$30 million item should not be stricken from the bill. The position of the Senate committee should be sustained. The amendment of the Senator from Arizona should be agreed to. Then we shall have the funds with which to meet those obligations.

I have received from those producers the following telegram:

Regarding House Appropriations Committee refusal to appropriate money for fluorspar program: Utah producers have already mined and have ready to ship several thousand tons of ore. Have purchased equipment, reopened mines at high cost; would be badly hurt now if program stopped without warning. House takes up bill Tuesday. Do all in your power to keep program going.

Mr. President, when the authorization for this program was made, last year, the Congress in effect assured these small businesses that they would be justified in hanging on for a little longer. They were told that this was an interim program for the purpose of keeping certain strategic mines in operation until Congress could consider long-term minerals policy legislation. Mr. President, if we now follow the lead of the House of Representatives in respect to this cut, we shall be telling those producers, in effect, "We are reneging on our commitment. We can find money for foreign aid and a record peacetime budget, but you producers who have critical defense minerals can go it alone, while this country continues to open its gates to the dumping of minerals produced by low-paid miners overseas."

Mr. President, all we request is fair play. We ask this Government to keep its commitments. But the Government cannot do so without the necessary appropriations. The administration knows of the commitments, and has requested this appropriation; and it should be made. It seems to me that we cannot afford to break faith with these producers, who have acted in good faith in opening the tungsten mines and all the

other mines, and have kept them in condition, so as to enable this industry to go forward. I know that other areas can produce fluorspar, and can do so at a much lower rate. For instance, Mexico is able to do so. But Mexico does not have the same high standard of living the United States has, and the producers in Mexico do not pay the same wages the Utah operators pay.

Therefore, Mr. President, I hope the amendment of the Senator from Arizona will be agreed to.

Mr. WILLIAMS. Mr. President, I shall be very brief.

In reference to the statement of the Senator from Utah regarding the obligation of the government to keep faith and to appropriate this \$30 million, let me say—and I am sure the Senator from Utah will agree with me—that the government has kept faith. The government either has paid or will pay for every pound that has been purchased under any authorized program.

This amendment has nothing to do with past commitments. Nobody is talking about not paying for the contracts which have been made. What we are talking about is appropriating \$30 million so some more purchases can be made. Therefore, we do have a right to stop it.

As to promises which have been made, what promise has been made more prominently throughout the country, both by the administration and by Members of Congress, than that each one of us would do what we could to reduce the cost of government? Certainly, here is one place where we can reduce it. There is no necessity to continue buying tungsten at \$55 a ton, when all that is wanted can be bought at \$35 a ton. They are begging us to buy at \$35.

I quote again from the Director of the Office of Defense Mobilization, who is charged with operating the stockpiling. Mr. Fleming said:

There is clearly no defense justification for a continuation of this program because even without any access to either domestic or foreign sources of supply in the event of war, we would have enough in the stockpile to meet total requirements for approximately a 5-year period.

After listening to all the testimony presented before the committee as to the need for the program, both by those who are for it and those who are against it, the House committee came up with this final conclusion, which I quote from the last paragraph of the report:

In the light of these facts, there can be no sound justification for continuing in peacetime a subsidization program for the sole benefit of a very limited segment of the industry at such an exorbitant cost to the taxpayers of the Nation.

Certainly the argument against the amendment is well summed up by the paragraph which I have just read from the House report.

As to the argument that we are dealing with little miners throughout the country, I point out that the same testimony established that while there are about 700 domestic producers who could benefit from the program, only 49 have participated to any extent, and out of that

number, 9 have received 87 percent of the total. Certainly, we are dealing with a direct subsidy for just a few major operators.

Mr. JOHNSON of Texas obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. Does the Senator desire to address himself to the amendment?

Mr. DIRKSEN. I do.

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Mr. President, I think the Senator from Delaware completely misses the purpose of the Purchase Act of 1956. First, let us clarify a few things, and let us show that the House can be wrong. The Senator quoted from the House report to show that only 49 producers benefited from the program. I suggest that the Senator look at the Senate committee testimony, because the larger mills buy from the smaller producers, and, according to the testimony submitted to us, more than 250 were benefited by the program.

When we were stockpiling for defense these four particular minerals were omitted from the stockpile. That was the reason for the conference with the White House staff and with Members of the Senate on both sides of the aisle. We finally got the minerals purchase program for 1956, involving four of these minerals.

My friend from Delaware misses the point in that it is not the size of the stockpile that is so important; it is the question of whether we are going to stockpile to our capacity to produce the minerals. By that I mean, assuming we have enough tungsten for awhile, what about the vessels carrying tungsten that are now on the bottom of the Caribbean and elsewhere, that never got to this country in wartime? The head of the minerals division who testified was sent to Korea, and was wounded many times, in an effort to get a mine in operation so that we could get tungsten into the country, which was so badly needed to carry on our war effort.

I ask the Senator from Colorado if that is not correct.

Mr. ALLOTT. That is correct.

Mr. DIRKSEN. Fluorspar is mined in Kentucky, Nevada, and Illinois. The program can run until the 15th of April, when the program would be concluded, and that would be the end of the fluorspar industry in the United States of America. Then see what would happen to the price of imported fluorspar from Spain and Mexico. Manufacturers in that country are just waiting to put our industry out of business. Then we shall pay through the nose before we get through.

All those minerals are indispensable to the economy of this country. What we had in mind was to conserve the productive capacity of the industry, and to stockpile the product, and to keep the mines going. There is not any question that the imported commodity can be brought in from other countries at a cheaper price, but when our own mining industry got on its uppers and could no longer perform, then we would see the

price go up everywhere in the world. That is what is involved in this situation.

I sincerely hope the Senate will not be so shortsighted as to destroy the productive capacity of our mining industry and leave us high and dry in case of an emergency.

One other thing, and then I am through. Something has been said about keeping faith. Let us see what the record shows. When the first estimate was made last year, \$91,600,000 was asked for this particular program. That estimate was taken to the Appropriations Committee. We said, "We will give you \$21 million, and that will run you until the first of January 1957." We cut \$70 million out of the estimate last year. So in the second supplemental appropriation bill committee report, this is what we said:

The budget estimate was \$91,600,000. We are supplying enough to carry on to January 1957.

And then we said, as an Appropriations Committee, and as an instrumentality of the Senate:

It is expected that the budget will submit a supplementary request.

That is what the Appropriations Committee of the Senate said. That is what is before the Senate now—the supplementary request to which we referred to in connection with the second supplementary appropriation bill of last year.

Finally, Mr. President, I invite attention to the fact that all that can be bought under the program are domestically mined minerals. Not 1 pound of fluorspar mined in Mexico or in Spain can be bought. Not 1 pound of columbium-tantalum mined elsewhere can be bought. Not 1 pound of tungsten that comes from Korea or Brazil or somewhere else can be bought. The provision is designed to energize the mining industry of the United States, and we shall be in a desperate plight that day when our mining industry can no longer continue.

I know a little something about the mining industry. I know what will happen on the Ohio River. That is water territory. When the mines are no longer pumped, the water comes in. Machinery, generators, and other equipment have to be pulled out. It costs money to maintain that equipment, but if there is no business, are the operators to be expected to pay out of their pockets to maintain their installations which in the first instance cost from \$350,000 to \$2 million?

That is what will happen to those industries. They will be on their uppers. Then let us see what happens to our domestic minerals industry in an hour of emergency.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

Mr. JOHNSON of Texas. Mr. President, I should like to have the record show that I fully subscribe to everything the very able Senator from Illinois has said. I believe that to defeat this amendment would be disastrous to our defense. I think it would be unfair to

our producers, and I think it would totally ignore the best interests of this country.

Mr. President, I am prepared to suggest the absence of a quorum.

Mr. DWORSHAK. Mr. President—

Mr. JOHNSON of Texas. I yield to the Senator from Idaho.

Mr. DWORSHAK. I desire the floor in my own right.

Mr. President, as a member of the Appropriations Committee, coming from the West, I feel it incumbent upon me to try to clarify the record very briefly. Some of my good friends from the West, like my friend from Illinois, plead for this proposal as a defense measure. Of course there is no defense involved in it. There is not one iota of national defense in it. That stands for the record. If this were a defense measure, Mr. Flemming, the Director of the Office of Defense Mobilization would not want any legislation, because he is authorized under the National Defense Production Act to purchase minerals deemed essential for national defense.

Why is this proposal before us? Because a year ago Dr. Flemming said he was not authorized to buy any of these minerals inasmuch as they were not needed for national defense. It is that simple. So this proposal is entirely aside from any consideration of national defense.

The record will sustain me when I say that for several years I have pointed out the essential and vital needs for working out a long-range program, not only for tungsten, but for all the other critical and strategic minerals.

Later I shall tell the Senate how much production of tungsten we have in this country.

My colleagues who have been shedding tears on the floor of the Senate and in the committee sessions, both in the Committee on Interior and Insular Affairs, of which I am a member, and the Appropriations Committee, on which I happen to serve, should be doing something for minerals like antimony, because we produce in this country only 6 percent of the primary antimony we need for our annual requirements. Does anyone cry about the national defense aspects of a mineral when we produce only 6 percent? No. Do we hear anyone plead for the purchase of cobalt, a very vital and critical material? In 1952, according to this very valuable volume provided by the senior Senator from Nevada, we have the following statistics: 81 percent of the cobalt was produced in Africa, and only 10 percent in the United States and Canada.

There are many other minerals. I shall not take the time to enumerate them. I merely wish to point out that if we discontinue a nondefense purchase program with respect to tungsten, the mines will flood out. I agree with the Senator from Illinois that that is largely true. But will not that happen to the mines of domestic producers who, without a nickel of subsidy, have endeavored conscientiously and persistently to produce minerals which we need, and which are produced primarily, if not solely, in Africa? What will happen to those mines?

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

Mr. DWORSHAK. Not at this point.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. DWORSHAK. We need certain minerals for national defense. I told the committee that I could go along with the proposal with respect to fluorspar and certain other minerals, such as asbestos, columbium, and tantalum, because we are producing, in the case of asbestos, only about half of what we require for annual consumption in this country.

But what is the situation concerning tungsten? I obtained certain figures from the General Services Administration. I will say to my friend from Nevada that I have no desire to argue for or against this measure. However, the Senator from Idaho deplores the efforts of anyone to foul up the record.

According to GSA, the domestic production of tungsten in 1955 was approximately 16 million pounds. What was our consumption in this country that year? Approximately 8 million pounds, or half.

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

Mr. DWORSHAK. Not at this point.

So we produced twice as much tungsten in 1955 as we consumed in this country.

What did we get in imports? We got approximately 21 million pounds, or 2½ times our annual requirements.

The record shows, according to statistics admitted by GSA, that in 1955, we produced or imported 4½ times as much tungsten as our annual requirements, considering both domestic production and imports.

So I say to my good friends that I will join them in pleading not only for the National Defense Act aspects of stockpiling vital strategic materials, but developing and stimulating sources from which we can replenish exhausted stockpiles.

Why do we shed tears over tungsten, when, in domestic production and imports in 1955, we had 36½ million pounds, or 4½ times the amount of tungsten required for all our commercial uses in this country? The record will show that. Those are not my figures.

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

Mr. DWORSHAK. I yield.

Mr. DIRKSEN. I think the Senator was present when Mr. Liebert testified. He testified very frankly that we could liquidate the stockpile we have and make a profit on it.

Mr. DWORSHAK. The Senator was present; and the record certainly should be clarified in that connection. I do not care what Mr. Liebert, from the Department of the Interior, testified. He said, when I asked him questions about the other minerals, that he was an authority only on tungsten. He preferred not to answer my questions about any of the other minerals. When Mr. Liebert said we could sell that stockpile at a profit, he told an untruth. If a stockpile is purchased with big subsidies, where are we going to sell a 20-year stock of tungsten? Are we going to sell it to people in Africa, who can buy it

at about two-thirds the price we pay for it? How are we going to make a profit on it?

**A PERMANENT MINERAL POLICY: THE MALONE BILL, S. 34**

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

Mr. DWORSHAK. I yield.

Mr. MALONE. A permanent program should be forthcoming. I believe that Senate bill 34, which I introduced on January 7 is a good permanent program. It includes all the minerals which my good friend from Idaho mentioned. I have no doubt that such a program will be adopted, but in the interim we must keep the mines open.

I ask unanimous consent to have my bill printed in the RECORD at this point.

There being no objection, the bill (S. 34) to provide relief for producers of certain critical minerals, metals, and materials indispensable in the construction of jet engines was ordered to be printed in the RECORD, as follows:

*Be it enacted, etc.—*

**DECLARATION OF POLICY**

**SECTION 1.** It is declared to be the policy of the Congress—

(a) to facilitate and encourage trade with foreign nations on the basis of fair and reasonable competition;

(b) to maintain an investment climate through the principle applying equally to the whole country;

(c) to provide necessary flexibility of import duties, on certain critical minerals, metals, and materials, thereby making possible appropriate adjustments in response to changing economic conditions;

(d) to assure the accomplishment of these objectives by returning to the provisions of the Constitution (article 1, section 8) in the control over American import duties on such critical minerals, metals, and materials, now subject to international agreements;

(e) that as used in this act and amendments made by this act the term "critical metals, minerals, and materials" includes antimony, asbestos, beryllium, chromite, cobalt, columbium-tantalum, fluorspar, lead, manganese, mica, molybdenum, nickel, titanium, tungsten, vanadium, uranium, and zinc, all being used in the production of jet engines;

**RESTATEMENT OF EXISTING IMPORT DUTIES**

**SEC. 2.** Title I, paragraphs 1 to 1559, inclusive, of the Tariff Act of 1930 are hereby amended by repealing the classifications and rates therein contained on critical minerals, metals, and materials, and substituting therefor the classifications and rates obtaining and in effect on the expiration of 90 days after the date of enactment of this act, by reason of proclamations of the President under section 350 of the Tariff Act of 1930 or otherwise; and all other acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed.

**ADMINISTRATION OF TRADE AGREEMENTS**

**SEC. 3.** Title III, part II, of the Tariff Act of 1930 is amended by adding after section 331 the following new section:

**"SEC. 331A. Administration of trade agreements**

"(a) All powers vested in, delegated to, or otherwise properly exercisable by the President or any other officer or agency of the United States in respect to the foreign trade agreements on critical minerals, metals, and materials, entered into pursuant to section 350 of this act are hereby transferred to, and shall be exercisable by the Commission, including, but not limited to, the right to invoke the various escape clauses, reservations, and options therein contained, and to

exercise on behalf of the United States any rights or privileges therein provided for the protection of the interests of the United States.

"(b) The Commission is hereby authorized and directed—

"(1) to terminate as of the next earliest date therein provided, and in accordance with the terms thereof, all the foreign trade agreements on critical minerals entered into by the United States pursuant to section 350 of this act;

"(2) to prescribe, upon termination of any foreign-trade agreement, that the import duties established therein shall remain the same as existed prior to such termination, and such import duties shall not thereafter be increased or reduced except in accordance with this act."

**PERIODIC ADJUSTMENT OF IMPORT DUTIES**

**SEC. 4.** Title III, part II, section 336, of the Tariff Act of 1930 is hereby amended to read as follows:

**"SEC. 336. Periodic adjustment of import duties**

"(a) The Commission is authorized and directed from time to time, and subject to the limitations hereinafter provided, to prescribe and establish import duties on critical minerals, metals, and materials, which will, within equitable limits, provide for fair and reasonable competition between domestic articles and like or similar foreign articles in the principal market or markets of the United States. A foreign article shall be considered as providing fair and reasonable competition to United States producers of a like or similar article if the Commission finds as a fact that the landed duty paid price of the foreign article in the principle markets or markets in the United States is a fair price, including a reasonable profit to the importers, and is not substantially below the price, including a reasonable profit for the domestic producers, at which the like or similar domestic articles can be offered to consumers of the same class by the domestic industry in the principal market or markets in the United States.

"(b) In determining whether the landed duty paid price of a foreign article, including a fair profit for the importers, is, and may continue to be, a fair price under subdivision (a) of this section, the Commission shall take into consideration, insofar as it finds it practicable—

"(1) the lowest, highest, average, and median landed duty paid price of the article from foreign countries offering substantial competition;

"(2) any change that may occur or may reasonably be expected in the exchange rates of foreign countries either by reason of devaluation or because of a serious unbalance of international payments;

"(3) the policy of foreign countries designed substantially to increase exports to the United States by selling at unreasonably low and uneconomic prices to secure additional dollar credits;

"(4) increases or decreases of domestic production and of imports on the basis of both unit volume of articles produced and articles imported, and the respective percentages of each;

"(5) the actual and potential future ratio of volume and value of imports to volume and value of production, respectively;

"(6) the probable extent and duration of changes in production costs and practices;

"(7) the degree to which normal cost relationships may be affected by grants, subsidies (effected through multiple rates of export exchange, or otherwise), excises, export taxes, or other taxes, or otherwise, in the country of origin; and any other factors either in the United States or in other countries which appear likely to affect production costs and competitive relationships.

"(c) Decreases or increases in import duties on critical minerals, metals, and ma-

terials, designed to provide for fair and reasonable competition between foreign and domestic articles may be made by the Commission either upon its own motion or upon application of any person or group showing adequate and proper interest in the import duties in question: *Provided, however*, That no change in any import duty shall be ordered by the Commission until after it shall have first conducted a full investigation and presented tentative proposals followed by a public hearing at which interested parties have an opportunity to be heard.

"(d) The Commission, in setting import duties so as to establish fair and reasonable competition as herein provided, may, in order to effectuate the purposes of this act, prescribe specific duties or ad valorem rates of duty upon the foreign value or export value as defined in sections 402 (c) and 402 (d) of this act or upon the United States value as defined in section 402 (e) of this act.

"(e) In order to carry out the purposes of this act, the Commission is authorized to transfer any article from the dutiable list to the free list, or from the free list to the dutiable list.

"(f) Any increase or decrease in import duties ordered by the Commission shall become effective 90 days after such order is announced: *Provided*, That any such order is first submitted to Congress by the Commission and is not disapproved, in whole or in part, by concurrent resolution of Congress within 60 days thereafter.

"(g) No order shall be announced by the Commission under this section which increases existing import duties on foreign articles if the Commission finds as a fact that the domestic industry operates, or the domestic article is produced, in a wasteful, inefficient, or extravagant manner.

"(h) The Commission, in the manner provided for in subdivisions (c) and (f) in this section, may impose quantitative limits on the importation of critical minerals, metals, and materials, in such amounts, and for such periods, as it finds necessary in order to effectuate the purposes of this act: *Provided, however*, That no such quantitative limit shall be imposed contrary to the provisions of any foreign trade agreement in effect pursuant to section 350 of this act.

"(i) For the purpose of this section—

"(1) the term 'domestic article' means an article wholly or in part the growth or product of the United States; and the term 'foreign article' means an article wholly or in part the growth or product of a foreign country;

"(2) the term 'United States' includes the several States and Territories and the District of Columbia;

"(3) the term 'foreign country' means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions);

"(4) the term 'landed duty paid price' means the price of any foreign critical mineral, metal, and material, after payment of the applicable customs or import duties and other necessary charges, as represented by the acquisition cost to an importing consumer, dealer, retailer, or manufacturer, or the offering price to a consumer, dealer, retailer, or manufacturer, if imported by an agent.

"(j) The Commission is authorized to make all needed rules and regulations for carrying out its functions under the provisions of this section.

"(k) The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of foreign articles with respect to which a change in basis of value has been made under the provisions of subdivision (d) of this section, and for the form of invoice required at time of entry."

## AMENDMENT OF SECTION 337

SEC. 5. Title III, part II, section 337, of the Tariff Act of 1930 is hereby amended as follows:

(a) Subdivision (a) thereof by striking out the word "President" and substituting therefor the words "Tariff Commission."

(b) Subdivision (b) thereof is hereby repealed.

(c) Subdivision (d) thereof is hereby repealed.

(d) Subdivision (e) thereof is hereby amended to read as follows:

"(e) Exclusion of articles from entry: Whenever the existence of any such unfair method or act shall be established to the satisfaction of the Commission, it shall direct that the articles concerned in such unfair methods or acts, imported by any person violating the provisions of this act, shall be excluded from entry into the United States, and upon information of such action by the Commission, the Secretary of the Treasury shall, through the proper officers, refuse such entry."

(e) Subdivision (f) thereof is hereby amended to read as follows:

"(f) Entry under bond: Whenever the Commission has reason to believe that any strategic and critical mineral, metal, and material is offered or sought to be offered for entry into the United States in violation of this section, but has not information sufficient to satisfy it thereof, the Secretary of the Treasury shall, upon its request in writing, forbid entry thereof until such investigation as the Commission may deem necessary shall be completed; except that such articles shall be entitled to entry under bond prescribed by the Secretary of the Treasury."

(g) Subdivision (g) thereof is hereby amended to read as follows:

"(g) Continuance of exclusion: Any refusal of entry under this section shall continue in effect until the Commission shall find and advise the Secretary of the Treasury that the conditions which led to such refusal of entry no longer exist."

## STATISTICAL ENUMERATION

SEC. 6. Title IV, part III, section 484 (e), of the Tariff Act of 1930 is hereby amended to read as follows:

"(e) Statistical enumeration: The Chairman of the Tariff Commission is authorized and directed to establish from time to time, after consultation with the Secretary of the Treasury and the Secretary of Commerce, a statistical enumeration of imported articles in such detail as he may consider necessary and desirable to effectuate the purposes of this act. As a part of each entry there shall be attached thereto or included therein an accurate statement giving details required for such statistical enumeration. The Secretary of Commerce is hereby authorized and directed to make such reasonable and proper digests from, and compilations of, such statistical data as the Chairman requests. In the event of a disagreement between the Chairman and the Secretary of Commerce as to the reasonable and proper nature of any request the matter shall be referred to the President, whose decision shall be final."

## REVISED TEXT OF TARIFF ACT

SEC. 7. The Tariff Commission, as soon as practicable, shall prepare and cause to be printed as a public document available for public distribution a complete revised text of the Tariff Act of 1930, as amended: *Provided*, That all acts or parts of acts conflicting herewith are hereby repealed.

## EFFECTIVE DATE

SEC. 8. This act shall take effect upon the expiration of 90 days after the date of its enactment, but no foreign trade agreement shall be entered into under section 350 of the Tariff Act of 1930, as amended, after the date of enactment of this act.

MR. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point my letter to the chairman of the Appropriations Committee [Mr. HAYDEN], and our imports from foreign producers in 1955.

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

UNITED STATES SENATE  
COMMITTEE ON INTERIOR AND  
INSULAR AFFAIRS,  
February 7, 1957.

HON. CARL HAYDEN,  
Chairman, Senate Appropriations Committee, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: You, of course, are familiar with the fact that the Congress, in June of last year, enacted Public Law 733, a measure which directed the Secretary of the Interior to embark upon a purchase program covering four of our more strategic minerals and to continue over a period of 30 months. This same act authorized the appropriation of funds necessary to implement it.

I also need not remind you that there was appropriated only \$21 million, which was anticipated would carry the program in its entirety until Congress reconvened in January 1957. Again I need not remind you of this because had it not been for your personal efforts in the closing days of the 84th Congress, this implementing appropriation probably would not have been made.

I am deeply concerned over the failure of the House of Representatives to include an appropriation for the implementation of this minerals purchase program during the coming months until the new 1957-58 appropriation bill becomes effective. It is my information that at the conclusion of a "bottail" hearing before a subcommittee of the House Appropriations Committee, this item was deleted from the administration's recommendations in respect to the urgent deficiency appropriation bill.

The record should be made clear, Mr. Chairman, in respect to the Wah Chang contract with the Office of Defense Mobilization. In its report the House Committee, apparently not familiar with the full details, stated that:

"The committee was astounded to discover through its own investigation that a dominant company in this group has the largest contract to supply tungsten to the Government from foreign mines. The committee is advised that this contract for the purchase of \$39 million of tungsten at \$55 a unit will not terminate until December 1959."

What the committee failed to mention, Mr. Chairman, is the fact that this contract was entered into on June 22, 1951, with the Wah Chang Trading Corp., when this Nation vitally needed all the tungsten it could possibly get (wartime). The contract, which the report also did not mention, called for the acquisition of 710,694 units of tungsten, and up to date less than one-third of that quantity has been delivered, and, Mr. Chairman, this tungsten is coming from Brazil.

In 1951, when this contract was executed, foreign tungsten was being offered at \$80 per unit for the simple reason that our domestic mines had been closed at the end of World War II, and we were at the mercy of producers in foreign fields. At this same time other contracts were entered into with foreign producers totaling more than 5 million units, with an average price of approximately \$55 per unit, which reflects good trading on the part of our Government people. It was only when our domestic price of \$63 per unit was established that we were able to put a break on the exorbitant demands of foreign producers, and it was this price which gave the incentive to prospect

for and open up new mines in this country—tungsten mines which may conceivably some day be the deciding point between victory and defeat in a worldwide conflict.

For 20 years all Government officials, special writers, and internationalists claimed that we had no tungsten in this country. Now with the price fixed enough above the world price to make up the difference between the wages, and the cost of doing business in this country and in the chief competing nation, we are currently producing twice as much tungsten annually as the United States is consuming which embarrasses all of the claimants that it could not be produced in the United States.

What is needed is, of course, to let the critical materials, without which you cannot make a jet engine, return to the Congress from Geneva, and the Tariff Commission, an agent of Congress, could then set the flexible duty in accordance with that difference in cost. Pending that time, we must keep the purchase program alive to keep the mines open because if they were closed (and they would be very soon if no money were appropriated) many would fill with water and be lost.

During the hearings held in April and May of 1956 by the Senate Committee on Interior and Insular Affairs, out of which grew Public Law 733, we had testimony from highly qualified expert witnesses that this country should acquire every single pound of tungsten available, not only in this country, but from every country abroad. Highly militarized countries abroad are acquiring all the tungsten they can get and it stands at the very top of the critical list of metals which are vital for our defense.

To keep our mines open is not a subsidy for the benefit of the few; it is an insurance policy against annihilation of the Nation. Without burdening the record, Mr. Chairman, I wish to point out that foreign producers, operating in an area where a slave wage is the rule rather than the exception, are always in a position to cut prices—so much for the contention of the House subcommittee that present-day industrial needs are being supplied from imports at about \$35 per unit—and when it suits their purpose to jack that price up to \$80 per unit, sure they can sell it, and at a profit due to the slave's wages paid for \$35 a unit, but the minute we close up our mines they will yank the price back up to \$80 a unit, or any other figure they deem the traffic will bear.

Mr. Chairman, I deem inclusion of the funds necessary to carry on to its conclusion in December of 1958 the minerals purchase program called for in Public Law 733 as one of the most serious matters your committee will be called upon to perform during the present year, and I urge you and your fellow members to write in to the presently being considered urgent deficiency appropriations bill, the amount necessary to carry on the program through the balance of the present fiscal year, and at the appropriate time to appropriate the additional sums necessary to carry the program to its completion.

Sincerely yours,

GEORGE W. MALONE.

Tungsten, United States general imports, first 11 months, 1955, ore and concentrates

	Gross weight, pounds	Tungsten content, pounds	Value
Canada	3,472,004	1,867,742	\$6,636,051
Mexico	1,410,742	718,987	1,955,683
Peru	1,548,943	876,319	2,851,948
Bolivia	8,829,636	4,247,506	13,883,949
Brazil	2,216,431	1,231,160	2,949,171
Argentina	1,689,734	888,255	2,548,443
Netherlands	33,098	17,780	36,021
United Kingdom	18,734	14,860	29,524
France	286,732	150,772	255,476
Finland	97,002	52,412	86,730
Spain	1,963,622	1,032,998	3,253,226
Portugal	3,001,637	1,666,762	3,679,337

*Tungsten, United States general imports, first 11 months, 1955, ore and concentrates—Continued*

	Gross weight, pounds	Tungsten content, pounds	Value
Burma	587,184	312,845	4,873,473
Thailand	1,193,753	663,046	1,127,993
British Malaya	213,225	116,087	179,494
Korea, Republic	3,920,000	2,170,986	3,286,057
Japan	263,844	152,132	281,388
Australia	3,075,499	1,678,583	4,906,561
New Zealand	4,274	2,203	3,368
Belgian Congo	1,800,000	1,014,139	2,727,265
Union of South Africa	609,034	316,515	1,238,599
Total	19,322	10,043	16,939
	36,234,750	19,232,132	52,496,696

**Mr. DWORSHAK.** I thank the Senator. He wants to keep only the tungsten mines open.

**Mr. MALONE.** No. I want to keep the critical mineral mines a going concern until a permanent policy can be adopted. Mr. Flemming testified that he could buy the minerals which were included in the original 1953 Malone-Aspinall Mineral Purchase Act. This is an interim measure to keep the mines

operating until a permanent program can be devised.

The permanent policy suggested is outlined in Senate bill 34 and includes antimony, asbestos, beryllium, chromite, cobalt, columbium-tantalum, fluorspar, lead, manganese, mica, molybdenum, nickel, titanium, tungsten, vanadium, uranium, and zinc.

The bill includes 17 critical metals without which you cannot make a jet engine.

The bill would withdraw these minerals from Geneva and put them back under the Tariff Commission, an agent of Congress, to fix the flexible tariff or duty in accordance with the Constitution—article 1, section 8. The duty would be adjusted on the basis of fair and reasonable competition and you would be back in business.

Mr. President, I ask unanimous consent to include in the RECORD at this point a table showing the production, imports, and consumption of tungsten from 1939 to 1956.

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

TABLE 1.—*Salient statistics of tungsten ores and concentrates in the United States, 1939-54*  
[Pounds of contained tungsten]

Year	Production	Shipments from mines	Imports for consumption	Consumption	Industry stocks at end of year		
					Producers	Consumers and dealers	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1939	3,429,047	4,080,024	1,485,157	(1)	283,803	2,667,738	2,951,541
1940	4,872,806	5,062,199	5,610,882	9,955,000	93,618	2,803,249	2,866,867
1941	6,420,303	6,249,945	11,522,190	16,699,000	263,626	2,404,876	2,668,502
1942	8,977,575	8,882,403	14,326,470	17,389,000	355,864	3,416,438	3,772,302
1943	11,472,985	11,368,295	19,445,017	19,313,000	458,586	2,459,246	2,917,832
1944	9,764,647	9,786,597	18,396,277	19,165,000	435,634	1,510,419	1,946,053
1945	5,388,639	5,266,818	4,773,861	14,146,000	557,042	3,784,429	4,341,471
1946	4,671,042	4,942,282	6,869,438	6,458,000	285,865	3,694,256	3,980,121
1947	3,026,470	2,944,622	6,018,005	7,812,000	368,316	3,343,392	3,711,708
1948	4,033,389	3,838,287	7,548,101	8,853,000	563,418	5,284,901	5,848,319
1949	2,896,084	2,631,506	5,274,102	4,958,000	827,045	4,229,444	5,056,489
1950	3,965,040	4,587,687	16,147,313	6,597,000	216,468	5,121,206	5,337,674
1951	5,913,750	5,972,551	6,376,513	11,410,000	234,282	4,037,502	4,271,784
1952	7,233,199	7,243,589	17,416,368	8,634,000	208,300	2,816,405	3,024,705
1953	9,272,513	9,141,572	27,928,573	7,734,000	362,891	4,334,710	4,697,601
1954: 1st 6 months	5,910,000	5,564,000	13,903,778	2,453,000	726,000	3,588,000	4,314,000
1954	13,136,000	13,050,000	24,132,426	4,032,000	458,000	3,913,000	4,371,000
1955: 1st 9 months	11,420,000	11,520,000	15,201,000	6,622,000	322,000	3,189,000	3,561,000
1956: 1st 11 months			19,232,132	8,036,000			

<sup>1</sup> Not available.

**Mr. DWORSHAK.** The Senator is interested only in tungsten.

**Mr. MALONE.** No.

**Mr. DWORSHAK.** There is no provision for antimony or cobalt. I stated that I could go along with the proposal with respect to fluorspar, asbestos, columbium, and tantalum.

**Mr. MALONE.** I have just called the Senator's attention to Senate bill 34—which would adopt a permanent policy—and antimony and cobalt are included in the 17 critical materials—the flexible duty or tariff would then be adjusted on the basis of fair and reasonable competition.

**Mr. CASE of South Dakota.** Mr. President, will the Senator yield?

**Mr. DWORSHAK.** I yield.

**Mr. CASE of South Dakota.** Mr. Liebert testified only with respect to tungsten. How does the Senator explain his statements about columbium and tantalum? Mr. Liebert said:

There are very few American sources of columbium and tantalum, sir. In fact, it

is one of the things for which we feel there must be a continuing program—to preserve that small industry which we had developed for defense purposes, and to try to keep it alive so that the operators could go out and develop new and additional sources of columbium in the United States.

**Mr. DWORSHAK.** I thank the Senator from South Dakota for his contribution. As I stated in the committee, and now repeat, I would be willing to go along with the proposal with respect to fluorspar, asbestos, columbium, and tantalum. There is a reasonable need, even though we have complete defense schedules for those minerals. But Mr. Liebert was asked questions about the other minerals. Not a single ton of antimony is produced in this country except as a byproduct of one of the silver mines in Idaho.

No one is interested in the defense aspect of that mineral, apparently.

This is a wonderful spectacle, Mr. President, when we cry our eyes out for

national defense, and can justify anything on the basis of national defense.

SEVERAL SENATORS. Vote! Vote!

**Mr. DWORSHAK.** I take, in good grace, the suggestion of one of my colleagues sitting near me, and I say again that I did not intend to make a speech or any comment on this subject. If I had intended to do so, I would have come to the floor with all the facts. The reason I am not making any particular fight on this subject is because that a year ago when I offered an amendment to restrict the purchases to 5,000 units a month, I received a fairly good vote.

However, the Senators who wanted to do something for the small miner said, "No, we do not want any restrictions." Mr. President, there are nine big producers of tungsten who supply 87 percent of all the Government purchases.

The Senator from Idaho has made these few brief comments because, futilely, within the Committee on Interior and Insular Affairs and within the Committee on Appropriations he has endeavored to point out that the argument is being made that it is justifiable to spend \$200 million—that is what we have spent—for the acquisition of domestic tungsten, and we must keep on buying it, because we do not want the mines to be flooded and because we need it for national defense. If that is a logical argument, what are we doing for the minerals of which we produce practically none in this country?

I want my colleagues to give me an answer to that question.

SEVERAL SENATORS. Vote! Vote! Vote!

**Mr. DWORSHAK.** Just one further point. I wish to reiterate that I come from one of the great mining States of the West and that I do not want to do anything that will jeopardize the welfare of our domestic mining industry. It is an important and integral part of our national preparedness program. We cannot wage war without strategic minerals, any more than we can win a war with only tungsten.

Perhaps the stand I take is not very popular. I know that the entire problem will be projected before the Committee on Appropriations and before the Senate sometime between now and June, and that we will have an opportunity to make a full appraisal of the matter. The reason I have been endeavoring to concentrate attention on this subject is that there is not one iota of national defense involved, notwithstanding what any Member of the Senate may say on the floor. I stand on the record.

SEVERAL SENATORS. Vote! Vote! Vote!

**Mr. DWORSHAK.** I make this last appeal. I ask that we act like statesmen, interested in national defense, instead of merely paying lip-service to it, because, as I have asked time and time again before the Committee on Appropriations, if we become involved in war, will my colleagues say that we will need only tungsten to win the war?

If we could stipulate with the leaders in the Kremlin, because we have been building up stockpiles only of tungsten, that only tungsten would be used in the next war, that would be fine. No one, apparently, cares about the other minerals. We can get them from Africa.

Of course, as my friend from Illinois has stated, perhaps the ships will be sunk, and these other strategic materials will not reach our country.

I am not concerned about what action will be taken today, and I am serving notice on both the Committee on Interior and Insular Affairs and the Committee on Appropriations, as well as on the Senate as a whole, and also on the executive department, that we are trying to do something along the line of the objectives which we have tried to reach, and the principles to which we have adhered, but to which, apparently, we are paying only lip service. We ought to insist upon some achievement.

We were told 2 years ago by the President, when he vetoed a comparable bill to S. 733, that the administration would send to Congress a long-range mining program. That was 2 years ago. We do not have any program. I believe we will get one, although it may take 5 or 10 years to do so. Perhaps in the meantime we can arrange with the leaders in the Kremlin to hold up any aggression until we adopt a long-range, composite mining program and acquire productive sources in this country for the other strategic minerals. We should not continue to spend millions and millions of dollars, in addition to the \$200 million we have already spent, to pile up a 30- or 40-year stockpile of tungsten.

Mr. JOHNSON of Texas. 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.

Mr. JOHNSON of Texas. Mr. President, the yeas and nays have been ordered. I ask that the amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. On page 7, line 17, it is proposed to insert the following:

#### CHAPTER IV—DEPARTMENT OF THE INTERIOR

##### OFFICE OF THE SECRETARY

###### Acquisition of strategic minerals

For an additional amount for "Acquisition of strategic minerals," \$30,000,000, to remain available until December 31, 1958.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

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

Mr. JOHNSON of Texas. As I understand, the question is on agreeing to the amendment stated by the clerk, offered by the chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN].

The PRESIDING OFFICER. The Senator is correct. The yeas and nays have been ordered, and the Secretary will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Delaware [Mr. FEARL], the Senator from Minnesota [Mr. HUMPHREY], the

Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], and the Senator from Florida [Mr. SMATHERS] are absent on public business. The Senator from West Virginia [Mr. NEELY] is absent because of illness.

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

Also necessarily absent is the Senator from Indiana [Mr. CAPEHART]. The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] would vote "nay."

The result was announced—yeas 64, nays 17, as follows:

#### YEAS—64

Allott	Hennings	Morton
Barrett	Hickenlooper	Mundt
Bennett	Hill	Murray
Bible	Holland	Neuberger
Blakley	Jackson	O'Mahoney
Carlson	Javits	Pastore
Carroll	Johnson, Tex.	Potter
Case, S. Dak.	Johnston, S. C. Russell	
Church	Kennedy	Saitonstall
Clark	Kerr	Schoeppel
Cooper	Knowland	Scott
Dirksen	Kuchel	Sparkman
Douglas	Lausche	Stennis
Dworshak	Long	Symington
Eastland	Malone	Talmadge
Ellender	Mansfield	Thurmond
Ervin	Martin, Iowa	Thye
Fulbright	McCarthy	Watkins
Goldwater	McClellan	Wiley
Gore	McNamara	Young
Green	Monroney	
Hayden	Morse	

#### NAYS—17

Aiken	Case, N. J.	Revercomb
Beall	Cotton	Robertson
Bricker	Curtis	Smith, Maine
Bush	Jenner	Smith, N. J.
Butler	Martin, Pa.	Williams
Byrd	Payne	

#### NOT VOTING—15

Anderson	Frear	Langer
Bridges	Hruska	Magnuson
Capehart	Humphrey	Neely
Chavez	Ives	Purcell
Flanders	Kefauver	Smathers

So Mr. HAYDEN's amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 8, after line 6, to insert a new chapter, as follows:

#### CHAPTER V—PUBLIC WORKS

##### DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS

###### Department of the Army

###### Rivers and Harbors and Flood-Control Construction, General

That portion of title III of the act of July 2, 1956 (Public Law 641, 84th Cong., 70 Stat. 474, 480), that pertains to the purchase of lands and improvements in the Buford-Trenton Irrigation District in lieu of protecting said Buford-Trenton Irrigation District in connection with development, construction, and operation of the Garrison Dam and Reservoir project on the Missouri River, is amended to read as follows:

"That in lieu of protecting the East Bottom of Buford-Trenton Irrigation District, the sum of \$1,621,791 of the funds herein or hereafter appropriated for the Garrison Dam and Reservoir project on the Missouri River shall be available for the purchase of lands and improvements in and contiguous to the Buford-Trenton Irrigation District, exclusive of tracts numbered H. H. 3170 and H. H. 3168, and not to exceed \$2 million shall be available to the Corps of Engineers for protection of the intake structure of the pumping plant in Zero Bottom and for the construction of bank protection to prevent erosion in the Missouri River adjacent to the Buford-Trenton irrigation project. The substitution of land acquisition for protection shall be made and the Secretary of the Army shall acquire such land and improvements if all of the landowners, except Lester G. Larson, the heirs of Louis Morin, Jr., and the heirs of A. Desjarlais, on or before June 30, 1957, have offered to sell their property on the terms agreeable to said landowners, and within the amount provided for such land acquisition: *Provided*, That the Chief of Engineers, United States Army, is authorized to acquire by condemnation proceedings, in the appropriate United States district court, tract 208C of the Buford-Trenton project, Williams County, N. Dak., according to the recorded plat thereof of which tract is owned by Lester G. Larson, the public domain allotment of A. Desjarlais, now deceased, described as Government lots 5 and 8 in section 19 and Government lot 1 in section 30, township 153 north of range 102 west of the fifth principal meridian, North Dakota, and the public domain allotment of Louis Morin, Jr., now deceased, described as the west half southwest quarter, section 16, and the north half southeast quarter, section 17, township 153 north, range 102 west, fifth principal meridian, North Dakota, in connection with the construction and operation of the Garrison Dam and Reservoir: *Provided further*, That in the event land acquisition is undertaken in lieu of protection of the East Bottom, that in recognition of the increased per-acre annual operation and maintenance cost of the remaining lands in the Buford-Trenton Irrigation District, the construction charge obligation assignable to the remaining lands of said district pursuant to the act of October 14, 1940 (54 Stat. 118), as amended, and the proposed contract between the United States and Buford-Trenton Irrigation District, approved as to form February 23, 1955, shall be nonreimbursable, and the Secretary of the Interior is authorized and directed to enter into a contract with the Buford-Trenton Irrigation District to transfer operation and maintenance responsibility for project works constructed by the Bureau of Reclamation for the benefit of the Buford-Trenton Irrigation District to such district.

The amendment was agreed to.

The next amendment was, under the heading "Chapter IV—Legislative

Branch", on page 11, line 1, to change the chapter number from "IV" to "VI."

The amendment was agreed to.

The next amendment was, on page 11, line 3, to insert the heading "Senate."

The amendment was agreed to.

The next amendment was, on page 11, after line 3, to insert the subhead "Salaries, Officers, and Employees." The amendment was agreed to.

The next amendment was, on page 11, after line 4, to insert:

Office of the Vice President: For an additional amount for clerical assistance to the Vice President, \$5,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 6, to insert:

Administrative and clerical assistants to Senators: For an additional amount for administrative and clerical assistants for each Senator from the States of Louisiana and Ohio so that the allowance for each Senator from the State of Louisiana will be equal to that allowed Senators from States having a population of over 3 million, the population of said State having exceeded 3 million inhabitants, and so that the allowance for each Senator from the State of Ohio will be equal to that allowed Senators from States having a population of over 9 million, the population of said State having exceeded 9 million inhabitants, \$8,000.

Mr. HAYDEN. I offer a perfecting amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The CHIEF CLERK. On page 11, line 9, after the word "for," it is proposed to insert: "Senators, to provide additional clerical assistants for."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. ELLENDER. Mr. President, I wish to call the attention of the Senate to the item on page 11, lines 5 and 6:

For the Office of the Vice President, there is an increase of \$5,000. In 1952, the predecessor of the present Vice President received for clerical assistance \$50,370.

When Mr. NIXON, the present incumbent, became Vice President, the amount was increased to \$55,410.

In 1954 and 1955, the amount remained the same.

In 1956, Congress saw fit to increase the amount to \$78,150.

In 1957, the amount was increased to \$86,925.

If the present amendment shall be agreed to, it will mean that the yearly expenses for the Office of the Vice President will be, for the last quarter of the fiscal year 1957, at the rate of \$101,925.

In other words, since the present incumbent has become the Vice President, the Senate has increased his office expenses by twice as much as those of his predecessor.

I simply thought I would bring this to the attention of the Senate. It strikes me that we ought, in some way, to begin

to curtail expenses. This is a rather small amount; but year after year the expenses of the Senate have been increasing tremendously. It strikes me that we in the Senate ought to show an example if we intend to ask other departments to reduce expenses.

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

Mr. ELLENDER. I yield.

Mr. DOUGLAS. Are those figures base figures or gross figures?

Mr. ELLENDER. They are gross figures. As I have said, the rate of pay for the clerical expenses of the office of the Vice President for the last quarter of the fiscal year 1957 will be at the rate of \$101,925.

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

Mr. ELLENDER. I yield.

Mr. NEUBERGER. I ask this question because of a lack of experience. I wondered if the increase in the office expenses of the Vice President has been commensurate with or at the rate of expenses of Members of the Senate from States of varying population.

Mr. ELLENDER. The highest amount paid, as I understand, is to the Senators from New York. The gross is \$97,000. That is my understanding.

But the point I desire to make is that the amount provided for the office of the Vice President has been doubled. The Vice President, I am certain, has been receiving a large amount of mail. He has been traveling throughout the world. As the Senator knows, he is a candidate for President, and the chances are that that is what has increased his workload. But there is no reason why the taxpayers should carry that burden.

Mr. NEUBERGER. I merely asked the question to ascertain whether the measuring stick was the proportionate amounts Senators were receiving in comparison with the previous authorized expenses.

Mr. ELLENDER. Senators from all States except a few are receiving a total of \$49,980. It is only to the Senators from States whose population is in excess of three million that a greater amount is paid. But the Senators from most States receive a base amount of \$49,980.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 11, after line 17, to insert:

#### CONTINGENT EXPENSES OF THE SENATE

Inquiries and Investigations: For an additional amount for expenses of inquiries and investigations, fiscal year 1956, \$25,000.

The amendment was agreed to.

The next amendment was, at the top of page 12, to insert:

Inquiries and Investigations: For an additional amount for expenses of inquiries and investigations, \$820,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 2, to insert:

Automobile for the President pro tempore: For an additional amount for purchase, exchange, driving, maintenance, and

operation of an automobile for the President pro tempore of the Senate, \$2,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 6, to insert:

Automobiles for the majority and minority leaders: For an additional amount of purchase, exchange, driving, maintenance, and operation of 2 automobiles, 1 for the majority leader of the Senate, and 1 for the minority leader of the Senate, \$4,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 11, to insert:

Joint Committee on Navaho-Hopi Indian Administration: For salaries and expenses of the Joint Committee on Navaho-Hopi Indian Administration, \$5,000, to remain available during the existence of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The committee amendments having been agreed to, the bill is open to further amendment.

Mr. POTTER. Mr. President, I submit an amendment which I ask to have read.

The CHIEF CLERK. On page 6, after line 10, it is proposed to insert a new chapter (with consequent renumbering of succeeding chapters), as follows:

#### CHAPTER III.—AMERICAN BATTLE MONUMENTS COMMISSION

##### CONSTRUCTION OF MEMORIALS AND CEMETERIES

To the extent that the Commission may find necessary or desirable, the appropriation granted under this head in the General Government Matters Appropriation Act, 1957, shall be available for the purposes of the act of April 2, 1956 (70 Stat. 84).

Mr. POTTER. Mr. President, last year Congress passed a bill authorizing the Battle Monuments Commission, of which I have the honor to be a member, to prepare plans and to select a site for a memorial to General Pershing. In the authorization, no provision was made for funds to carry out the mandate of Congress, and the Commission is prohibited by law from using for this purpose funds which they now have in the general appropriation bill.

The amendment authorizes the Federal Battle Monuments Commission to carry out the mandate of Congress in the bill passed last year by using existing funds which have already been appropriated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was 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 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 (H. R. 4249) was read the third time and passed.

Mr. HAYDEN. Mr. President, I move that the Senate insist on its amendments, 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. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, and Mr. KNOWLAND conferees on the part of the Senate.

Mr. MORSE subsequently said: Mr. President, earlier this afternoon the Senate considered an amendment to H. R. 4249, known as the Knowland amendment, on page 4, line 16. The amendment changed the word "shall" to "may."

If I had been on the floor of the Senate at the time of that vote, I would have voted against the amendment. I want to make a statement in explanation of my failure to vote on the amendment.

It so happens that I was away from the floor of the Senate on official business, taking care of a matter presented to me by Mr. James Johnson, president of the Port Commission of Coos Bay, Oreg., and Mr. Robert Belloni, attorney for the Port Commission of Coos Bay, Oreg. The matter involves the so-called Port Chicago issue, which is of great concern to the economic welfare of the Coos Bay area in the State of Oregon.

The port commission had made representations to me to communicate and confer with representatives of the Military Establishment in connection with the Port Chicago matter, and I was away from the Capitol performing that service in behalf of those constituents in regard to this very important matter.

Mr. President, I have not ordinarily taken the floor of the Senate to place in the RECORD an explanation of my absence from a yea and nay vote; but recently I finished a very interesting campaign; and in that campaign some gross, uncalled for misrepresentations were made about the record of the senior Senator from Oregon. So that there can be no doubt in the future, whenever I have to be absent from a yea-and-nay vote, I intend to make a little speech of the sort I am making now, so the RECORD will show in black and white where I was and what business I was transacting. I shall do so because what I am reporting now has been characteristic of my entire record for 12 years. If a very important matter in behalf of my State calls for my absence from the floor of the Senate, and requires me to go to the Pentagon Building, the Department of Justice, the Department of the Interior, or elsewhere, that is what the people of my State have me here to do. I absented myself today, after I made inquiry, and was advised that it was not expected that there would be any yea-and-nay votes. Therefore, I went ahead, and performed for the people of my State the service for which they elected me.

Mr. President, I want the RECORD to show where I was; I want it to show that I was transacting business in behalf of the Port Commission of Coos Bay, Oreg., when the unexpected yea-and-nay vote was called. Although agreeing that in many respects the issue will be called a minor one, nevertheless I intend to make my record so clear that the kind of misrepresentation to which I was subjected during the recent campaign will be answered by this kind of documentation.

#### PRINTING OF REPORT ON AIR-POWER

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 66, Senate Resolution 93.

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

The CHIEF CLERK. A resolution (S. Res. 93) authorizing the printing as a Senate document of the report on an investigation of airpower, and providing for additional copies.

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.

#### THE KEY TO AIRPOWER

Mr. GOLDWATER. Mr. President, one of the outstanding airmen of history writes regularly in the excellent publication Flying. Mr. Gil Robb Wilson has long expounded learnedly and vigorously on airpower and its place as the pivotal point of our military strategy. In calling attention to the 50th anniversary of airpower he has placed in concise form the history and the theory of airpower, and has done so in such an understandable manner that I urge my colleagues to read the article which I now ask unanimous consent to have inserted at this point in the body of the RECORD, as part of my remarks.

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

##### CONCEPT: KEY TO AIRPOWER

(By Gil Robb Wilson)

The half century past has been dynamic with controversy, change, and challenge. Civilization made more technical progress in this era than in all combined previous centuries. In terms of productive power, each United States citizen is the equal of his grandfather plus 50 helpers. Aviation provided the incentive and was the gateway for much of this progress, playing an ever-expanding part in the midst of radical social and economic changes and in the convulsion of two great wars. That the United States rose to increased international stature during this period, and today stands prosperous, unravaged, and free, is due in no small part to the guided evolution of its airpower.

The 50th anniversary of this power in the United States falls in this year. Its origin was a directive to establish an Aviation Division in the Army Signal Corps, August 1, 1907. From that directive, in convulsive steps, evolved the United States Air Force. We must follow principally that development since it is the constituted agent of our Defense Establishment aloft.

Centuries hence, the historian will frame the American airman of the past century as the pioneer, not alone of flight, but of an intellectual and spiritual process which overcame static and divisive forces and opened the way to realization of a common humanity—meanwhile preserving the people from conquest. Already, for example, we can confidently assume continuous global surveillance of armament by manmade satellites. The same medium will give us 100 percent weather coverage, will be the automatic source of all long-range navigation, and will revolutionize the coverage of such communications mediums as radio and television.

Such an antisocial device as an iron curtain will be a physical impossibility. All such unifying routine of daily life, if permitted, inevitably will add up psychologically to better chance for spiritual and intellectual unity. So even now we can assure the historian that the founders of the air age walked with open eyes toward his day, fully realizing the mission of the tools with which they wrought on the temples of time.

We approach with considerable reticence the task of reflecting something of the fateful era now in limbo. A mere chronology of events has no flavor. The tempo and timing of progress had no cadence. Development was fitful. All was gray with the half light that prevails when the new day is wrestling with the old night. Civil and military effort and effect were often inextricably intertwined. A private pilot frequently led the way to military achievement. Much must be omitted and more but lightly scanned. Moreover, we begrudge to spend time with the sere yesterdays when the tomorrows are so green. The old airman in a man cannot afford to fade away as the old soldier in him might be content to do. The great realizations of the air age are still ahead. We have thus far skirmished only on the near horizons.

Nevertheless, the fires and pressures of the introductory years have fused some nuggets of abiding value, so purpose may be served by setting them properly in the ring of circumstance.

But first let us connote airpower as we have conceived it over the years. No pat definition will suffice since definition implies restriction and airpower is embracive of all power. Its medium is the all prevailing firmament. Power in the firmament is not one of a trinity of powers—land, sea, air—but is comprehensive of all. It is the power. To retain any major degree of influence on the modern stage, sea forces must protect themselves aloft into the air ocean. To move or to hold, armies must secure permission from air superiority.

The transition from traditional military forces to those of airpower have taxed both the concepts and routines of military organization. Young men came sooner to the responsibility of command. The honored educational institutions of surface forces lost control of "the party line." Where the officer formerly prepared his men for battle, the men now prepared the officer for battle. The I. Q. of technical personnel demanded by airpower was unique in military requirements. Air forces based on a great network of airports broke down the old line of demarcation between the civilian and the military. Airpower procurement had a thousand lines in industry where the old establishment had one. And there have been a hundred additional sources of irritation as logic shifted the relative roles of the service branches.

The gage is not the airplane and the missile but the imagination to orient national security and foreign policy in terms of a new methodology. It also must be apparent that the various adaptations of aviation—defense, commerce, business, industry, pleasure—stem from common roots of research and development; and that in a democracy a tutored public and official mind is a vital component of airpower. One who sought to speak advisedly of it as an isolated military phenomenon would be grossly unfaithful to his subject.

In view of the violent nature of human history, it is not to be wondered that earliest evidence of the possibility of flight was given a warlike connotation. Benjamin Franklin, who has been called "The First Civilized American," watched Montgolfier balloons in France and immediately wrote home of their battle potential. Even before Franklin's day, a German scientist proposed bombing of enemy lines of communications, using gas bags as the vehicles. The

French did indeed use free balloons for reconnaissance in the Napoleonic wars and, in the American Civil War, the Union Army kept Confederate lines under frequent surveillance with a civil component of seven balloons. Army also used tethered observation balloons in Cuba during the Spanish-American conflict.

It was then inherent to the situation that no sooner had the Wright brothers put together the winning combination of propulsion, airfoil and control mechanism, than they approached the Government with the suggestion that their work involved a contribution to military science. Nor was it long until pioneers such as Glenn Martin and Larry Bell were tossing down flour sacks on ground targets and warning the Nation that the display was a portent of things to come. Congressman Parsons of New York sent President Theodore Roosevelt a magazine clipping recording the Wright brothers' flight. "T. R." forwarded it as a matter of course to William Howard Taft, Secretary of War. Glenn Curtiss built the original hydro-aircraft at San Diego and like a homing pigeon winged it out to the battleship, *Pennsylvania*. Even before the flying machine was out of science fiction, Phil Parmalee, a civilian showman, and Lt. Myron Crissy of Army, constructed a live bomb and dropped it on the Tanforan Racetrack at San Francisco. Didier Masson, a Martin pilot, went even further. He hired out to the Revolutionary Government of Mexico and bombed naval targets in Guaymas Bay. This was the first actual combat use of an aircraft in the Western World but already precedent had been set in the Old World. On November 4, 1911, during the Italo-Turkish War, Captains Moizo and Piazza of the I. R. A. F. had bombed an Arab column near Ain Zara, Africa. By then, also, bomb experiments were going on at College Park, Md.

I have no wish to infer that the Founding Fathers and earliest apostles of flight were a bloodthirsty lot or that they set out deliberately to create air weapons. This is far from the truth. The elements of historic fact to be brought out are that the airplane arrived on the world stage at a time of intense national rivalry. Military aviation thus has been in great degree the scientific and economic sponsor of happier phases of aviation, but before Kitty Hawk there had been such incredulity about the actual achievement of human flight, that neither the military nor civilian mind was in the least prepared for the fact of it. There was no capital eagerly poised to promote the advent of the flying machine as a commercial vehicle. There was no national or world expectancy hanging on its arrival. Under such conditions, its creative source logically was a handful of imaginative private citizens whose sole wealth was their ideas. And its first market was logically the Military Establishment.

The charge has been made that military leadership of aviation's introductory years was incredibly tradition-bound. Nor can this be denied—with some bright exceptions. But let us look at both sides of the coin. For decades Army and Navy had lived largely isolated from civilian life—unappreciated, underpaid, undermanned, lonesome on frontier posts and naval bases. "Soldiering on the job" was a civilian phrase descriptive of shiftlessness. "Drunk as a sailor" was a civilian phrase of opprobrium. Nonetheless, the services were sternly disciplined, inordinately proud and not a little hidebound. The United States, defeating Spain in the Pacific, was emerging as a world power. The British navy was no longer vital to the maintenance of the Monroe Doctrine. The devils of the Old World had been thrust behind the protecting Atlantic and Pacific. North America was a Western Gibraltar—from a military viewpoint. The immigrant who fled Old World conscription agreed. The War and Navy Departments were under-

standably well convinced that they had the world by the tail. It took much in addition to an "Academy" education to foresee the obsolescence of the fort and the dreadnaught.

Then suddenly on this scene was thrust the flying machine. If the military mind did not see it, neither did the political mind nor the press nor the public. Only three daily papers in the whole Nation carried the original Kitty Hawk dispatch. I do not excuse the Services for the cynicism which generally prevailed, but point out that they were merely products of their time with probably more excuse than press, education, and politics to be "fat and happy." Nor can it be contravened that even before Kitty Hawk there were individual islands of receptivity in the Military Establishment to applaud the imagination of Chanute, the Wrights, Grover Loening, Alexander Graham Bell, Glenn Curtiss, Martin, and a score of others who thrilled over the advent of flight. Thus, some 4 years later we find the historic order emanating from the Signal Corps. True, it was a gesture prompted by a few individuals rather than an inspiration of general foresight, and it came from far down the chain of command. But so have most great advances come. And now a mere Captain, Charles Chandler, was assigned to head the new Aviation Division—to explore and exploit the potential of the airship and the flying machine for military usage.

Chandler was a capable advocate. Shortly after his appointment, the Board of Ordnance and Fortifications was nudged into the aircraft procurement business with requests for bids on one airship and later, December 23, 1907, bids for one flying machine. Prophetically, the knowledgeable and the unknowledgeable rose like trout to the lure of Government contracts. There were 41 respondents. All but three retreated as hastily as they had come forward when the provisions were learned—10 percent of the suggested price to accompany the bid, and a 2-place machine to cruise at a minimum of 40 miles per hour for at least 1 hour duration. Eventually, even the two other knowledgeable bidders withdrew in favor of the Wrights and on February 8, 1908, Wilbur and Orville signed to deliver a "Flyer" within 200 days for a price of \$25,000. Incidentally, Tom Baldwin won the airship contract and delivered his nonrigid in August as did the Wrights their "Flyer." If truth be told, the airship was much more in vogue than the flying machine.

The Wright Flyer arrived at Fort Myer, Va., on August 20, 1908, and on September 9, Orville took Lieutenant Lahm for a ride, the first airplane flight by an Army officer. Shortly thereafter Orville took Lieutenant Selfridge aloft and crashed from a low altitude. Selfridge was killed and Wright severely injured. Acceptance trials were then postponed till the following year.

On July 30, 1909, an improved version of the Flyer remained aloft for 72 consecutive minutes and averaged 42-plus miles per hour speed. The performance was better than the official impact of the event. When the following year the Signal Corps requested funds to purchase 20 additional planes, a Congressman reportedly grumbled, "Why all this fuss about airplanes for the Army—I thought we already had one!" So not until March 3, 1911, did Congress make an appropriation for aeronautics—\$125,000. And here for the first time we find authentic industrial competition in aircraft procurement. Five planes were purchased—3 Wright B's and 2 Curtisses—all pusher types. As a matter of interest, the original Flyer remained in service for some years and was eventually converted to a tricycle gear.

Meanwhile Army's first flying school had been opened at College Park, Md., and supplemented in successive months by fields at Fort Sam Houston (the parade ground), Fort Leavenworth, Kans., North Island, San Diego, and Augusta, Ga. Even Hawaii and the

Philippines temporarily had schools. By late 1913, Army had 40 pilots and 28 aircraft. In March of that year, Congress authorized 35 percent additional base pay for "military" aviators.

The modern Air National Guard man may note that his service originated thus early when, in February 1911, an aeronautical detachment was formed in the 7th Company of the California Coast Artillery.

Another odd twist to the devious course of airpower in those days was that an enlisted man of this original detachment of weekend warriors was a civil barnstormer named Eugene Burton Ely. He never wore Navy blues, and even had a particular aversion to the sea, but Ely believed aircraft could operate from ocean vessels and foresaw the aircraft carrier. In 1910, he took off from a platform on the U. S. S. *Birmingham* in Chesapeake Bay, and on January 18, 1911, landed on a similar platform on the U. S. S. *Pennsylvania* in San Francisco Bay. Vision is where you find it.

Straws in the airpower wind of those few years prior to the 1914 outbreak of World War I in Europe were not lacking. A machine gun was fired from an airplane at College Park, Md.; a Marine Lieutenant, A. A. Cunningham, was ordered to duty "in connection with aviation"; the first Aero Medical officer, Lt. John P. Kelly, was assigned to the Signal Corps; the flying boat, a Curtiss "F," made its military debut, 15th Aircraft in the Signal Corps stable; Lt. Paul Beck from over Selfridge Field sent a radio-telegraphic message earthward; out in the Philippines, Corp. Vernon L. Burge became the first enlisted Army pilot; in the struggle between Huerta and Carranza in Mexico, Phil Rader and Dean Lamb took pistol shots at one another from aloft. A book of incident and accident could be written on such detail. It represented progress of a sort. If it had been the result of any vestige of understanding in high military and political circles, it could have meant much more. The efforts of the valiant handful on the flying fields were not matched by appropriations in Congress, by research in Government facilities or by tactical and strategic evaluation in the General Staff.

The most important factor of those times—one which scarcely has been brought into focus—was the quality of young officers volunteering for aviation duty. There was no incentive careerwise for such a step and there was definite hazard. The move had to spring from deep conviction about the role of aviation in the future of military science. It involved a constant battle against scepticism within the military family—never a pleasant prospect for a young officer. It took exceptional intellectual courage to step out of line and go over to an unproven and unpopular phase of service. The vehicle itself floundered within narrow limits—60 mph—6 or 7 thousand feet of ceiling—a couple of hours flight duration—90 hp or less to pull or push the contraption—and structural problems of every conceivable nature. Never can too much credit be given the earliest military airmen—not credit alone for airmanship, but for qualities of exceptional courage and vision.

And now, another neglected page of the record—the best ally of the young military airmen was his civil confrade. The importance of this could hardly be appreciated today, but in those days when the military and civil were widely separated, it was a significant contribution to Army airpower. The civil performance of aviation kept the pressure on Congress and the Service leadership. Civil air progress was never out of the public spotlight. Galbraith Rogers made it coast-to-coast in 49 days via a devious route of 3,390 miles—but it was a "first" and rated news coverage. Glenn Curtiss salvaged American prestige by winning the Gordon Bennett trophy at Rheims, France. Earle Ovington flew the first airmail intra-

Long Island. Tom Baldwin, the old airship pioneer, denied the military oldster an "out" on the excuse of age when he learned to fly an airplane at 60. Lincoln Beachey, J. A. D. McCurdy, Charley Willard, Cliff Harmon, Hugh Robinson, Walter Brookins, Ralph Johnstone, Charlie Hamilton, Arch Hoxey, Frank Coffin, Harry Atwood, Eddie Stinson, Becky Havens, Roderick Wright, and a hundred more—each was a magnetic name in evolving acrobatics, in pushing up performance records, in extending cross-country, in learning better flight techniques, and in developing scores of ingenuities. Even the ladies got into the act—Harriet Quimby, Blanche Scott, Ruth Law, Katherine Stinson, and others. Newspapers and corporations put up rich prizes for milestone performances. The Aero Club of America shed its gas bag enthusiasm and joined the airplane apostles. All of this was grist in the mill of the pilot in uniform. On one hand it gave him added confidence in the future of the airplane and on the other it persuaded the reluctant Military Establishment into a greater tolerance of its young aviators. Of course, it did not prompt budget action—that would have been asking too much—but it made life a little less frustrating for the soldiers with wings.

An added arrow to the quiver of the little group of stalwarts—and it should have been the sharpest of all to further their cause with higher authority—was the burgeoning aviation activity of the restless governments in Europe. The Balkan wars of 1912-13 had produced considerable combat air activity. Germany, France, Great Britain, Russia, were now spending dollars where the United States was spending nickels. By 1914, when war broke out, the Kaiser had a fleet of 500 military planes; France had twice that number; Great Britain half as many; and the designers of Russia were already flying multi-engined aircraft. Furthermore, the technicians of the Old World had pushed engine output above 200 horsepower, and the aerodynamically improved planes were cruising easily above 10,000 feet with a duration of 3 to 4 hours. This bespoke a background of extensive research and development and testified that the aviation industry of the European powers was something more than a bit of technical adventure. Names which have been conjured with in world balance of power ever since were even then well in evidence—Heinkel, Fokker, Junkers, de Havilland, Sopwith, Breguet, Bleriot, Sikorsky, Caproni, Zhukovsky, Lebedoff—to list just a few. It was symptomatic of the stature of military aviation in Europe that the German mobilization order was based on the claim that France had bombed the borders of Germany via Belgium.

One might presume that this state of affairs, which was of such vast concern to the American lieutenants in the cockpits, would also have had some effect on the higher officials. But not so. Political orators spouted about a million men springing to arms if America were threatened and the Defense Establishment clenched its horny hands—ready with rifle, bayonet, and armor-piercing shells to repel all boarders. But again, we must remember that the Atlantic seemed a mighty barrier. It was perhaps too much to expect that a government and a people so isolated from the Old World should be deeply concerned. And if the few Americans flying with the French and British wrote home that modern Lafayettes needed wings—well, young soldiers of fortune weren't military experts.

At this time the American scene had about a dozen units of aviation industry turning out some three dozen plane models, not one of which had any combat potential. Among the companies were Aeromarine, Benoist, Burgess, Cooke, Curtiss, L-W-F Engineering Co., Glenn L. Martin, Sloane, Sturtevant, Thomas Bros., and, of course, Wright. Some of these companies had vision and skill but

they had an extremely thin market and scant capital. America was anything but a leading airpower and a rude awakening was at hand.

It came in 1916—the American punitive expedition into Mexico. Captain Foulois took an eight plane detachment of the 1st Aero Squadron to the border. A month of scanty field service finished the planes. Public spotlight blazed on the pitiful equipment. The lack of foundation research and development stood exposed. Congress responded with an appropriation of \$600,000—a vacuous gesture—and the Signal Corps, with nothing better to buy, purchased a dozen more Curtiss R-2's. So fateful 1917 rolled around and the United States stood 14th in air strength among the nations. This strength was composed of 142 assorted aircraft, 131 officers and 1,000 enlisted men divided among 7 squadrons. Seventy-eight of the officers were pilots. And now the years of lost research would foreclose their mortgage. The waste of haste would set its stamp on American airpower from then till now.

The story of United States airpower in World War I is not complex. Ninety percent of the fighting was done by shavetails from college campuses whose 25 percent flying pay of a lieutenant's base pay made it a cheap deal. Reserve military aviators they were called. And no promotions overseas, with rare exception. Moreover even as late as Armistice Day, the AEF mustered only 744 pilots and some 450 observer-bombardier-gunned, manning a stable of 740 assorted planes—all foreign except 198 American-made Flaming Coffins—DH-4's with Liberty engines. Not a single pilot had a parachute. A handful became aces in plane-to-plane combat, but most just slugged it out in low altitude bombing, artillery regulation, aerial photography and kindred chores. There weren't enough regulars to staff the headquarters and direct the training let alone lead the squadrons, of which there were some 46, with a few score Americans scattered among French and British outfits. Not a dozen of the Signal Corps originals so much as got a flight over enemy lines. They had their hands full just keeping the show on the road. It was "a hell of a war" as far as being a studied military achievement was concerned. It got by without exposing the waste of haste too flagrantly simply because nobody notices your missing teeth when you knock the other fellow out. The postwar investigations were strictly high colonial whitewash, with a generous purgative of romancing.

It must be noted, however, that the effect of the American airmen was all out of proportion to their numbers. When the United States entered the war the struggle had degenerated into a series of muddy, bloody, trenchbound convulsions. All combatants were desperately exhausted—the Allies more so than the Central Powers. Strategic consideration was negligible. Weight was all that counted. The original flower of all European forces was dead or hors de combat. The poilu jibed, "The last man standing with a rock in his hand will win the war."

America brought critical weight to the side of the Allies and had a salutary effect in accomplishing an Allied Central Command. As soon as it was demonstrated that the American soldier or sailor was a willing and able fighter, the end of the war was in sight. Several fierce German thrusts were thrown back. Our armies and naval units were brilliantly led. Being fresh, they were relentlessly aggressive, as war-weary troops cannot be.

This pattern was duplicated in the air. The United States squadrons tore after the Fokkers and Pfalzes as though the supply was liable to run out before everybody had a souvenir. The enemy was outmanned and outshot by the kids from the campuses who didn't know one military regulation from another but who had been reared in com-

petitive courage after the American tradition.

Finally the German armies marched home with flowers in their guns and the German Navy revolted at Kiel. The "homefires" went dead under the Kaiser and, for the first time in 4 years, dispatches told the truth when they said, "all quiet on the western front." Europe was bled white and has never had much character since. Russia was prepared for her slavery.

Despite everything that was expressed about "the raggedy-assed cadets" and the air war fought at the Crillon Bar, World War I marked some monumental values in the history of United States airpower. The American airman won the respect of both his allied confreres and his enemy. The thoroughness of his training stood out like a lighthouse. Although a comparative few got overseas, some 15,000 were trained—and well trained—in the States. It was established that the Americans took to flying with great readiness; and the mechanics were revealed to have a fantastic ingenuity. The rudiments of sound tactics were cemented into the combat airman's mind and the imaginations of many were stirred as to the limitless potential of aviation. Eyes were opened to the possibilities of the airplane—but further than that, to the possibilities of the air ocean. Losses had been comparatively heavy among airmen and a certain sense of dedication to aviation as a memorial to lost comrades pervaded many minds.

So it transpired that the most important of all the war's constructive effects on American airpower was to recruit to the post-war forces a body of enthusiastic pilots and mechanics with aviation career ambitions. Most of these were unimpressed by rank and didn't distinguish between an outmoded military concept and any other kind of a ghost. They were out to make their own concepts and when, after the war, their numbers were added to the handful of "regulars," the combination was potent.

It would be a contradiction of fact to claim that any Allied government emerged from the war with the faintest idea of the ultimate significance of airpower. The treaty-makers of Versailles restored Germany's sovereignty aloft and approved restoration of her peaceful aviation enterprise. Allied airmen insisted in vain that scientific and industrial roots of airpower were indivisible into civil and military categories; and that their most vital concern was not with the vehicles of aviation but with the nature of the medium in which they operated, the sky itself, the air ocean. They said bluntly that restoration of German air industry was open sesame to another world war. But there was no ear to listen to the rankless airmen. In 1925, the Paris Accord helped to hasten the day of reckoning. So a mere two decades later the authors of "Blitzkrieg" were in the saddle of international affairs. Germany had captured the imagination of dictator governments to form the axis; had inaugurated far-flung networks of air commerce; had, in rapprochement with Russia and in sub rosa deals elsewhere, developed the foundations of her own and Soviet airpower; had awed the constitutional governments of Europe with propaganda about her qualitative and quantitative air superiority and was ready to nail down world conquest. The benevolent Allied statesmen who had dreamed of a new social order through the League of Nations, along with the military figures who had led a war to make the world safe for democracy, had rejected the one yardstick of consideration which would have realized their objectives—an understanding of airpower.

In the United States, the postwar result of this dim view of air potential was apathy everywhere except in the mind of the airman. The momentum of the budding aircraft industry ground to a halt. The civil

market, and the Military Establishment itself, were saturated with obsolete surplus, 2 items alone, 5,000 DH-4's and 5,000 JN-4's. In June 1920, Congress passed the Army Reorganization Act, under which the Aviation Service became the Air Corps, "a separate and coordinate branch of the line of the Army." It then mustered 1,516 officers and 16,000 enlisted men but its equipment was a millstone around its neck.

One would be hard put to make out a case for progress in evidenced airpower during the immediate postwar years. There was a reshuffling of the wartime aviation industry, and the international counter was full of spare parts bargains. Atlantic City, N. J., built the first municipal airport in the United States—a portent of the eventual self-interest of many communities. The mail routes were extended. Navy got an NC flying boat across the North Atlantic via Newfoundland and the Azores. Dr. Sanford Moss came up with a solid contribution by invention of the supercharger. The engineers at McCook Field wrestled with the idea of variable and reverse pitch props. Down at Maxwell, tactical problems engrossed the young officers. Charley Lawrence made some progress on radial air-cooled engines. The use of liquid oxygen and supercharging began to shove up the altitude record from approximately 18,000 to 30,000 feet.

In 1921, Brig. Gen. "Billy" Mitchell put some life into the anemic military concept in his congressional testimony concerning need for budget. Mitchell said aerial bombs could sink battleships and he would prove it if they would give him the chance. Partly because they didn't believe Mitchell's claim and partly because public opinion was grinning at their discomfiture, the Services had to agree. Mitchell put the monkey on their backs by rolling under the old German battlewagon, Ostfriesland, in Chesapeake Bay, July 1921. One immediate result was that the White House authorized formation of a Naval Bureau of Aeronautics; and the following year the U. S. S. *Langley* was commissioned as an aircraft carrier. Also as a result of the drama on Chesapeake Bay a joint Army-Navy Board made a declaration: "It has become imperative as a matter of national defense to provide for the maximum possible development of aviation in both the Army and Navy." Such a conclusion seemed ridiculously tardy but everyone out of short pants knew it for another facelifting job and it marked no change of character in the Military Establishment. However, the bomb evaluation tests were continued and in September 1923, Mitchell's lumbering machines sank two battleships, condemned by arms limitation agreement, the *New Jersey* and the *Virginia*, off Cape Hatteras.

In 1924, Army airmen struggled around the world in stages, flying Douglas "World Cruisers." Douglas had organized in Los Angeles in 1921.

The year 1925 was exciting. The Curry bill, proposing a unified air service, was defeated in Congress—courtesy of Navy. President Coolidge signed the Kelly Act, a law which authorized the Postmaster General to contract airmail with operators. This was of vast import—a foundation for air commerce and a wedge into military air logistics alike. Beacons were installed on the air route between the east coast and Chicago. The first Wright Cyclone was tested—450 horsepower. The Navy dirigible *Shenandoah* cracked up. This and the lame duck equipment Army was still flying brought an ear-splitting blast from Mitchell. He was court-martialed.

Mitchell's trial was international news and the fires of controversy blazed fiercely. Bill, son of a United States Senator from Wisconsin, on outbreak of the Spanish-American War, had enlisted in a Wisconsin regiment, been promoted to a second lieutenant, Signal Corps, fought in Cuba and later in the Philippines. Thereafter, he re-

ceived a regular commission in the Army. Gradually, he had become a stormy petrel and, coming from the background that was his, was not in the least awed by rank. Moreover, he had traveled worldwide, was multilingual, an avid student of history, had a flair for the dramatic and withal was one of the most penetrating minds I ever knew.

In the middle of World War I, 1916, he was serving in the war room at the White House and on weekends slipped down to Newport News and got preliminary pilot training. He had seen from war dispatches that aviation was playing an increasing part in the conflict. Maybe too, the idea of combat such as Fonck, Von Richthofen, Guynemer, Nungesser, Immelman, Ball, Bishop, and others were engaged in, whetted his dramatic appetite. In any case, he wangled an assignment to Europe, managed a little more flight training and, although he had backed into aviation even this late, was soon a central figure. Wartime aviation was a big enough field, even for his imagination, and ideas started to fly off his mind like sparks from an emery wheel. The more broke the Regular Establishment applied to him, the thicker came the sparks. We youngsters egged him on since he was about the only "brass" we ever dared address. And he stretched our imaginations to the breaking point.

But we must not misplace Mitchell, if we are to understand the history of American airpower. Bill's proper place is not that of a great airman or a war hero, although he was a passable pilot and had guts for 10 men. He was "John the Baptist" of military modernization. Offensive airpower was the "locusts and wild honey" upon which he thrived. He had other dishes, too, but they had not the flavor of such urgency—radio, modern vehicles, the submarine, the aircraft carrier supplanting the battleship, the paratroop infantry—anything which would shake up complacency. All these things rather than aviation alone combined to disturb the existing order of military affairs. Bill was impartial—he tramped on all obsolescence with equal scorn. Moreover, he had distinguished company, fellow spirits with plenty of gold braid, especially in the Navy—Simms who taught the Navy how to shoot, and Admirals Fiske and Fullam, and Senator Wadsworth and General Patrick of the Army. These, added to everyone who ever flew an airplane bolstered him mightily. Farsighted leaders such as Air Marshal Trenchard, of the Royal Flying Corps, the father of airpower, if any one man can be so designated, and famous Royal Navy admirals such as Scott and Hall lent him power.

Some have said that the court-martial broke Mitchell's heart and others that he sought it. Neither is accurate. Bill got nowhere, or at least not far, with his modernization ideas in the Regular Establishment or with the politicians. He simply thought the matter was vital to the country and took the issue over the heads of defense and politics to the people. If that involved court-martial—well, so be it. His appeal to history would be the more vivid, and he understood history. Of course it hurt him, and he was needed into some pretty tall talk. But things were never simple black and white for him any more than they are for anyone who struggles in the area of progress. There were plenty of high military rankers who loved the young disrupter despite thinking him guilty of insubordination. In fact, I can think of worse offenses myself—one being willful refusal to explore a possibly decisive force upon which the life of your country may depend. There is a time when insubordination may be essential to patriotism. The timing is the key to the intent. History is the judge.

The actual result of the court-martial was not that it censured Mitchell. The actual result was that it focused attention on the

necessity of military modernization. The impact was not only servicewide in the United States but among other governments as well. And of course, the Mitchell stand fortified the determination of the United States airmen who now went about hacking out the intellectual framework of future airpower. So profoundly were the young men impressed by what resulted from these studies that they began to see that airpower could result only from a continual educational progression. When following World War II, the United States Air Force was created, the first major move was to establish an air university dedicated to intellectual freedom as the living heart of American airpower. To this process, the career officer is continuously exposed. The air university is the greatest single sentry in America today against military obsolescence.

There were many conditions about which the military airman could do nothing—budget, organization, pure research, personnel assignments, etc. But at that particular time, there was a requirement more important than all of these things together—a fool-proof concept of airpower. Undramatically, but with their backs bowed to the job, the airmen in uniform dug into it. I wish I could tax reader patience to muster all the names, but a few will suffice to illustrate their quality: Foulois, Lahm, Arnold, Spaatz, Brereton, Milling, Eaker, Andrews, the Harmon brothers, the Giles twins, Kenny, George, Streit, Fairchild, Harper, Twining, Doolittle, Hale, Yount, Ent, Bill Ocker, Pop Haines, Dargue, Brett, Curry, Gilmore, Pratt, Eu-bank, Cousins, Westover, Brandt, Tinker, Turner, Power, Chennault, Echols, McNarney, McMullin, authors of airpower. Their area of study was so unregarded in those days that historians will never even note it. Yet it was the very essence of history and I want to record the fact for once at least.

The character and doctrine of United States airpower did not "just happen." These men, thus, soon after World War I, began to blueprint its foundations to global scale; projected its technical progress to foreseeable limits; contrived its doctrine in relation to future United States requirements; and estimated priority of efforts to be progressively tackled. As an example of creative thinking, the putting together and timing of the nature of American airpower must stand as one of the most brilliant intellectual achievements in military annals. Mitchell had been the imagination stretcher, but he was far from alone.

Here is the tenor of how the "hangar flying" might go at Maxwell, Dayton, March, Kelly, Langley, or a dozen other old military fields.

"The Treaty of Versailles was unrealistic. Germany was not devastated by the war and her intact industries have high skill in armament—especially air armament. Her scientists can set up shop in Scandinavia, Switzerland, Russia, and where not, to keep research going, even though German industry is presently restricted in arms. We can't count on Germany's growing technically behind the times. Germany is made up of three essential elements—the Junkers, the Industrial Barons and the Volk. The Volk pulled out from under the Kaiser; Hindenberg still not able to hold them permanently. Some 'Deutschland über alles' politician will come along to catch their imagination. The Junkers and the Industrialists will have to go along. Germany will resurge and disclaim the Versailles Treaty. Then watch out.

"International conflict may go either of two ways. Germany may go east—Poland, the Balkans, Russia, the Mediterranean—oil, minerals, timber and the theory of a great land mass—Europe plus Asia, with Africa falling into the basket as a bonus. Or Germany may move west initially and, if victorious, the east will come easy later. In either case, a German victory would leave the United States isolated, geographically

and politically. It seems inevitable that the United States will be involved in conflict again when Germany once more threatens Europe.

"By the time this situation matures the decisive nature of surface power—sea and land—will have retrograded. The bulk of firepower will be in the hands of the airplane. The Mercator maps will be obsolete for airmen who must reach over battlelines and destroy military industry across oceans or deep in hinterlands. Surface forces increasingly will spend a big share of their budgets merely in trying to survive against airpower. This will absorb much of their offensive capability. We must have not only long-legged planes, but ones which can get far upstairs without sacrifice of striking accuracy. Only airpower can defeat airpower, and surface forces can move only where there is air superiority. Airpower alone has the potential to keep war from coming to the home countryside.

"And don't leave Russia out of consideration. As either an ally of Germany or as a victor over Germany, the Bolsheviks have the greatest incentive to develop airpower—long distances, poor surface transportation, a vast variety of people to hold together.

"And," somebody was likely to interject, "I don't feel comfortable about the Alaskan situation. Too many people across the line up there still call Alaska Russian America. When the air trade routes reach over the world instead of around it, the Bolsheviks might move in to reclaim Alaska."

And so it went, on and on—this debating in the eagle nests—and there was little in the foreseeable future that it didn't explore—the possibility of having to defeat the German Navy at sea with airpower—the vulnerability of Panama—the possibility of having to contain invading forces on the Florida and Carolina shores—the possibility of the Philippines becoming the base of vast airpower to stabilize the empire—crazy Japanese—the possibility of bomb screening moving ahead of advancing infantry; the possibility of transporting striking air forces under ice into the Arctic on submarines. The air history of World War I was perused avidly for tidbits of operational ingenuity which might apply to the future, but inevitably would come the warning not to be trapped in that kind of thinking. Never did a handful of veterans more relentlessly put the past behind them than did the postwar airmen in the United States. Never were so few experience books written on a serious subject. The answers all lay ahead. That was the philosophy.

The connotation of such ideas was staggering. It implied the creation of new sciences, the reorganization of military forces. It suggested that the statesman must rework his values; that the Nation must spend unparalleled sums for research; that the oceans had lost their protective value; that the airmen must have intellectual freedom within the defense area. Scant wonder that the established order of military affairs backed off from such suggestion—that further war would inevitably be global war; and no warning declarations and mobilizations.

The situation was further made difficult by the fact that the whole Military Establishment was considered rather an anachronism. The world was now safe for democracy—wasn't it? So, who were these aviators who were talking not only about further wars, but wars of such scope and suddenness that even peaceful civilians far from battlefields would be involved? Of course, this rhetoric was fanned by the usual fringe whose "peace at any price" would leave the world in the hands of the devil. All in all, airmen who were dealing with the concept of future national security and preservation of world peace found no ready ear for their thesis. It requires mental fortitude to walk

the path of conviction when you are young and uncertified to deal with problems which have no precedent. This breed had that mentality. The evidence is not to be found in military statistics but in the tall stature of the United States through the continuing years. However, if anyone wonders why some young officer was always trying to climb 1,000 feet higher or go a few miles faster, or deliberately fly in thunderstorms, or navigate solely on instruments, or test a new bomb for its shrapnel pattern, or bail out with some newfangled parachute, or fly to sea to intercept some ocean liner—the reason must be clear. It was a reaching out and up to put the tools of a concept together against the day when the chips would be down. And the vast bulk of it was done on junior officer's pay and without acclaim—the Nation's biggest bargain.

In 1927, Charles Lindbergh, a product of Army Air Corps training, and a reservist with probably more air mail time "on the gauges" than any pilot then alive, hopped nonstop from New York to Paris. With that event the insulating North Atlantic started to become just another point of reference. The radial aircooled engine proved itself. So did Lindbergh's navigational techniques and flight instruments. The flight was a "concept" triumph. This one event set the country by the ears. Following Lindbergh came "the era of the explorers"—Dick Byrd, Lester Maitland, and Albert Hegenberger, Clarence Chamberlain, Bernt Balchen, Ernie Smith, and Emory Bronte, Noville, Ben Eielson, Bert Acosta, Art Goebel, Roger Williams, and Lon Yancey, and a score more—they went everywhere and saw everything.

By this time, too, the surplus equipment of World War I was disappearing and the industry had a growing market. The Post Office Department relinquished the last of its mail routes to private enterprise. Cabin planes began to dominate open cockpits—Bellanca, Travel Air, Waco, Lockheed, Stinson, Curtiss, Boeing, Douglas, Rearwin, Fairchild, Cessna, and other long-familiar names. Communities began to scramble for a place in the developing airline network. Federal regulation had come into the picture, as had Assistant Secretaries of Air for War and Navy. The National Air Races became a showcase for engine durability and aerodynamically clean aircraft. Roscoe Turner, Jimmie Wedell, Freddie Lund, Amelia Earhart, Bennie Howard, Frank Hawks, Speed Holman, Jim Wray, and scores of names became household familiar, even as the barnstormers of earlier days had been. Army and Navy demonstrated at the races, but never raced. They were outspeeded in any case by the homebuilders.

In 1929, the depression iced up all aviation activity. Civil airlines remained aloft largely by virtue of mail subsidy. General aviation bailed out into the light plane—the very light plane. Military budgets were channeled to housekeeping. Research in military aviation suffered accordingly. Pilot recruitment had more applicants than could possibly be handled.

In 1934, came the airmail cancellations—a piece of political folly that backfired. Army was put to flying the mail and found the clouds full of rocks. The political and military parsimony that had not made adequate instrument training available to Regulars and Reserves was exposed to public knowledge. The unabashed administration restored the airmail routes to the only people who could fly them—the airlines; and the embarrassed Army "passed the buck" back to the Air Corps, which plunged into a frenzy of all-weather flying with whatever funds it could scrounge from any source. One by-product of the depression was a make-work program of airport construction. The shovel-leapers on civil airports were thicker than seagulls at a clambake, but the military projects with better supervision realized a

solid investment. Many new fields were developed and old ones expanded.

The Air Corps already had a weather eye on Europe. Hitler had been the man to catch the imagination of the Volk and the National Socialist Party had brought the swastika to the flagpole. As expected, too, airpower was the keynote of Germany resurgent. It was evident that a great storm was in the making. Overcrowded Italy sought to prepare a cradle for her pregnancy in the colonization of Ethiopia. Japan jumped Manchukuo in another move toward her conquest of the Far East. Hitler and Stalin tried to outflank each other, and incidentally Europe, via the Iberian Peninsula in what the Western World naively called the Spanish Civil War. In all of these preliminary buildups to the hurricane which was developing into global proportions, the airplane played an increasing part. Blitzkrieg became a familiar word. France, with her Maginot Line, and Britain, whose administration carried an umbrella but ironically didn't know how to use one in world affairs, at last saw they were late with little. They began to order aircraft from the American aviation industry. This circumstance may or may not have helped them immediately, but it had an ultimately great influence on the outcome of World War II. It got the United States off to a flying start in the mass production of aircraft—and it was mass operation of comparatively obsolescent equipment that finally decided the issue.

On September 1, 1939, German troops crossed the frontier into Poland. "Hap" Arnold, who had previously been made Chief of Army Air Forces, heard the news and sighed, "During all the years since World War I, we have had time and no money. Now we will have money and no time."

It was a rough ordeal to have spent your life attempting to keep the country from war in the one way that the objective could have been accomplished—Western air supremacy—and then come to a moment when willful ignorance not only brought war to the world, but brought your country to the brink of disaster. And you couldn't even talk to the administration of your own country about it. The price in your own service would be 23,000 planes lost in action and 120,000 casualties. You didn't know what such figures would be, but you knew the penalty of visionless leadership in a global dimension war would set a new record for human tragedy.

In this moment you had one rock to lean on, one cornerstone to build on. You and your confreres understood the character of airpower. You had a thorough concept of its employment if you could get the tools and the manpower to operate the mass of it that must now serve against the technical superiority of the enemy.

To all who believe that "There's a divinity that shapes our ends, rough-hew them how we will," the victory of the free nations in World War II lends vivid support. Never in the annals of time did any man have the world so firmly in his grasp, and grow palsied, as did Hitler. He in turn, like the treaty-makers at Versailles, did not understand airpower nor did the key people around him.

On June 30, 1939, Germany flew a rocket plane—the Heinkel 176. On August 27, 1939, she also flew the world's first jet-engined aircraft, the He-178. And on April 5, 1941, her twin-engined jet fighter, the He-280, with 1,200 pounds thrust per engine, was flying rings around the Luftwaffe's best standard fighter of the time, the Focke Wulf 190. Even this latter date was some weeks before the first flight of Frank Whittle's prototype jet engine in Britain, and 18 months prior to October 1, 1942, when the United States Bell XP-59A, powered by an adaptation of Whittle's engine, experimentally took the air.

This one brief set of statistics would normally have been the key to decision in the war. Had the United States or British airmen possessed such technical advantage, there would have been no war. We would have used it to prevent the momentum of conquest just as currently we have used strategic air supremacy for a decade to keep the Communist Soviet in check.

It was a strange twist of fate that German air leaders did not know how to employ airpower. In the mid-thirties, well after the Luftwaffe was on the high road, Goering once told me how Ju-52 transports could be convoyed by fighters, and that there was no sense in building great bombers. I suspect German airmen had to tailor airpower to relative army and navy budget and so never got into the very costly heavy bomber business. Certainly such designers as Dornier, Junkers, Heinkel, and Messerschmitt were not strangers to big ship design, and Milch had been a Lufthansa executive before he transferred to the military side. He knew the potential of long range, or he should have at any rate. Udet, whom many of us knew well, should have understood airpower. Some student officer at the Air War College might dig into the history of compromised military funds in Germany, as they affected her defeat. There should be plenty of testimony. And certainly if a nation was defeated because it tried to keep peace in its military family, we could profit by a study of the subject.

Of course, the Stuka blitzkrieg looked good initially as the mechanized German columns plowed around Europe, but the surface-bound airpower came a cropper at so narrow a roadblock as the English Channel. If the aircraft which eventually came over Britain in segments had been four-engined bombers en masse and accompanied by jet fighters, the war would have been over almost immediately. Hitler could have taken Russia later in stride, climate and all.

What clipped the immediate and decisive development of the jets in Germany, poses a vast complex of industrial jealousy, staff failure, political favoritism, and probably on the technical side lack of any great appreciation between the scientist and the politician. One thing seems sure—airwise, Hitler depended on Goering and Goering degenerated from an airmen into a political figurehead. The mighty Luftwaffe was caught in the middle. And that fact in major degree bailed out the lost years of research and development in American aviation. Prewar German jet power never got a decisive crack at the volume of relatively obsolescent aircraft with which Anglo-American airpower leveled Festung Europa. The imaginations which Mitchell had stretched to regard airpower as a decisive force of global magnitude, could use even a dull tool for victory.

Following the Battle of Britain where the offensive strength of the jetless Luftwaffe was met and destroyed piecemeal by the brilliantly directed RAF, Mr. Churchill declared, "Never did so many owe so much to so few." Gallant words and well put by a statesman with few equals in all time. And maybe that is the way history should be permitted to stand. But I think we cannot let it go at that in the case of anything so dynamic as airpower, where the subject is yet to be grasped. So again let us read the other side of the coin. It says, "A handful of British airmen, neglected for two decades by military and political leaders entrenched in outmoded tradition and by a public sterile of vision, rose in the hour of crisis and gave their lives to redeem from folly those who made the sacrifice necessary."

Now could the worn side of the coin better fit the American airpower scene. As World War II approached in Europe, the United States stood sixth among the nations in air strength. Even as late as Pearl Harbor, the

Air Force mustered only 200 bombers of the B-17 type; 750 mediums of the A-20, B-25, and B-26 types; and some 2,000 fighters of the P-40 and P-39 type. Scarcely any type was adequate by prevailing combat standards. Happily the Japanese backed away from initial victory in the Pacific as had the Germans in Europe.

In January 1939, Franklin Roosevelt had asked Congress to build an Air Corps strength of 5,500 planes; to train 2,000 crewmen and to construct or extend military airbases. A single year later he was calling for 50,000 airplanes immediately and an annual production rate of 50,000. This meant 100,000 pilots and 2 million airmen. The disparity between those 2 sets of figures enunciated within a single year, was more eloquent of the aviation astigmatism around the American high command than anything which can be said. Furthermore, nowhere on earth but in the United States could such a schedule have been greeted by other than ridicule. Here the aviation industry was accustomed to bizarre consideration and happily the young lieutenants, now matured in years, had prepared themselves, despite neglect and opposition, to operate such a force. The result has been called a miracle. That's one side of the coin. The other side says it was Golgotha—a place where the dedicated went up to redeem the willful blind and the contented ignorant.

Does this belabor needlessly a day that is past? Not at all. This is the record and the day is not past. The issue of whether we grasp the air age in America is as pertinent today as it was then. The fine phrases become epitaphs when they divert attention from the ugly facts. It is the history of civilization that each great nation has had within itself the seeds of its own destruction. Nor is there any mystery about the nature of those seeds. They are attitudes of mental and emotional withdrawal from that which requires change. Preoccupation with the established order blinds men to creeping decadence. So the world in motion spins off the rusty and the crusty. Foreign conquest is only the final exposal of intellectual stagnation.

The advent of the air age would have spun off the sovereignty of the United States, but for the fact that within the Nation was a cadre which fought against the entrenched order and prepared themselves to deal with the challenge of new things. It was a measure of the mental rust of their times that they were referred to as aviation enthusiasts. Aviation was merely the tool they used. Their basic concern was with national destiny in view of the new mobility of military forces and the physical propinquity which had come to governments and peoples. What would the future hold for the American people when all humanity rubbed shoulders rather than posing at arm's length? Who would reach for the throat of whom? What convulsions of society would remake the political and economic map of the globe? How would the rich wine of the old verities survive without new wineskins? These were equations to be wrought in terms of aircraft performance, sound doctrine, and enough military reorganization to give elbowroom for a man with wings.

The testimony of the efficacy of airpower was written large during World War II. One would suppose that the leaders of the free nations could at least believe their own eyes. But not so. With the absolute power to establish free government throughout the world by virtue of having overwhelming air supremacy, the responsible leaders of the United States and Britain turned over the Balkans to Stalin. The satellite slave pattern of communism resulted. This was easily foreseen. All airmen saw it. One day during the latter stages of the war in Europe, Maj. Gen. John Curry, United States representative on the Allied Commission to

Rumania, said to me, "I do not know whether the Anglo-American agreement with Stalin on the Balkans will or will not help to win this war; but I know that it will make world war III inevitable." Only a brace of years later, I watched the first tragic evidence of that forecast unfolding in Greece.

When the proposed draft of the division of Germany among occupation forces, and the segmenting of Berlin, street by street, reached "Toey" Spaatz, he almost had apoplexy. With the power to abolish all dictators, the free nations were now ordered to bed with the worst of them. The Berlin blockade was the almost immediate result.

Now did the pattern differ around the globe. With Kenny's air forces and naval aircraft carriers, the Pacific was cleared for MacArthur's return to the Philippines. LeMay's strategic airpower already had isolated and saturated Japan. The atom bomb was poised for use. Then the Soviet was invited to share the Pacific. Subsequent division of Korea a la European pattern, and the gift to Stalin of islands abutting Japan were foreshadows of the abandonment of Chiang in China. Thus China's Red armies were made available for Korea. The stage was set for the Korean war. It was fought with airpower tethered to a tent peg.

So, another occasion to secure world peace and human freedom by the one agency which had decisive power to assure the result—airpower—was passed up. Indochina followed Korea—and now Hungary and Suez. And so on and on the futility goes—the stench of a dead peace marking the insane wanderings of dictators with the body of ravaged humanity in their arms.

The question is not one of peace. Peace has been murdered. The question is, When will free men realize that civilization in the air age cannot afford tyrants? With a hydrogen bomb in his hand, a dictator is no longer a local bully. It is not alone the Soviet citizen or the satellite slave who must quail when the Kremlin roars. It is the world. Can there be a civilized future under such a condition?

World War I was fought at incalculable sacrifice and the peace was lost by failure to evaluate the progressing character of a new decisive force in human affairs—airpower. World War II was fought and again the peace was lost by an even more tragic failure of kindred nature. The wind has been sown and now we reap the whirlwind and toss in history's weary pattern of self-destruction.

The one hope to escape the inevitable is the seemingly inexhaustible determination of the airmen to reach out and up in demonstrable capability of his power to stay the hand of the dictator. His hazard in this enterprise is equal to the combat of any war ever fought. His greatest handicap, however, remains the same as in the days of yore—the struggle to secure the sinews of his power in the light of eternal compromises with the fond traditions.

Meanwhile the ability of the citizen to purchase his continued freedom must reach a foreseeable climax. The availability of skilled manpower is even now critical. With some knowledge of the relative developments of airpower in the United States and in the slave state, I estimate that the annual American airpower budget necessary to remain ahead in the struggle for survival must reach \$100 billion within the decade. Dictators are expensive pets.

Today we are in a new phase of air-age development—the intercontinental missile. We passed up the opportunity of air supremacy over the years to decree and enforce freedom for all men. This new phase may possibly restore that opportunity briefly.

If the free world loses the race to achieve the intercontinental missile and the practical establishment of satellite surveillance, the die already has been cast. The blind

will have led the blind into the ditch of oblivion.

If the free world first gains the intercontinental missile and the satellite surveillance to use it effectively—what then? Will there be another dalliance with disaster and a prolongation of the mockery which cries peace, peace, to the authors of war on one hand, and on the other turns over to them the fate of humanity?

If so, we already are intellectual slaves to the forces of a dead past and the physical chains will not be historically important.

Or will there be a national understanding of the fatefulness that is approaching so that, with the backing of the free American people, our spokesman—speaking from a position of strength once more—may stand forth and invite humanity under the United Nations to proclaim a Declaration of Independence for all people everywhere—without veto?

Nor is this a rhetorical question. The day is inevitable. The time is not far distant. This will be the last chance to survive as a free world. Fifty years of airpower have led to this valley of decision.

#### LEGISLATIVE PROGRAM—RECESS

Mr. JOHNSON of Texas. Mr. President, if there is no further business to come before the Senate at this time, I should like to announce, before I move that the Senate take a recess until tomorrow, that on tomorrow we shall take up the resolutions which provide for the printing of additional copies of hearings. I think they are Calendar No. 66, Senate Resolution 93, the unfinished business, which authorizes the printing as a Senate Document of the report of an investigation of airpower, and providing for additional copies; Calendar No. 65, Senate Concurrent Resolution 13, providing for the printing of additional copies of hearings held by the Subcommittee on Antitrust and Monopoly, of the Committee on the Judiciary; and Calendar No. 67, Senate Resolution 75, authorizing additional clerk hire for the Committee on Labor and Public Welfare, if there is no opposition; and any other resolutions which may pertain solely to the printing of additional copies of reports.

Then we shall proceed to consider the contempt citation resolutions reported from the Committee on Government Operations, under the chairmanship of the distinguished senior Senator from Arkansas [Mr. McCLELLAN].

At the conclusion of the consideration of the contempt citation resolutions, we shall proceed to the consideration of Calendar No. 68, Senate Joint Resolution 19, authorizing the President to undertake economic and military cooperation with nations in the general area of the Middle East in order to assist in the strengthening and defense of their independence. I am hopeful that we can debate that joint resolution very thoroughly all this week and perhaps next week, and perhaps reach a vote on it in the latter part of next week or the early part of the following week.

Mr. President, I now move that the Senate stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 19, 1957, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate February 18, 1957:

##### FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Arnie J. Suomela, of Oregon, to be Commissioner of Fish and Wildlife, Department of the Interior.

##### UNITED STATES PUBLIC HEALTH SERVICE

The following-named persons to be members of the Board of Regents of the National Library of Medicine, Public Health Service, for the terms indicated:

For terms of 4 years:

Dr. Michael Ellis De Bakey, of Texas.  
Dr. Thomas Francis, Jr., of Michigan.  
Dr. Ernest Henry Volwiler, of Illinois.

For terms of 3 years:

Dr. Basil G. Bibby, of New York.  
Dr. Jean A. Curran, of Massachusetts.  
Dr. Champ Lyons, of Alabama.

For terms of 2 years:

Miss Mary Louise Marshall, of Louisiana.  
Dr. Isidor Schwander Ravdin, of Pennsylvania.

For terms of 1 year:

Dr. Worth Bagley Daniels, of the District of Columbia.  
Dr. Benjamin Spector, of Massachusetts.

##### UNITED STATES MARSHAL

Donald C. Moseley, of Louisiana, to be United States marshal for the western district of Louisiana for a term of 4 years, vice Louis E. LeBlanc, resigned.

## HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 18, 1957

The House met at 12 o'clock noon.  
The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, as we again assemble in Thy name, may our souls be quickened with those desires and longings which Thou dost delight to satisfy.

Inspire us to believe that when life seems so baffling in its demands and so desperate in its needs then by trusting in Thee we may find the secret of remaining strong and steadfast.

Show us how daily we may enter into a more intimate fellowship with our blessed Lord who came to lead and lift mankind toward the light.

Incline our hearts to feel that it is our noblest obligation and our highest privilege to be partners with Him in building the kingdom of brotherhood and in helping those who have fallen and giving courage to all who have failed.

Hear us in His name. Amen.

The Journal of the proceedings of Thursday, February 14, 1957, was read and approved.

#### READING OF WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to a special order agreed to on February 11, 1957, the Chair designates the gentleman from Michigan [Mr. BROOMFIELD] to read Washington's Farewell Address immediately following the reading of the Journal on February 22, 1957.

#### HUNGARIAN REFUGEES

Mr. WALTER. 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 Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, my attention has just been called to an editorial cartoon that appeared in a morning Washington newspaper, a paper which I have never found the time to look at. However, if my information about the point of the cartoon is correct, I would like to call your attention to some very important facts in connection with the admission into the United States of Hungarian refugees.

My own position has not been inconsistent. I have contended from the very beginning of the emergency program that the least we can expect is a decent, thorough screening of people to whom we issue immigrant visas authorizing them to remain in this country permanently. We have a right to know who is coming into the United States. I did say that I was satisfied with the screening of the second group of refugees that came under the parole provisions of the immigration code. These were the brave young students who fought tanks with their bare hands, and I felt that anybody who did that we could take a chance on. But, as to the first group, the ones which obtained immigrant visas in a hurry, I repeat what I said in the very beginning: They are opportunists who took advantage of a crack in the Iron Curtain, or Hungarians who were fleeing from the ire of their fellow countrymen. Among them were the Hungarian Communists against whose regime the revolution was succeeding. So I say it is not my position that is inconsistent, nor is the position of this newspaper inconsistent, because you will find it always on the side against the security of our beloved Republic.

#### THE CORDINER REPORT

Mr. HALEY. 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 Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, for several weeks now we have been reading about the Cordiner report in the newspapers. As I understand it, the report is the result of the work done by a citizens' committee for the Secretary of Defense. It is my further understanding that Mr. Cordiner is the president of General Electric Corp. and has rendered a gratuitous service to the armed services. The report is supposed to make some drastic recommendations to the Secretary of Defense. I say that these are drastic changes, but my knowledge of these changes is based solely on the articles that have appeared in the newspapers.

I do not want to comment on the recommendations in the report, because

I have not seen the report. Instead, I would like to confine my remarks to the report itself and to the technique of secrecy being used by the Defense Department. From the outset, however, I would like to make it plain that my record will show an almost consistently friendly disposition toward the Military Establishment.

After having had inquiries from constituents about the proposed pay increases contained in the Cordiner report, the House Armed Services Committee was contacted to find out if a bill had been introduced to complement the report. On learning that there was no such bill, I endeavored to secure a copy of the report from the Defense Department so that I could answer my constituents more intelligently. Much to my amazement I was informed that they would not make the report available to me. They said that only the chairman and ranking members of the House and Senate Armed Services Committees could see the report at present. What kind of a run-around can a Member of Congress get? To me this is a strange sort of thing that is happening across the Potomac. I think that this is just another case of the Congress being notified of Government business by the news media.

How do we inform our constituents of official Government business? Do we tell them to read the newspapers and let it go at that? Are newspapers the only source of information for a Member of Congress?

The House Government Information Subcommittee of the House Government Operations Committee has taken a long look into this practice of withholding information, and I compliment them. I think that the newspapers have testified over and over again that the various Government agencies have withheld nonstrategic information from them for no good reason. After all, the Government's business is the people's business. But the case at hand is the reverse of that practice by the Defense Department. The Defense Department tells me that this Cordiner report reached the Army Times through a mistake. I have read about the report in all sorts of newspapers, but the Defense Department refuses to make the report available to me. I can see no logical reason for them to withhold the report. It seems to me that every Member of Congress should have access to the official report.

I would like to call on the House Government Operations Committee to make an investigation into the matter. After all, I think that this is a new technique and a demarcation from the usual practice in the withholding of information by a Government agency.

#### INTERPARLIAMENTARY UNION

Mr. REED. 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 New York?

There was no objection.

Mr. REED. Mr. Speaker, Representative HENRY TALLE, secretary of the Interparliamentary Union, at my request,

as president of the American group of the Interparliamentary Union, gave notice on the floor of the House of Representatives, Thursday, February 14, 1957, of a business meeting of the Interparliamentary Union to be held Tuesday, February 19, 1957, in Room F-39 on the Senate side of the Capitol at 9:30 a. m. The old Supreme Court room in the Capitol is not available for this meeting.

As president of the American group, I wish to give further notice at this time of the business meeting, to make sure that those members who may have been absent during the past week will be apprised of this important meeting.

#### THE LATE R. CLINT COLE

Mr. BETTS. 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 Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, one of my predecessors, R. Clint Cole, died on February 8 at Findlay, Ohio. He was 86 years of age.

Mr. Cole represented the Eighth Ohio District in Congress for 3 terms from 1919 to 1925. A brother, Ralph D. Cole, also held the same office for 3 terms from 1905 to 1911. Both were prominent, nationally known orators of their day.

Clint Cole graduated from the Ohio Northern University at Ada, Ohio, in 1900. He practiced law in Findlay and was its city solicitor from 1912 to 1916.

The Republican-Courier of Findlay had these complimentary remarks on the occasion of Mr. Cole's death:

Gifted with the power of fluent and appropriate speech, Clint Cole was in demand as a speaker all over the country. He was active as a speaker from Maine to California in the campaigns of six Republican candidates for president. Upon assignments by the national Republican speakers' bureau he addressed gatherings in 20 States of the Union.

He possessed a facile and ornate power of vivid and graphic description, and won from his friends a well-merited appellation of the prince of storytellers.

#### OTHER THAN HONORABLE DISCHARGES IN THE ARMED SERVICES

Mr. DOYLE. 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 California?

There was no objection.

Mr. DOYLE. Mr. Speaker, for more than 2 years prior to the time I filed H. R. 1108 on January 3, 1957, I majored my attention to the problem of the thousands of less than honorable or other than honorable discharges given by the military units annually in our Defense Departments. Having studied the problem considerably on my own and without saying much about it, I then asked the Defense Department to answer 23 questions which I directed to them involving

the subject of other than honorable discharges in the total military service of the United States each year. The Defense Department promptly cooperated with me, but this did not alter the fact that there were so many thousands of American teen-agers and youths discharged by our military department each year that I was, in fact, shocked to find the comparably great number who were, according to the record furnished me by the Defense Department itself. When you read in the next issue of the CONGRESSIONAL RECORD my extension of remarks, which will include some of the answers given me by the Defense Department to some of my 23 questions asked them, you also will realize the fact that this needs a major treatment and prompt major emphasis and consideration by this great legislative body.

This is also a fact because the military advised me that under the present existing statutes they cannot take into consideration the later good conduct nor rehabilitation of a lad which he acquires or achieves in civilian life after he has been discharged from the military with less than honorable or other than honorable types of discharges.

What does H. R. 1108, which I filed the first day of this session, provide and what are its worthy objectives which I so vigorously support and ask your good will toward? You will find much more satisfactory answers in the next issue of the CONGRESSIONAL RECORD than I have time to here give.

First. H. R. 1108 proposes to amend existing statutes which do not authorize any of the military review or correction boards to take into consideration that a person has rehabilitated himself in civilian life as a ground for correcting the type of military discharge formerly received by him upon his discharge or dismissal from the Military Establishment.

Second. H. R. 1108 authorizes an application before the appropriate military board for an individual not less than 3 years after he has been dismissed or discharged from the military under other than honorable or under less than honorable conditions endeavoring to establish to the satisfaction of the military board by oral or written evidence or both that such individual has rehabilitated himself in civilian life and that his character and conduct and activities and habits have been good for a reasonable time; in no event not less than 3 years after his original discharge.

Third. The military board shall take into consideration each case on its own merits and shall consider the factors involved in the original discharge and dismissals, including the reasons for the nature of the original discharge or dismissal.

Fourth. Applications and reapplications may be filed at any time beginning after 3 years from the date of original discharge.

Fifth. No Government benefits shall be afforded any individual who may be issued a new discharge or release by the military board upon review of his application.

Sixth. If the military board corrects and changes the type of original dis-

charge it shall be dated back to the date of the original discharge and the corrected discharge shall be under honorable conditions.

Mr. Speaker, from my personal conversation with dozens of Members of this great legislative body about the terms and objectives of H. R. 1108, I mention that almost every Member, if not every Member, will be especially interested in it.

Mr. Speaker, it involves thousands of American military personnel every year. You will notice the numerical tables given me by the Defense Department which will be printed in the CONGRESSIONAL RECORD. I believe most of you will be shocked at the very large number involved. I wish to repeat that the Defense Department cooperated with me and even appointed an ad hoc committee last August to study my questions and give me the answers. I believe that the facts revealed by their answers further strengthens my earlier decision to try to be constructively helpful in finding a practical solution which would at least substantially remedy this condition which I believe is manifestly unsound and unnecessary as well as unfair to thousands of lads and their families.

Mr. Speaker, my bill has no purpose to interfere with military discipline nor to make it more difficult. Discipline is no cinch nor child's play. But, Mr. Speaker, I believe that if the objectives of H. R. 1108 are put into fair and practical application by the Military Establishment that increased morale will logically result. This will be true, because under the objectives of H. R. 1108 discharges and dismissals under less than honorable conditions will logically be treated substantially different than at present. Also thousands of American lads each year will have reason in fact to praise the American military instead of to condemn it; because, they have had a fair, a just, and equitable opportunity and chance to prove that their infractions of military rules and regulations were only minor; were not intended to be serious nor felonious in intent or result; but that they were, while in the military and still are, patriotic, loyal, and law-abiding American citizens.

To the desk of each of you, my distinguished colleagues, there should have been delivered a copy of H. R. 1108 together with my first comments about it.

Mr. Speaker, in the brief time remaining, I wish to call to your attention a typical answer given to me personally by many Members of the Congress who were formerly active leaders in the Military Establishment and some of them still active in the Military Reserve, which was the answer of one such distinguished Member, who, upon discussing the bill with me, said: "Congressman Doyle, if your bill only removes the stigma and makes it possible for one American to deservedly remove the stigma and get dignified employment, your bill is justified." I think perhaps the Member of this House who made that answer will recognize that I am trying to quote him exactly.

#### OUR BELOVED CHAPLAIN

Mr. TRIMBLE. 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 Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I have just learned that our beloved Chaplain is 70 years young this day. I know of no man who has the warm affection of this House more than he. He has endeared himself to us all. I want to express to him my own feeling and that, I am sure, of all my colleagues, and wish for him at least 70 more happy birthdays.

May God bless you, and keep you always, Dr. Braskamp.

#### TAX REDUCTION

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

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

There was no objection.

Mr. BASS of Tennessee. Mr. Speaker, the President of the United States has submitted to the Congress for approval the highest peacetime budget in the history of our country. This budget amounts to more than \$72 billion and indicates a definite trend on the part of this administration to spend up to the maximum income of the Nation. According to press releases the Secretary of the Treasury has said that the budget should be cut; also, it has been indicated that the President himself believes his own budget can and should be cut.

In the face of these indications, and also in view of the fact that the administration has indicated we will have a surplus of some \$800 million, it is my firm opinion that the time has come for this Congress to act on a tax reduction. We know full well that this administration will recommend a tax cut next year—it being an election year—regardless of the fiscal conditions at that time. I hope that the leadership of this Congress, and the Members of the Committee on Ways and Means handling tax legislation, will come forth at an early date and recommend a tax reduction for the low income people of America. I feel definitely that the present personal exemption of \$600 for each taxpayer could be raised to at least \$700. This would cost in the neighborhood of \$2 billion and would still leave ample income to supply a reasonable budget for carrying on the affairs of our Government; and, at the same time, leave some money in the Treasury for retirement of our bonded indebtedness.

Certainly in view of the rising cost of living and high interest rates, the low income people of America deserve some relief in the form of a tax cut. It is my earnest hope, therefore, Mr. Speaker, that a tax cut can be voted this year and show to the American public that the Democratic leadership, to whom they

have entrusted the legislative branch of our Government, is sincerely interested in protecting the welfare of the American people, without election year political implications.

#### CONSENT CALENDAR

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

Mr. ASPINALL. Mr. Speaker, there is only one bill on the Consent Calendar. I ask unanimous consent that the call of the Consent Calendar be dispensed with today.

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

There was no objection.

#### COMMITTEE ON VETERANS' AFFAIRS

Mr. ASPINALL. Mr. Speaker, at the request of the gentleman from Texas [Mr. TEAGUE] the chairman of the Committee on Veterans' Affairs, I ask unanimous consent that that committee have until midnight tonight to file a report on the bill H. R. 4602.

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

There was no objection.

#### PUBLIC BUILDINGS AT CAPITALS OF NORTH DAKOTA, SOUTH DAKOTA, MONTANA, AND WASHINGTON

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 348) to amend section 12 of the act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, by providing for the use of public lands granted to the States therein for the purpose of constructing, reconstructing, repair, renovation, or other permanent improvement of public buildings at the capital of said States, with committee amendments recommended by the Committee on Interior and Insular Affairs.

The Clerk read the bill as follows:

*Be it enacted, etc.*, That section 12 of the act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, is amended to read as follows:

"That upon the admission of each of said States into the Union, in accordance with the provisions of this act, 50 sections of unappropriated public lands within such States, to be selected and located in legal subdivisions as provided in section 10 of this act, shall be, and are hereby, granted to said States for public buildings at the capital of said States for legislative, executive, and judicial purposes, including construction, reconstruction, repair, renovation, furnishings, equipment, and any other permanent improvement of such buildings and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

Sec. 2. This act shall take effect as of February 22, 1889.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

**THE SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

**MR. ASPINALL.** Mr. Speaker, I yield 10 minutes to the gentleman from Montana [Mr. METCALF].

**MR. METCALF.** Mr. Speaker, when the States of North Dakota, South Dakota, Montana, and Washington were admitted to the Union by the enabling act of February 22, 1889, there was a grant by section 12 of that act of 50 sections of unappropriated land for the purpose of erecting buildings at the capitals of those States. There was also by section 17 of that act a grant to the State of Montana of 150,000 acres for the same purpose of erecting public buildings at the State capital and the States of North Dakota, South Dakota, and Washington by the same act acquired different amounts of public land. In December of this year, the Montana Supreme Court in passing on a bond issue that had been issued by authority of the Legislature of the State of Montana decided that the word "erected" in the enabling act in section 12 meant that the money from this capital land grant be used only for the purpose of building new buildings, and that it could not be used for the purpose of repair or reconstruction or building on or any of the other purposes. The capitol building of Montana was built in 1899, and it needs extensive repairs. Since this enabling act was passed, the money in this trust fund has been used at least three times to pay off bond issues, for the purpose of building on or adding new construction and for the repair and renovation of the State capitol. But, the supreme court has said that it cannot be used for that purpose any longer. That casts doubt not only upon the bond issue that was before the court, but upon at least three previous bond issues. Therefore, I have sought this amendment to the enabling act to provide that the money in that trust fund, and it is only this capital land trust fund, can be used for these additional purposes, to broaden the use of the trust fund. The chairman of the Committee on Interior and Insular Affairs, the chairman of the subcommittee and the leadership here have been very cooperative in bringing this bill up early so that it can be accepted by the State Legislature of the State of Montana and the other State legislatures concerned because an amendment to the enabling act not only has to be passed by the Congress, but has to be accepted by the people of the States involved. Since the Montana Legislature is now in session, and will be in session only until the 7th of March, there was some urgency to get this bill through at this early time in order that it could be accepted before adjournment. The amendment will permit the use of this State capital land trust fund for purposes other than the erection of new buildings. The supreme court decision has cast into doubt not only the proposition that you cannot use the money for the erection of new buildings, but it has cast doubt upon the proposition that you cannot use the State capital trust

fund for the purposes of paying interest, and you probably cannot use it for the purpose of acquiring additional land. This corrects that situation.

**MR. ASPINALL.** Mr. Speaker, will the gentleman yield?

**MR. METCALF.** I yield.

**MR. ASPINALL.** Would the gentleman explain to the House the situation in which Montana finds its capital at the present time? And, for that matter, over the last 15 or 20 years, and also the situation in which some of the officials, including the Governor of the State of Montana, find themselves?

**MR. METCALF.** I mentioned that there have been three bond issues passed—at least three—which were in violation of this supreme court decision. One was for the repair of the State land board and the building of a new vault for that board. A \$25,000 bond issue was funded and repaid. Two years ago \$300,000 worth of bonds were sold for the repair of the State capitol building. The only obligation of the State is the pledging of the State capital land grant fund.

**MR. ASPINALL.** Mr. Speaker, will the gentleman yield?

**MR. METCALF.** I yield.

**MR. ASPINALL.** Will the gentleman tell us why the State capitol building needs repair?

**MR. METCALF.** If I may mention one other bond issue. There was a bond issue of \$650,000 in the last session of the Legislature of Montana, and it was that bond issue that brought about the Supreme Court decision.

The Capitol of Montana was built in 1899. In 1899 we did not know as much about concrete construction as we know today. The cinder concrete in that portion of the capitol has deteriorated to such an extent that the floors are collapsing, and the capitol was very badly shaken in a series of earthquakes. And that time it was not repaired except temporarily. Now, as a result of those earthquake shocks and as a result of deterioration of the materials with which the capitol was built, extensive repairs are needed.

According to surveys by the consulting engineers the following are some of the repairs that are needed and represent the type of construction and renovation contemplated if this bill passes:

First. Complete replacement of floor structures in the original building.

Second. Structural tie beams to tie the various portions of the building together. The use of these tie beams was based on the assumption that the bearing walls and partitions of the original building were of sound construction and that the materials used in the construction of walls and partitions were properly bonded together. This would enable these walls and partitions to be utilized as shear panels to resist the horizontal forces imposed by earthquake.

Third. General building repairs as required.

Fourth. Modernization of all building areas.

Fifth. Cleaning, repairing, and waterproofing of all exterior building surfaces.

Sixth. Installation of new elevators.

Seventh. Replacement of all plumbing and heating facilities and the installa-

tion of a complete new air-conditioning system for the entire building.

Eighth. Replacement of all electrical services in the original building and the installation of new power and lighting facilities in the original building.

On February 9 a section of the floor of the rotunda buckled so that the area had to be blocked off. This is just the latest in a series of incidents that support the architects' and engineers' contention that the building needs extensive repair and construction.

As a result of this supreme court decision the Governor of Montana, the attorney general of Montana, and the secretary of State of Montana, the officials who authorized this bond issue, and who have expended part of the money are personally liable for the expenditure of public funds in violation of the law. That was one reason the committee decided that in addition to passing an amendment to the act, it would be a good idea to make this act retroactive to February 22, 1889. The Supreme Court of Montana said there is nothing in the record or in the history of the Enabling Act which indicates what the intention of Congress was in enacting that statute, save insofar as the intent is found in the words used by the Congress in framing the statute. That is the word "erecting." It is the purpose of this legislation to give this court, and other courts in the West, language to determine and ascertain the congressional intent. It was for that reason that we made this act retroactive.

**MR. ASPINALL.** Does the gentleman see in this legislation any endangerment or impairment of bond issues or any endangerment or impairment of future bond issues issued under the Enabling Act if this provision is modified?

**MR. METCALF.** On the contrary, this legislation as presently drafted will act to validate all bond issues. It liberalizes the purposes for which the money in this capitol building fund will be used. It will not only not endanger bond issues but it will act to validate bond issues in some States that may have been issued in violation of the original act as interpreted by the Montana supreme court.

**MR. SAYLOR.** Mr. Speaker, I yield myself such time as I may use.

**MR. SPEAKER.** I can agree with many of the statements that have been made by our colleague, the gentleman from Montana [Mr. METCALF]; and if section 2 had not been added to this bill I sincerely believe it would have done just what the gentleman from Montana has stated the bill would do, but the committee instead of being satisfied with the bill went further and therein lies the trouble.

Let us go back and look carefully at what has happened. In 1889 to Congress of the United States admitted four States to the Union: North Dakota, South Dakota, Montana, and Washington. Section 12 of that enabling legislation provided that upon the admission of those States to the Union certain sections of unappropriated public lands should be given to the respective States and the income therefrom was to be used for the purpose of erecting public buildings at the capital of the several States for legislative, executive, and judicial purposes.

Section 17 of the same act provided how the States themselves were to use the money.

You will notice that the amendment we are considering and being asked to approve here under suspension applies only to section 12. Nobody has done anything with regard to section 17.

On the 7th day of December 1956, the Supreme Court of the State of Montana in a case entitled "C. L. Brown Appellant against the Board of Examiners," decided that the State of Montana could not use moneys that are presently in this fund for the purpose of repairing the State capitol.

I think it is of extreme importance that you realize that this section has been interpreted by the courts of other States that are involved, and the courts in those States have come to the direct opposite conclusion. In the State of Washington on the relation of the Book-store, plaintiff, against W. G. Potts, treasurer, respondent, reported in 141 Washington State Reports, page 110, decided November 24, 1926, the Supreme Court of the State of Washington having this same question before it came to the exactly opposite conclusion. I think it is important that the Members of Congress should know that the case in the State of Washington was not cited by either party in the Montana case.

The situation, according to a letter I received from the Governor of Montana, is this: The capitol building and land grants include 124,563.84 acres of land. On December 31, 1956, which is the latest available figure, the State of Montana had in this fund \$205,629.43. I say they should be entitled to use this for the repair of their capital buildings; and I certainly believe, in view of the strong dissent that was written by several of the judges of the State of Montana, that had the Attorney General of the State of Montana cited the Washington case we would not have had this problem before us today.

If we add section 2 to this bill and make this bill retroactive to 1889 then we do something far more reaching, and I want to call this to the attention of all the Members of Congress who come from the so-called public lands States. I have been able to determine that in the enabling legislation admitting to statehood all of the other public land States you will find this same provision that is in the act which we are now amending.

Bonds have been issued and approved by bond companies throughout the western part of the United States and I am afraid if we attempt in this bill without further hearings to make it retroactive to 1889 we are going to cause more trouble in the public bond market of the 17 Western States than we are curing. By adding section 2 to the bill you are endangering bonds that are outstanding now and creating a question in all of the other Western States who have issued and who will proceed to issue bonds because once this has been brought to the attention of the bond attorneys they will raise this identical question in every bond issue hereafter. In my opinion, the best method of handling this would be to strike section 2 from the bill and

if that were done I would have no objection whatsoever. Then we could take the other matter up in a separate piece of legislation clearing it up for all the western public lands States.

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

Mr. SAYLOR. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The effect of this legislation will not be in any way to cost the Federal Government more public lands or to cost the Federal Government any money?

Mr. SAYLOR. This bill will not cost the Federal Government any money at all.

Mr. EDMONDSON. The effect of it definitely will be, if the committee is correct in its belief, to secure or make fast the legality of these bond issues that now have been placed under a cloud more or less by this supreme court decision?

Mr. SAYLOR. I do not believe so. I think we are going far beyond our powers in adding section 2 to the bill. If we took section 1 and the amendment proposed by the gentleman from Montana [Mr. METCALF] there would be absolutely no objection to this bill at all. Section 1 would say that from this point forward these 4 States could use any money in this fund that comes from lands given to them for any purpose for public building or repairing. But I am afraid that we are dabbling with serious financial problems in trying to make this retroactive to 1889.

Mr. EDMONDSON. The gentleman is aware of the fact that the committee has on it Representatives of practically all of these public-land States, the Western States, and the gentleman is also aware of the fact, I believe, that practically all of these Representatives held a different view than that held by the gentleman as to the dangers to their past bond issues by the passage of this act; is that correct?

Mr. SAYLOR. I do not know. The day we had the vote on it there was considerable discussion, and it was interesting to note that most of the people on the committee who came from the East seemed to feel there was a tremendous problem being created in connection with outstanding bonds if you tried to make this retroactive.

Mr. EDMONDSON. Does the gentleman have any information from bondholders in the East that they view with alarm this legislation?

Mr. SAYLOR. I have not been approached by any bondholders in the East with regard to this legislation at all.

Mr. EDMONDSON. The information which I had understood was in the committee's possession was to the effect that the bondholders felt it would be very desirable to pass this legislation.

Mr. SAYLOR. That was with regard to the legislation as originally presented and did not include section 2. That is correct.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I would like to advise the Members of the House that we did have a thorough discussion on this bill in the

subcommittee and in the full committee before reporting it out. The gentleman from Pennsylvania voiced the only objection, having voiced it well, as he has here, but after thorough consideration it was the consensus of opinion of the members of the committee that in order to take care of the situation as it now exists the bill should be passed immediately. It is our understanding that the bill will be handled immediately when it goes over to the other body.

The amendments that were made were to take care of, first, the validating, if any question exists, of the bonds already issued; and second, an amendatory provision to take care of the situation existing in the State of Washington. The second amendment was suggested by the gentleman from Washington [Mr. WESTLAND] and was accepted unanimously by the committee. I know of no other opposition except that expressed by the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. Speaker, I yield such time as he may desire to the gentleman from Montana [Mr. METCALF].

Mr. METCALF. Mr. Speaker, the gentleman from Washington [Mr. WESTLAND] was the one who called the committee's attention to the case that was cited by the gentleman from Pennsylvania. That case was carefully read and analyzed by the members of the committee. It was a 5 to 4 decision, and it was not diametrically opposed to the Montana decision. It provided that where there was new construction and furnishings and equipment in a new building, the furnishings and equipment could be paid for out of the fund. At the request of the gentleman from Washington we put one of the amendments in the bill to liberalize it still further so that there would never be any question in any of the public-land States anywhere that we were not liberalizing and broadening the uses to which these public lands funds could be put and that we were not invalidating a single bond issue anywhere in the United States.

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

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

There was no objection.

Mr. MAGNUSON. Mr. Speaker, I am very happy to support this bill as amended by the committee. The committee added the words "furnishing" and "equipment" in the list of purposes for which proceeds of the land might be spent. This was done at the request of the State of Washington so that the section as amended would conform to the interpretation which the Supreme Court of the State of Washington has placed on the original language of the section. It is my understanding, therefore, that the amendment is fully as broad as the interpretation given the original language in my State.

I am inserting at this point in my remarks a letter I have received from the Honorable John J. O'Connell, attorney

general of the State of Washington, explaining the reason for the amendment:

THE STATE OF WASHINGTON,  
Olympia, February 7, 1857.

Hon. DON MAGNUSON,  
Congressman at Large,  
House Office Building,  
Washington, D. C.

DEAR CONGRESSMAN MAGNUSON: This office has received an inquiry from you concerning the position which the Senators and Congressmen of the State of Washington should take with regard to certain legislation to be introduced in both Houses of Congress by members of the congressional delegation of the State of Montana.

The legislation in question would amend the act of Congress, popularly known as the Enabling Act, approved February 22, 1889, 25 Statutes at Large 676, under which Montana, Washington, North Dakota, and South Dakota were admitted to the Union. By the terms of the Enabling Act, donations of public land owned by the Federal Government were made to the States concerned for various specified purposes, one of which was for public buildings at the State capital.

Section 12 of the Enabling Act presently provides that the land grant shall be used for the purpose of "erecting public buildings." It is our understanding that the proposed amendment would modify this language, so that section 12 would expressly state that this land was granted "for public buildings, including construction, reconstruction, repair, renovation, and any other permanent improvement of such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

You have indicated that this amendment is thought to be necessary because of a recent decision by the Supreme Court of Montana providing that proceeds from the capitol building land grant could be used for erecting the buildings only, and for no auxiliary purpose, such as renovation or repair. *C. L. Bryant v. The Board of Examiners of the State of Montana et al.* (docket No. 9700, decided December 7, 1956).

It is our belief that the Montana amendment in its present form would be of no benefit to the State of Washington. In the case of *State ex rel. Bookstore v. Potts* (141 Wash. 110, 250 Pac. 1090) our supreme court considered section 12 of the Enabling Act together with section 17, which grants certain lands to the State of Washington "for public buildings at the State capital." The court concluded that the intent of Congress was that the income from the capital building land grant could be used not only for the erection of public buildings but for their furnishing as well.

It will readily be seen that this broad construction allows an even more liberal use of the capital land grant funds than the Montana amendment would permit. If such an amendment were to pass, it might later be construed to mean that the Congress had specifically intended that this income should not be used to furnish public buildings at the State capital, since the precise uses to which the income might be put would be spelled out in the amendment. Were this to happen, of course, the State of Washington would not have the freedom in its use of income from the capital building land grant that it presently enjoys.

My suggestion is, therefore, that Washington not support the amendment in its present form. In the alternative, it might be possible to suggest amending the amendment in some such fashion as this:

"For public buildings, including construction, reconstruction, furnishing, equipment, repair, renovation, and any other permanent improvement of such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

I hope the foregoing sufficiently answers your question and will be of assistance to you.

Very truly yours,

JOHN J. O'CONNELL,  
Attorney General.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may desire to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Speaker, I just want to say that so far as South Dakota is concerned, we are one of the four States that came into the Union under the same enabling act that Montana came in under. At the time of the hearing I filed with the committee a letter from the attorney general of our State in which he said that this would in no way affect South Dakota and that South Dakota was really not interested because we have never been called upon to use any of these funds for maintenance purposes, but that so far as South Dakota is concerned we would favor the passage of such legislation.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended to read as follows: "A bill to amend section 12 of the act approved February 22, 1889 (25 Stat. 676) relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, by providing for the use of public lands granted to the States therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvement of public buildings at the capital of said States."

A motion to reconsider was laid on the table.

#### THE LAST DEFENSE FOR CONSUMERS IS CONGRESS

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

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

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, in the CONGRESSIONAL RECORD of last Thursday, I called to the attention of the Members an article by Mr. Edward F. Woods of the Washington Bureau of the St. Louis Post-Dispatch reporting the details of a bill which the oil industry has drafted and has submitted to the administration to destroy effective regulation of natural gas prices in the field.

Mr. Woods dug up the story and reported it in full, with its full significance to the consumers of this country. I am puzzled by the fact that I have not seen in any other newspaper any reference to

this newest natural gas grab or the fact that the oil industry has apparently managed to break the heretofore solid front of local gas distributing companies which last year opposed the Harris bill.

It seems to me that the story which Mr. Woods wrote for the Post-Dispatch, and which does not seem to have been denied or disputed in any significant point, is one of the major news developments of the day and is entitled to the broadest possible attention. That is why I inserted it in the daily CONGRESSIONAL RECORD of February 14, at page A1009.

As a followup to Mr. Woods' exposé the Post-Dispatch last Tuesday printed an editorial entitled "The New Gas Barrage" analyzing the bill from the facts Mr. Woods uncovered, and adding:

The gas gang is growing bolder despite two vetoes of previous bills and the disclosures of arrogant lobbying. \* \* \* The lobby has returned for another gas grab, and has the encouragement of the Eisenhower administration.

When a special interest lobby prepares a bill and a national administration favors the project, the last defense for consumers is Congress. There are 40 million of them and hundreds of millions of their dollars are at stake. Consumers should waste no time in appealing to Congress because the gas barrage is rolling fast.

Mr. Speaker, as part of my remarks, I include the full text of this Post-Dispatch editorial, as follows:

[From the St. Louis Post-Dispatch of February 12, 1957]

#### THE NEW GAS BARRAGE

The oil and gas industry is now attempting to write legislation for the American people.

Edward F. Woods, Post-Dispatch Washington correspondent, reports that a gas industry group representing Standard Oil of Indiana and other firms held a series of closed door meetings in New York, and on February 1 produced an 18-page document. This document was not just a report or a protest. It was a proposed amendment to the Natural Gas Act. It was not delivered to Congress, but to Jerome Kuykendall, Chairman of the Federal Power Commission.

In short, the gas lobby drafted the bill for the administration which appointed Mr. Kuykendall. Neither President Eisenhower nor his appointee believes that the FPC should regulate gas production prices. They have said as much. And the lobby's bill would require the FPC to show more concern for the industry it is supposed to regulate than for the public it is supposed to protect.

The proposed bill would give the FPC the guise of gas regulation, but would also permit the agency to authorize price increases in original gas contracts or in escalation agreements.

The bill would permit FPC to consider the reasonable market value of gas, but it would prohibit FPC from considering a producer's costs in determining what is reasonable—a rejection of customary regulatory practice.

The bill would allow States, cities, or local gas companies to protest gas price increases, but it would not require producers to demonstrate any need for them—another departure from sound regulation.

This is taking the lid off Federal gas regulation. Under such a bill, the FPC would still hold the line on gas pipeline charges, and State agencies would hold the line on local utilities' distribution charges. But who would hold the line on the price of the gas that goes through those pipelines and

local utilities to the American home and factory?

Harry Wrench, president of the Minneapolis Gas Co., says, "It's worse than the Harris-Fulbright bill." Mr. Wrench, a local utility man, attended one New York meeting and was told by the gas producers, "If you don't agree you don't belong here."

The gas gang is growing bolder despite two vetoes of previous bills and disclosures of arrogant lobbying. Last year brought revelations of the rejected pay-off to Senator Case of South Dakota and of the issuance of fake telegrams by Standard of Indiana. Still, after all this, the lobby has returned for another gas grab, and has the encouragement of the Eisenhower administration.

When a special interest lobby prepares a bill and a national administration favors the project, the last defense for consumers is Congress. There are 40 million of them and hundreds of millions of their dollars are at stake. Consumers should waste no time in appealing to Congress because the gas barage is rolling fast.

#### FOOD INDUSTRIES AMENDMENTS OF FAIR LABOR STANDARDS ACT

Mr. ROOSEVELT. 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 California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I have today introduced a bill to amend the Fair Labor Standards Act to provide greater coverage for employees in the food industries.

This measure complements the omnibus bill, H. R. 4696, which I have previously introduced to increase the coverage of the Fair Labor Standards Act in many industries. My new bill, the Food Industries Amendments, concentrates on the retail, fish processing, area of production, agricultural, and seasonal exemptions. But it carries the same provisions for these exemptions as does H. R. 4696.

My bill seeks to call the attention of Congress to the unjustice and unreasonableness of the food industry exemptions in the Fair Labor Standards Act. The special provisions which allow the noncompliance with the dollar minimum wage and the 40-hour maximum workweek in certain parts of the food industries is a prime example of why we, in Congress, must amend the Fair Labor Standards Act.

The purpose of the Fair Labor Standards Act is explicitly stated as seeking to end "labor conditions detrimental to the maintenance of the minimum standards of living necessary for health, efficiency, and general well-being." Yet, in many of the industries where the need for accomplishing this noble purpose is the greatest the Fair Labor Standards Act does not apply.

The exemptions in the food industries doom millions of Americans to the harshest type of poverty. Some of these men and women working in exempted areas earn as little as 40 or 50 cents an hour. And they are able to work only a part of the year for even that miserable wage.

The alibi for the food industry exemptions is that they protect small businesses and ones which are local in char-

acter. If that is the only concern of those who seek to keep the exemptions. I can ease their fears. My bill will cover only larger businesses—the chain retail stores, the canneries, the corporation farms. Small or family-type establishments will be left exempt by my bill.

The Food Industries Amendments under the Fair Labor Standards Act would cover industries "engaged in activities affecting commerce" as well as those "engaged in commerce or in the production for commerce." This principle has been used in virtually every type of legislation enacted by Congress. It is, for example, used in other labor legislation, such as the Labor-Management Relations Act of 1947. There is no reason why this extension of the commerce clause should not apply under the Fair Labor Standards Act, in order to bring its protection to millions of workers who would otherwise not have it.

Retail establishments are now exempt from both the minimum wage and maximum hours provisions of the Fair Labor Standards Act. The Food Industries Amendments would bring coverage to all employees of retail establishments which have more than 4 stores or an annual gross income of more than \$500,000.

The retail grocery industry is currently becoming more and more dominated by large supermarket chains. In 1954 supermarkets handled 52.3 percent of the \$18.2 billion of grocery sales. Many of these supermarkets are parts of large chains which immensely affect commerce. The A. & P. Tea Co. and Safeway Stores, for example, have some 2,000 stores each across the Nation. There is no economic justification for not covering large retail enterprises.

Workers processing fish and seafoods are also exempted from all benefits of the Fair Labor Standards Act. This exemption has no economic basis. Other food processing industries are covered by the act as long as they are not in the area of production.

The result of this exemption is the payment of pitiful wages to men, women and children who work under sometimes health-hazardous conditions. My food industries amendments would end the fish processing exemption. It would bring the \$1 minimum wage, 8-hour workday and 40-hour workweek to all employees in this industry.

Another senseless exemption is one which provides that food processing workers in the area of production—that is open country or in a rural community—need not be covered by the Fair Labor Standards Act. In other words, a poultry processing firm in Omaha must meet the standards of the act, but a plant within the area of production less than 100 miles away, need not, under certain conditions. This is rank discrimination. Both firms probably supply the same market. Both have approximately the same costs. But one may legally exploit its workers by not establishing even the absolute minimum of working conditions and thereby get a real—if somewhat immoral—competitive advantage.

The food industries amendments would wipe out the senseless and unfair area of production exemption.

Agricultural workers are completely exempt from this act. This is so because many of us in Congress are under the mistaken impression that all of agriculture is still composed of family-type farms. This, perhaps unfortunately, is untrue. Playing a huge and increasing role in American agriculture are the corporation farms which cover tens and even hundreds of thousands of acres, have the same type of managerial structure as our modern industrial giants, and use machinery and up-to-date industrial practices to the optimum.

Farm laborers on these corporate giants earn an average of about 80 cents an hour. They are actually the ones who need the Fair Labor Standards Act the most. Yet are completely outside its scope.

My food industries amendments would include the workers of the corporation farms. It would leave the family farms exempt. I want to emphasize this point. Only the farms which employ workers, other than from among the family of the employer, for 400 man-days of labor would be included. Because of the seasonality of agricultural employment, this would bring only the larger farms under the act.

Workers engaged in processing, canning or packing seasonal agricultural products are exempted from parts of the maximum hours provision of the Fair Labor Standards Act. For more than one-fourth of the year, these employees may be worked for 12, 14, 16 or any amount of hours without receiving time and one-half pay. For more than another quarter of the year, they may be worked 12 hours a day before the premium rate is paid.

This exemption, too, causes great hardship. Many unions have shown it to be unnecessary. They have provided against the use of the maximum hours exemptions in their labor-management contracts and the firms have not suffered. The food industries amendments would end the seasonal exemption.

These, Mr. Speaker, are the basic provisions of the food industries amendments which I have introduced to bring the Fair Labor Standards Act more into line with economic commonsense and humanitarian requirements. These amendments are reasonable and just. I hope they will have the support of both Democrats and Republicans. They are long overdue.

#### WEAKNESSES IN OUR IMMIGRATION LAWS

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

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

There was no objection.

Mr. DINGELL. Mr. Speaker, the recent upheaval in Hungary and the resulting outpouring of thousands of refugees and escapees from that Communist-pressed country has underscored with dramatic clarity weaknesses in our immigration laws and policy. Of the 170,000 Hungarians who have fled into Austria or from there into other Western

countries, 24,000 have now been admitted into the United States. This skillfully handled emergency operation reflects great credit upon those American officials and private relief agencies which have played a role in managing this human exodus. But creditable though our achievement has been in this emergency, it has brought grave problems in its wake and raised serious questions as to what we should do when the immediate task of aiding these victims of tyranny is completed. For the events of the past few months have demonstrated that the problem of affording a haven to the Hungarian refugees is only part of two much larger problems—what our long range policy should be toward those who want to break away from Communist rule and flee to freedom, and what basic policy should be adopted toward those everywhere in the world who desire to migrate to the United States.

The first question we must face up to is whether, as a matter of policy, we want people in Eastern Europe to attempt to escape. If we do, then logically we have to share our immigration policy to accept the consequences of this decision. If we do not, then that decision too should be reflected in our immigration laws. I have not the slightest doubt which alternative we should choose, for the overwhelming mass of the American people want the people of Eastern Europe to rewin their freedom and regain that independence that is rightfully theirs. They want that not only because of the tremendous sympathy they have for those people, but also for sound reasons of security and national interest.

Within the framework of the peaceful methods which we have adopted for encouraging a rebirth of freedom in Eastern Europe, one of our basic aims is to keep alive the fires of hope that are the wellspring for the sort of political evolution we desire and which, as a matter of fact, is already under way. I can think of no more effective means of killing the hopes of the Poles, the Hungarians, and the other courageous peoples behind the Iron Curtain than for us to tell them they are unwanted if they flee to us for refuge and for safety. If they know that there is always a haven of security where they are always welcome if they are compelled to escape from their homeland, then their attitudes toward their Soviet masters will be positively affected. This is why it is so vital for the success of our policy aims in Eastern Europe that we give confidence and assurance to the peoples of that area by making available to them a permanent and reliable refuge.

In the Hungarian emergency the President, under existing laws, was able to give limited and temporary relief to thousands of refugees. The Refugee Relief Act afforded openings for a few thousands, and the Immigration and Nationality Act gave discretionary authority for emergency entrance of additional numbers. However, these laws of their very nature are not suitable to constitute a long-term basis for a refugee program. The quotas of the Refugee Relief Act are used up, and it is not proper that unlimited numbers be authorized for entry under the emergency clauses of the

Immigration and Nationality Act. Furthermore, those clauses do not allow entrants into this country to come in under conditions affording a long-term solution of their status. Consequently, I am introducing two bills today to correct this situation.

The first bill provides for the issuance of 30,000 nonquota immigrant visas each year to Hungarian and other East European escapees. Despite the many thousands of Hungarians who have been accepted into the United States and other countries in Europe and elsewhere, there are still 65,000 left stranded in Austria where they are imposing a heavy burden on the economy and the charity of the Austrian people. And more are constantly coming in. In other words, there is still a terrific problem left to be solved. Can we in the United States permit countries like Austria, Germany, and Italy, which already have complex economic problems of their own to bear the main burden of refugee support simply because of their proximity to the danger area? As the leader of the free world and the nation most blessed with the resources for a solution of the escapee problem, can we create an impression of unwillingness to bear our fair share? It would be folly to allow this impression to be created simply because we have not put laws on our books to implement a policy we have already adopted and which the American people so clearly want.

The Hungarians, however, are only part of a large problem. There is a considerable backlog of other refugees and escapees in Europe who should be permitted to migrate, and there are untold thousands in the Eastern European countries themselves who will certainly become refugees or escapees in the future. What would happen if next week or next month Poland or another captive country blew up in a manner similar to that of Hungary? It is only common-sense that we should not perpetually allow ourselves to be thrown from crisis to crisis because we have not been foresighted enough to enact the proper legislation. If we do not provide a secure haven for both present and future escapees, then we run the serious risk of driving back to their Communist homelands those who have already fled to us in good faith, and of discouraging those who now are restive under Communist oppression.

This bill will apply to any person from a Communist, Communist-dominated or Communist-occupied country in Europe who flees because of persecution or fear of persecution on account of race, religion, or political opinion. It stipulates that, in general, those provisions of the Refugee Relief Act that relate to assurances of employment and housing, security investigations, priorities, and cooperation between the United States Government and by other governments in migration matters, will apply to East European escapees. All the safeguards of the Immigration and Nationality Act are to apply to those who would be admitted by this bill, save for certain exceptions. These exceptions include a provision that escapees afflicted with tuberculosis can enter this country if they are members of family units that are entering and if

arrangements satisfactory to the Attorney General and Surgeon General can insure that the person afflicted will not become a public charge or endanger public health. Obviously, total exclusion of tubercular persons would work considerable hardship not only on them and their families, but would also handicap solution of the pressing refugee problem. With modern vaccines and methods of therapy, tuberculosis is no longer the scourge it used to be. Scientific progress has made it possible for us to amend old attitudes and this clause of the bill reflects that fact.

This bill also relaxes the requirements of the Immigration and Nationality Act to the extent that a person excludable because of previous membership in a Communist, totalitarian, subversive, or similar type of party or organization can now be admitted if he can establish to the satisfaction of the Attorney General at the time he applies for a visa that he is actively and permanently opposed to the party or organization in question and if his admission is deemed to be in the public interest.

A second bill I am introducing today is intended to correct a situation that has arisen in regard to most of the Hungarian escapees who have been received into this country. They were admitted under the emergency parole provision of the Immigration and Nationality Act, but this provision leaves open the question of what the future status of these escapees will be. Their admission as parolees does not permit permanent residence or the acquisition of citizenship. Now quite obviously the United States does not intend to send these people back to Hungary or tell them to get out and go to some other country. Consequently, their status here must be resolved and resolved promptly. By clearing up this situation quickly and by doing now what will eventually have to be done anyway, we will add to the fund of good will these recent Hungarian arrivals already feel for us and will hasten their incorporation into the American body politic. The easiest way to accomplish this is to consider them admitted for permanent residence as nonquota immigrants, provided they make such an application. My bill will authorize this procedure.

The Hungarian escapee question is, however, only a part of the entire problem of immigration into the United States. Ever since the end of World War II the problem of migration into the United States from other parts of the world has been acute. The revolutionary political developments that have occurred in Europe and Asia, as well as the vast movement of economic forces around the globe, has uprooted millions of individuals and sent many of them clamoring at the doors of the United States. The problem this has created for us is affected by the fact that wealth has responsibilities and even more by the consideration that the maturity and wisdom of our leadership is being put to a test. We are being closely scrutinized by the world not only because they want to see how many immigrants we will allow on our shores, but also because

they want to know what standards we will apply in admitting them.

For many years our immigration policy has been constructed on a national quota foundation. In plain terms this means that we have applied racial factors in determining who should have the privilege of migrating into the United States. Not only that, but by basing our system of national quotas on an immigration pattern established years ago and now outdated, we have made it ineffectual and artificial as far as present needs are concerned. More than one-third of the total annual quota is allotted to a nationality group that neither wants nor uses an allotment of that size. In many cases only tiny quotas are assigned to nationalities that could literally use thousands of visas. Unfortunately these inequities, in many cases, involve precisely those nationality groups who make up our refugee and escapee problem.

The third bill I am introducing today is framed to make long needed reforms in United States immigration law. It is a companion bill to that introduced by the distinguished Congressman from New York, the Honorable EMANUEL CELLER, last month—H. R. 3364. It provides the only sane and reasonable approach to the immigration problem. It is framed not only to give the greatest possible recognition to all those who want to enter this country, but it also establishes a practical and humane approach to the long-term refugee problem.

First of all, it casts aside the nationalities principle as a gage of who should or should not pass over the threshold of the United States. There would be no discrimination based on national origins or race. It would therefore not only greatly benefit those from Eastern Europe who are at present handicapped by meager quotas but it would also be an invaluable means of assisting certain groups, like the Jewish and other expellees and refugees from Egypt, that are suddenly faced with personal catastrophe and expulsion from their homelands.

In place of the nationalities principle, this bill sets up five classes of immigrants—family unification, occupational, refugee, national interest, and resettlement. These classes would fall within an overall annual quota of 250,000, which is about 100,000 more than the present quota. The number that would fall into each of these classes would be flexible. Each year the President would fix an allocation for each one of these classes. This would be submitted for the approval of Congress which would have 60 days in which to make its decision. The big advantage of adopting this flexible principle of annual allotment by classes is that our immigration policy can be constantly molded and remolded to fit the particular needs of the times. In order that no one nationality will be unduly favored, the bill provides that within each class no more than 15 percent can be assigned to inhabitants of any one country.

Other outstanding features of this bill are that it takes the long-overdue step of wiping out distinctions between native-born and naturalized citizens and reforms the administration of immigra-

tion by eliminating the State Department and concentrating directive authority in an assistant attorney general serving as director of a bureau of immigration and citizenship.

In a word, this bill would revamp the immigration law of the United States to put it completely in harmony with the democratic principles of our way of life and permit us, far more flexibly than we can at present, to reshape our immigration quotas each year to make them fit our needs and the needs of the world.

With these three bills which I have just described, the American people can have a fully rounded immigration policy enabling them to resolve the immediate and urgent problems that confront them at the present moment, as well as the problem of long-term immigration policy, in a manner that will redound to their honor and their best national interest. I strongly urge that they be thoughtfully considered and promptly passed.

#### PROBLEMS ENCOUNTERED BY THE SMALL CIGAR INDUSTRY IN FLORIDA DUE TO PRESENT TAXES

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, unnoticed in most areas today is the fact that the cigar industry is in desperate straits. The smaller cigar factories in Florida and other States are going out of business at the rate of one every other day. Excessive taxation is, in part, responsible. The present discriminatory bracket system—imposed during World War II and never changed—is inequitable and excessive for an industry of predominantly small factories operating under depressed conditions.

The best chance for tax relief of the cigar industry at this time is through a bill that makes technical revision of the present excess tax system so that cigar taxes are equitable to all segments of the industry and which eliminates the discriminatory features of the bracket system. Such a bill would give both the producer and the consumer a break. Consequently, I am today introducing a bill based on the ad valorem plan of taxation.

Actually any change from the present bracket system must do more than merely reduce taxes. A revision must be made in the cigar industry system that will eliminate the cause of the cigar industry's plight, and it must help expand the market for the tobacco farmer's product. The tax revision bill must free the cigar industry once and for all from the rigidities of the archaic bracket system of taxation. It must provide the industry with the incentive to increase its sales and tap the vast potentials of the mass market, thereby increasing cigar consumption.

A technical revision at the present cigar-tax structure that will accomplish all of these objectives will also result in only a modest reduction in the Government's revenue. My studies of the problem of the cigar industry in Florida and the rest of the country has led

me to the conclusion that the 8 percent ad valorem tax is the one that best meets all of these criteria. My colleague, Congressman SADLAK of Connecticut, already has introduced this type of bill. My district grows some of the finest tobacco in the world. It is vitally affected by this problem. Therefore, I am also introducing such a bill and I trust that with bipartisan support we may have early action by the committee and the Congress on this legislation.

#### THE RED PIPER'S NEW TUNE

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. PRESTON] is recognized for 30 minutes.

Mr. PRESTON. Mr. Speaker, stalking through the world today, there is an illicit force concealed under the veil of deceit and stealth. Like a silent army of termites, small and voracious, it threatens to eat away the very foundations of our democracy.

It works best in the dark areas of ignorance and apathy. We call this force communism, and it literally depends upon weakening the strong stanchions of our democratic institutions of freedom for its survival in America. Conceived in violence, nurtured on the blood of countless thousands of innocent persons, communism's evil philosophy rears its vicious form like the many-headed hydra in every corner of our land. Its faces are many and varied. And like the mythological monster slain by Hercules, when 1 head is cut off 2 threaten to grow back.

A little over a decade ago, we emerged from the terrible ordeal of a world war. We were not unscathed—our wounds were deep; yet we knew they would heal. And for the most part, they have, except for the Red dagger of poison plunged into America's back by a deceitful ally, Russia.

We can be thankful today that some realized what a critical blow had been struck. But while the stiletto of betrayal was extracted, it was not done before the Red poison penetrated the vital organs of our form of government. This poison is personified by the less than 20,000 Communists who have been unrelenting in their efforts to destroy America. Other nations were not so fortunate—the infamous blow they received was a fatal one, and they succumbed to communism.

From February 9 through 12, 1957, the revolutionaries who call themselves the Communist Party, USA, held their national convention at the Chateau Gardens in New York, the city which has become the Communist den and the State in which more than 50 percent of the Communist Party membership lives.

As we saw in press accounts handed to newsmen by delegates from the Reds' secret sessions, the party has supposedly chosen to make it own way in this country without blindly following the line laid down by their Soviet masters. They claimed to have given up the idea that violent proletarian revolution is necessary for Red domination of our Nation. These announcements, along with their

change in the organizational setup, however, are but added grease paint smeared over the face of the Communist actor as he continues to play out his farce of peaceful coexistence.

If we are to believe the Communist Party announcements, only a little over 300 persons attended this sinister conclave.

What harm can this handful of Reds do us? To answer this question, we need only to reflect upon those Iron Curtain countries which were a few short years ago free nations. The horrible retaliation suffered by the heroic and freedom-loving people of Hungary should clinch the answer.

While I have served over the years on the House Appropriations Committee, taking part in the allotment of funds to that first bulwark of defense which is the FBI, I have had the pleasure of discussing with Director J. Edgar Hoover in closed and open session the menace of communism in America. His has been a veritable "voice in the wilderness" since the early 1920's seeking to awaken our Nation to the insidious dangers of the Communist conspiracy, but only in the last few years have we heeded and cast aside the cloak of indifference.

What do we have to fear from the nucleus of the Communist Party in this country? Mr. Hoover's answer is forthright and to the point: The Communist Party, USA, continues to be the most dangerous subversive organization in the United States.

Certainly, we cannot blithely ignore this sincere and succinct admonition of danger. But what is the menace of communism? What are its aims? These are the questions which all American patriots should ask each day. We must cast the light from the lamp of truth into every dark corner from which the Red tyrants spew their hatred and cajolery. In this way we can insure that this Nation will not awaken someday to find its freedoms destroyed.

The Communist of today is no longer that weird-looking little character the cartoonists depicted him to be several years back—the bristly-bearded Bolshevik with black hat and cloak carrying a sputtering bomb in his arms. Today's Communist is a master at artifice and subterfuge. Recently Mr. Hoover wrote that whatever false facade of cooperation is erected, "the true Communist Party line remains unchanged. The overthrow and destruction of our constitutional democracy by any and all means at their disposal remains the aim of Communists."

Can we deny the effectiveness of the Communist line? Italy once had but 15,000 party members. This figure grew into 2 million. A quarter century ago, China's population was estimated at 475 million persons. In that multitude there were 10,000 Communists. Count them today.

What peace-loving citizen in the countries which have succumbed to the Soviet sickness in the last quarter century could have known that today he would wear the yoke of Communist domination and regimentation? The Red scourge now embraces one-quarter of the world, and

the Iron Curtain has been inexorably drawn around country after country, not by wars but by diabolical scheming. The Red masters of deceit and treachery pulled from their bottomless bag of tricks the worthless beads and baubles of communism and the now-enslaved people they dominate swapped away their freedom.

The stout walls of the American fortress have blunted every attack made thus far by the ever-probing, twisting lie of communism. In seeking to overrun the bastions of patriotism and independence of this country, the Soviets have gone full-circle in their treacherous designs. They have zigzagged, tacked, backed up, gone forward, and leapfrogged their way along until now they have created a monstrous maze of doubletalking fraud against humanity which includes the "desanctification" of their great idol Stalin.

A few months ago, the stooges in our Nation were blissfully spouting the Stalin line when all at once the puppet strings from Moscow went slack. Suddenly, they found themselves stalking down Stalin Street while Nikita S. Khrushchev and company had veered again and were strolling down Lenin Lane. The new Communist bosses in Moscow had done a complete about-face and were blaming Joseph Stalin for what few mistakes communism had made. It was like whipping a dead horse that has thrown its rider.

The rest of the world was shocked at what Mr. Hoover has called the "new look," but the hard-core disciplined Communist on the American stage faltered momentarily, missed a few syllables in his diatribes and deftly changed props, tossing the Stalin picture into the wings and unveiling the new Lenin pose of sweetness and light and peace.

We must not be duped by the donning of this velvet glove over the mailed fist. Peace, of course, is a beautiful thought, and we desire it so earnestly that it becomes an attractive lure dangling at the end of the Communist line. Some will grab for it and be hooked. But by and large, if Americans will educate themselves to the one aim of Russia, and if they will not forget for one instant that this aim is for a Soviet America, then the Red plague will never destroy us.

But what of this new brand of hokum? Why has it been foisted off on the world? The same reason as always: The Reds want our country.

The Russians scored their most stunning success toward this end during World War II when they fought the Nazis on the side of the democracies. In those years Communist Party membership reached its alltime high of 80,000, according to the writings of William Z. Foster, their former national chairman. We lay down with the Russian wolfhound and got up with its fleas.

As the liberals and progressives of this country saw day by day the true nature of the Soviet aim for domination, this 80,000 figure began to decline. The Communist organizers saw their gains diminishing at an alarming rate, and they frantically cast about for new ways

to bring the gullible into the fold. They ran the gamut of treachery with no success, and some panicked into putting into conspiratorial words and actions the fact that our Nation must be overcome, even if it were to be by force and violence. As they ventured out of their lair of lies, the FBI pounced upon them, and more than a hundred party functionaries paid for their indiscretion by being prosecuted under the Smith Act and related statutes and by going to prison. Mr. Hoover and his agents proved swiftly to the Communists that this conspiracy was not the right tack to take.

Although the Communist "super intellectuals" would never stoop to the use of so simple a saying, they have now reverted to the idea that "more flies can be caught with molasses than with vinegar." In Moscow and in Communist circles here, the saber-rattling has given way to the equally dissonant sound of their song of "peaceful coexistence." They do not explain, of course, how they can resurrect Lenin and leave his teachings of revolution behind in the grave. They cannot. Their new theme is merely a concession, and listen to Lenin's view of this tactic: "Without concessions we shall not be able to carry out our program. Concessions do not mean peace with capitalism, but war on a new plane." Violence, he has said, must accompany the collapse of capitalism.

But while an attempt at forcible overthrow of our Government is always an ominous cloud, for the moment the Communists want us to bask and grow lethargic in the sunlight with their false smiles.

No amount of chicanery or glib versatility, however, can camouflage the ruthless hunger for power which is emblematic of Lenin and his unholy disciples. While they attempt to lull us into a dreamworld of brotherhood with their baleful tune of peace, the sinister melody of carefully calculated deception can be detected in the strains.

Listen again to one of Lenin's tenets:

The more powerful enemy can be conquered only by exerting the utmost effort, and by necessarily, thoroughly, carefully, attentively and skillfully taking advantage of every, even the smallest, rift among the enemies, of every antagonism of interest among the bourgeoisie of the various countries and among the various groups or types of bourgeoisie within the various countries, and also by taking advantage of every, even the smallest opportunity of gaining a mass ally, even though this ally be temporary, vacillating, unstable, unreliable, and conditional. Those who do not understand this do not understand even a particle of Marxism, or of scientific, modern socialism in general.

The Communist goading is clearly apparent in the Middle East today. They would like nothing better than to hand the war club to a Middle Eastern leader foolish enough to swing it and unwise enough to set off the chain reaction that would inevitably lead to world conflict.

We can remember similar tactics on a smaller scale in numerous instances in our own country.

The so-called Peekskill riots are a prime example of the opportunistic tac-

tics of the Communists. The August 15, 1949, issue of the *Daily Worker* reported that singer Paul Robeson was to be the featured artist at the Fourth Annual Outdoor Concert for the benefit of the Harlem Chapter of the Civil Rights Congress, presented by Peoples Artists, on August 27, 1949, at Peekskill, N. Y. On August 28, 1949, the *New York Times* reported that a free-for-all between those attending the concert and about 1,000 protesting veterans broke up the affair.

Seizing on this opportunity to place themselves in a pitiable position, the Communists announced in the September 2, 1949, edition of the *Daily Worker* that Robeson would return for the engagement at Peekskill on September 4, 1949. According to the *New York Times* of September 5, 1949, fighting again raged. The immediate bleats of police brutality" and anguished claims of "discrimination" from the Reds showed clearly their purpose in returning to Peekskill. But the pity they hungered for was not forthcoming. Their pawn, Paul Robeson, was checkmated when Americans saw through the sham of the plan.

Here in Paul Robeson we have a man who partook of everything this country has to offer—a man endowed by God with the enviable talent of a great voice, a voice which moved great audiences the world over. But now mouthing the falsehoods of communism the voice has become a mousey squeak in the dark cellars of communism, unheeded by all save his own ilk. Surely, the Reds are disappointed in the results of this despicable scheme. It was not difficult for them to play upon his monumental vanity and ply him with the intoxicating brew of communistic philosophy. And when he was drunk from this vile concoction they thought they had readied him to lead his race down the glorious path of communism. But it did not work.

All true Americans, including those of his own race who were the target of this plan, turned from him and he sank into the quagmire of anonymity. Only an occasional plaintive cry of so-called persecution comes from the morass into which Robeson has wandered.

I am proud of the people of my own State of Georgia, both white and Negro. That there are few Reds in the whole State is tangible evidence of the patriotism of the white and colored man in the South.

The two races have had their troubles in the past and are having them now; we all know that. But we also know we do not want, do not need, and will not tolerate the planting of the Red virus of dissension by Communist quacks prescribing a panacea as deadly as stagnant water.

When the Communists' modern-day carpetbaggers seek to prey on Georgia's troubles, they will report back to their Soviet masters that they have come with empty pockets.

I need not tell you of the splendid job the FBI has done in rooting out and jailing the most violent of the Soviet followers in this Nation. It is nothing

short of miraculous how the FBI has penetrated the inner sanctums of the Communist Party and Russian espionage circles in this country through informants and other means.

In my opinion, the American taxpayer gets more for his dollar from the activities of the Federal Bureau of Investigation than from any other Federal agency on the national scene. The Reds imprisoned through the efforts of the FBI, however, are fortunate in one respect. They have better accommodations in our Federal penitentiaries than they would have in downtown Leningrad. They had hoped for the glory of martyrdom, but their fist-shaking harangues at the time of arrest failed. Their screams of persecution soon faded into the shadows when the glaring spotlight of open court trials showed them to be the Kremlin's messenger boys. No microscopic study was needed to recognize the germs of hate which they hoped to nurture into an epidemic.

Of course, they have not been forgotten by their Red cohorts and will not be unless their usefulness becomes completely nil. While in prison, traitors such as Gus Hall, Gil Green, Robert Thompson and Henry Winston are still looked upon by the Communist Party as leaders.

Does this indicate these fanatically loyal exponents of the Communist lie are considering any letting up in their attacks against our freedoms? The actions of their former general secretary, Eugene Dennis, speak eloquently of the depth to which they are imbued with the Red falsehood. After serving a prison sentence for conspiring to violate the Smith Act, Dennis was released conditionally and supervised by Federal authorities until December 26, 1955. In January 1956, like a rattlesnake waking from hibernation, he struck out hungrily, seeking to spread his stored-up venom throughout our democratic institutions.

Dennis played a major role in the Communist Party national convention, and we can now look for a further closing of the party's ranks as it attempts to adapt itself to the new conditions imposed by the Soviet denunciation of Stalin. From this convention there has emerged a more solidified, dynamic and dangerous Communist Party.

As America girds for battling this "new look," the gravest responsibilities rest on the shoulders of J. Edgar Hoover and the agents of the FBI, but as they have done in the past, we can be sure they will strip away every vestige of camouflage and report the true activities of the Communist Party, USA.

The Congress of the United States must carry out its responsibilities of keeping the people informed and of bringing out into the open the nefarious Red schemes through committee probes into un-American activities. And our citizens must do their share, remaining alert to the menace so that they will not succumb to the saccharine words of promise from the lips of the most treacherous antagonist we have been called upon to face.

Some weeks ago Nikita S. Khrushchev, exultant over the successes of communism in the world, said that if there was a God, the Russians would owe Him thanks for their many accomplishments. Such a philosophy surely must perish, and I thank Almighty God I am not in the ranks of the Communist horde which will someday feel the terrible wrath of His retribution.

REPEAL OF EXCISE TAX ON TRANSPORTATION

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Pennsylvania [Mr. VAN ZANDT] is recognized for 30 minutes.

Mr. VAN ZANDT. Mr. Speaker, on January 3 I introduced H. R. 976, a bill to amend the Internal Revenue Code of 1954, to repeal the taxes imposed on the transportation of persons and property.

The Federal excise tax that H. R. 976 will repeal was among the tax measures adopted during World War II, to restrict and discourage all but the most essential of public carriers.

Even before Pearl Harbor the Government levied, primarily as a revenue measure, a tax of 5 percent on travel.

As the demands of our war effort added increasingly to the burden on public carriers and to the Government's need for additional revenue, this tax was raised to 10 percent and finally, in 1944, at the peak of the war, to 15 percent.

A tax of 3 percent on freight, together with a tax of 4 cents a ton on coal, was applied in 1942 before the United States had been at war a year.

A prewar tax on the movement of oil by pipeline was raised to 4½ percent in 1941.

In 1954, 9 years after the end of the war, Congress reduced the tax on travel to the present level of 10 percent, but left unchanged the taxes on freight, including those on coal and oil.

As discouragers of nonessential travel and shipping and as a source of additional revenue, the passenger and freight taxes were useful, even necessary, throughout the war period.

But the heroes of that day are now the villains of this, for the two taxes are still in effect, still serving to discourage the use of public carriers and, in general, causing widespread harm to users, carriers, and the Nation as a whole.

In its effect on passengers, the tax on travel alone adds some \$215 million annually to the cost of transportation and the burden falls most heavily on those least able to afford it.

These persons are the 3 out of every 10 families in the United States who do not have private means of transportation and are, therefore, compelled to use the transportation services subject to the tax.

The burden of the passenger tax is borne, in fact, only by those persons who travel by public for-hire transportation services within the United States—for travel to most foreign destinations is not subject to the tax.

Thus, the American citizen who travels in his own country by bus, rail, or plane is discriminated against, not only in favor of those who travel by private means but also in favor of those who travel abroad.

The tax on freight, including oil, adds another \$487 million annually to the cost of transportation, and again the burden falls heavily on those least able to afford it.

It falls on the thousands of small businesses which rely on public transportation.

In their effect on for-hire carriers, the taxes are particularly harmful.

Because they apply only to transportation for hire and not to private transportation, the taxes encourage greater use of automobiles for travel and encourage the acquisition and use of large fleets of private trucks and private barges.

Total intercity travel, excluding commutation, is today almost double what it was in 1946, but common carriers are now handling actually fewer passenger-miles than in that year. Whereas in 1946 common carriers handled a little more than one-fourth of all intercity travel, today they handle only a little more than one-tenth.

And even that small share is getting smaller.

It is getting smaller despite the increase in total traffic and despite a strenuous and continuing effort on the part of all common carriers to improve their services and make them more attractive to the traveling public.

Although the tax on freight was levied primarily as a revenue measure, its diversionary effect on the freight traffic and revenues of all types of for-hire carriers is nonetheless apparent.

In the 11 years since the end of World War II, regulated carriers as a group have steadily lost ground to the private carriers not subject to the tax.

As recently as 1949, intercity freight traffic in the United States was divided between railroads and regulated motor carriers on the one hand, and private carriers on the other, in the ratio of about 9 to 1 in favor of the regulated carriers.

The ratio is now about 4 to 1, and the trend away from regulated carriers is continuing—still artificially stimulated by the tax on the public carriers.

It should be pointed out also that traffic which is lost to private trucks and barges is not likely to be regained since the use of private means, once they are acquired, tends to be long lasting, if not permanent.

While, of course, many factors doubtless influence the shifts toward private carriage and away from for-hire carriage, it is a highly dubious policy for Federal taxation to encourage such a trend.

The passenger and freight taxes produced in the fiscal year ended June 30, 1956, total revenue of \$702 million. However, this was not a net revenue gain to the Government because to the extent that the transportation was for business purposes, the taxes paid were deductible from income as ordinary and necessary business expense, thereby reducing the amount of revenue received from the income tax.

With the greater part by far of the transportation taxes paid by corporations and with the income of corporations taxed up to 52 percent, it is clear that repeal of the taxes would increase

the Government's revenue from the income tax, and to that extent reduce its net revenue loss.

Transportation, more than any other factor, is part of everything this Nation uses or consumes.

Repeal of the transportation taxes would, therefore, benefit each and every person and the entire national economy.

Congress itself, in its declaration of national transportation policy, recognizes the vital need for strong, dependable, efficient public transportation "adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense."

Yet, the transportation taxes, discriminatory as they are against the public carriers, are not calculated to achieve that essential end.

Indeed, they directly contravene the congressional policy, for instead of encouraging the growth and development of a sound system of public transportation to serve the Nation's commerce and defense, they encourage an uneconomic growth of private transportation.

The taxes on transportation, especially the tax on freight, are harmful to the Nation's economy because they are inflationary—inflationary to a degree far exceeding that which is indicated by the tax rate.

This is true because the freight tax is imposed at each step from production or manufacture to marketing, thereby pyramiding the cost to the ultimate consumer of every product requiring transportation.

Moreover, on the typical product requiring transportation from manufacturer to wholesaler, from wholesaler to retailer, and thence to the consumer, it is estimated that the cumulative seller's markup, assuming a 50 percent markup at each stage, increases the prices to the consumer by an amount more than three times that of the cumulative tax itself.

Thus, each \$9 of freight tax spread over the whole operation from manufacturer to consumer is estimated to add over \$32 on the average to the prices paid by consumers for manufactured articles.

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

Mr. VAN ZANDT. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to compliment the gentleman from Pennsylvania for the legislation he has introduced and say to him that I am wholeheartedly in favor of it.

Mr. VAN ZANDT. I thank the gentleman from West Virginia who has always been very helpful in working out the repeal of these taxes that is doing so much to the jobs of the American workingman.

Mr. Speaker, since not one cent of the increases contributes to increasing the value of a commodity at any stage of the process, the tax represents the ultimate in inflation.

The transportation taxes, by undermining an industry that is absolutely vital to defense and the waging of war, are also undermining our national strength and preparedness.

In World War II, transportation, in the thinking of some, threatened to become a weak spot in our war effort.

Continuation of these taxes could contribute to making this threat a reality in the event of another war.

The inconsistency of these taxes with our defense effort was suggested by no less an authority than Commissioner Anthony Arpaia, of the Interstate Commerce Commission, when he said in an address at Houston, Tex., on November 8, 1956:

The Government clings to the excise taxes on freight and passenger service which bring \$637 million to the Government in revenue, although this tax is an important factor in retarding the progress of an efficient, up-to-date, organized system of public transportation which is an integral part of the machinery of defense which costs billions.

This organized system of public transportation to which Commissioner Arpaia referred was called upon in World War II to handle all but an insignificant amount of all military freight and military passengers, moving in organized groups.

At the peak of World War II, in 1943 and 1944, regulated carriers handled well in excess of 96 percent of all freight—military and civilian combined.

And everything suggests that they would be called upon to repeat this performance, and more, in the event of another war.

In seeking repeal of the excise taxes on transportation, I fully recognize that transportation is but one of the necessities of life, which, many years after the end of the war, are still bearing the burden of a similar war tax.

The continuing need of Government for large amounts of tax revenue to meet the growing threat of another war and to strengthen defenses throughout the free world is also recognized.

Finally, I am appreciative of the increasing pressure which is being brought to bear for relief from other taxes from every quarter.

But while it may not now be possible to afford all the relief sought, or even all that is justified, it is possible, through repeal of the taxes on transportation, to extend a measure of relief to each and every person in the United States, without any serious loss of revenue to the Government.

Indeed, by removal of these taxes as a business expense for purposes of the income tax and by freeing the flow of commerce to produce greater business activity, resulting in more net income subject to Federal tax, such action presents for the Government the distinct possibility of a net revenue gain.

Add to this the benefits to be gained by all consumers through the cumulative effect of lower prices at each stage of manufacture, wholesaling and retailing, and it is difficult to conceive of another step which could be taken with greater resulting benefit to more people or to the Nation as a whole.

Mr. Speaker, the relatively small amount of revenue produced by these wartime taxes is far outweighed by the adverse effect they have on users of transportation on our essential public carriers and on our commerce and defense.

Therefore they should be repealed by this Congress.

## 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. PRESTON for 30 minutes today.

Mr. McGOVERN for 1 hour on Thursday, February 21.

Mr. HOFFMAN for 10 minutes on Tuesday and Wednesday.

Mr. BAILEY for 25 minutes on Wednesday, February 20.

Mr. SCHWENGEL (at the request of Mr. MARTIN) for 20 minutes on tomorrow.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN and to include extraneous matter.

Mr. FORRESTER in two instances and to include an editorial.

Mr. COAD and to include parts of a farm soil bill.

Mr. GROSS.

Mr. SAYLOR and to include extraneous matter.

Mr. JENSEN and to include a release.

Mr. MILLER of Nebraska and to include a letter.

Mr. COLLIER and to include extraneous matter.

Mr. MAY and to include a statement.

Mr. EVINS (at the request of Mr. BASS of Tennessee) and to include extraneous matter.

Mr. SMITH of Wisconsin and to include extraneous matter.

Mr. SIMPSON of Illinois (at the request of Mr. MINSHALL) and to include extraneous material.

Mr. HÉBERT and to include extraneous matter.

Mr. KEATING (at the request of Mr. MINSHALL) in two instances and to include extraneous matter.

Mr. CANFIELD and to include an article in Parade by Mr. FOGARTY, of Rhode Island.

## ADJOURNMENT

Mrs. GRANAHAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 21 minutes p. m.), the House adjourned until tomorrow, Tuesday, February 19, 1957, 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:

486. A letter from the Assistant Secretary of Agriculture, transmitting a report relative to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease for the period July to December 1956, pursuant to section 3 of Public Law 8, 80th Congress; to the Committee on Agriculture.

487. A letter from the Acting Postmaster General, transmitting a report on an over-obligation of funds by the regional director of the Atlanta region, from the appropriation "Facilities, 1957" for the quarter ended October 19, 1956, and an over-obligation of funds by the regional director of the Cincin-

nati region, from the appropriation "Transportation, 1957" for the quarter ended October 19, 1956, pursuant to section 3679 of the Revised Statutes (31 U. S. C. 665); to the Committee on Appropriations.

488. A letter from the Assistant Secretary of the Interior transmitting a report stating that an adequate soil survey and land classification of the lands in the Little Wood River project, Idaho, has been completed as a part of the investigations required in the formulation of a definite plan for project development, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

489. A letter from the Deputy Secretary of Defense, transmitting 60 reports covering 82 violations of section 3679, Revised Statutes and Department of Defense Directive 7200.1, entitled "Administrative Control of Appropriations within the Department of Defense," pursuant to section 3679 (1) (2), Revised Statutes; to the Committee on Appropriations.

490. A letter from the Administrator, Federal Civil Defense Administration, transmitting the quarterly report of Federal contributions for the quarter ending December 31, 1956, pursuant to subsection 201 (1) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

491. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill for the relief of Dorothy E. Green and Thelma L. Alley"; to the Committee on Armed Services.

492. A letter from the Secretary of Commerce, transmitting a report of our efforts and accomplishments in attempting to achieve fair and equitable distribution of nickel-plating materials, which supplements a report of December 31, 1956, entitled "Study of Supply and Distribution of Nickel," submitted pursuant to Public Law 632, 84th Congress; to the Committee on Banking and Currency.

493. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering personal property made available for distribution to public health and educational institutions and civil defense organizations under section 203 (j); and all real property disposed of to public health and educational institutions under section 203 (k), pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

494. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes"; to the Committee on Government Operations.

495. A letter from the Comptroller General of the United States, transmitting a report on the audit of the St. Lawrence Seaway Development Corporation for the fiscal year ended June 30, 1956, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 95); to the Committee on Government Operations and ordered to be printed with illustrations.

496. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to prohibit transmission of certain gambling information in interstate and foreign commerce by communication facilities"; to the Committee on Interstate and Foreign Commerce.

497. A letter from the Chairman, Federal Power Commission, transmitting the 36th Annual Report of the Federal Power Commission for 1956; to the Committee on Interstate and Foreign Commerce.

498. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill for the relief of William Henry Diment, Mrs. Mary Ellen Diment, and Mrs. Gladys Everingham"; to the Committee on the Judiciary.

499. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (1) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

500. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 6 of the Refugee Relief Act of 1953; to the Committee on the Judiciary.

501. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (5) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

502. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of February 14, 1957, the following bill was reported on February 15, 1957:

Mr. GARY: Committee on Appropriations. H. R. 4897. A bill making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1958, and for other purposes; without amendment (Rept. No. 68). Referred to the Committee of the Whole House on the State of the Union.

[Submitted February 18, 1957]

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. TEAGUE of Texas: Committee on Veterans' Affairs. H. R. 4602. A bill to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from \$10,000 to \$12,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes; without amendment (Rept. No. 69). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of February 14, 1957, the following bill was introduced on February 15, 1957:

By Mr. GARY: H. R. 4897. A bill making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1958, and for other purposes; to the Committee on Appropriations.

[Introduced and referred February 18, 1957]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO: H. R. 4898. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers who

are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes; to the Committee on Education and Labor.

H. R. 4899. A bill to raise the minimum wage under the Fair Labor Standards Act of 1938, as amended, to \$1.25 an hour, and for other purposes; to the Committee on Education and Labor.

By Mr. BONNER:

H. R. 4900. A bill to amend section 313 of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. COOLEY:

H. R. 4901. A bill to establish a minimum acreage allotment for corn; to provide acreage reserve programs for diverted acres and for feed grains; and for other purposes; to the Committee on Agriculture.

By Mr. COUDERT:

H. R. 4902. A bill to incorporate the National Academy of Design; to the Committee on the Judiciary.

By Mr. CUNNINGHAM of Iowa:

H. R. 4903. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H. R. 4904. A bill to facilitate the settlement of the accounts of certain deceased officers and members of the Metropolitan Police force and those of other persons receiving pension relief allowance or retirement compensation under the act of September 1, 1916, and for other purposes; to the Committee on the District of Columbia.

By Mr. DAVIS of Tennessee:

H. R. 4905. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the western district of Tennessee; to the Committee on the Judiciary.

H. R. 4906. A bill to provide for the control of certain advertising on federally owned or controlled lands adjacent to the National System of Interstate and Defense Highways, and to encourage such control on other lands adjacent to such National System; to the Committee on Public Works.

By Mr. DINGELL:

H. R. 4907. A bill to provide for the issuance of 30,000 special nonquota immigrant visas annually to Hungarian and other East European escapees; to the Committee on the Judiciary.

H. R. 4908. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

H. R. 4909. A bill to provide that certain Hungarian escapees paroled into the United States may upon application be admitted to the United States for permanent residence; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 4910. A bill to further amend the Federal Civil Defense Act of 1950, as amended, and for other purposes; to the Committee on Armed Services.

H. R. 4911. A bill to repeal section 2 of the act of August 2, 1956, and for other purposes; to the Committee on Armed Services.

By Mr. EDMONDSON:

H. R. 4912. A bill relating to the affairs of the Osage Tribe of Indians in Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. FORD:

H. R. 4913. A bill to amend the Immigration and Nationality Act to provide that certain aliens may be deported for failure to register as required under authority of section 3 of the Universal Military Training and Service Act; to the Committee on the Judiciary.

By Mr. GEORGE:

H. R. 4914. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retire-

ment Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRANT:

H. R. 4915. A bill to permit certain additional services to count for retirement purposes; to the Committee on Armed Services.

By Mr. HARRIS:

H. R. 4916. A bill to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended; to the Committee on Interstate and Foreign Commerce.

H. R. 4917. A bill to amend section 3 of the act of January 2, 1951, prohibiting the transportation of gambling devices in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD:

H. R. 4918. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

By Mr. HOLMES:

H. R. 4919. A bill to amend certain provisions of the Columbia Basin Project Act, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER:

H. R. 4920. A bill to authorize the Secretary of State to evaluate and to waive collection of certain financial assistance loans, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HYDE (by request):

H. R. 4921. A bill to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 4922. A bill to establish a minimum acreage allotment for corn; to provide acreage reserve programs for diverted acres and for feed grains; and for other purposes; to the Committee on Agriculture.

By Mr. JENSEN:

H. R. 4923. A bill to amend title II of the Agricultural Act of 1956 so as to provide for the utilization of surplus agricultural products through the use in motor fuels of alcohol manufactured from agricultural products grown on farms in the United States; to the Committee on Agriculture.

By Mr. KARSTEN:

H. R. 4924. A bill to amend title X of the Social Security Act to provide for approval of State plans for aid to the blind without regard to the existence in any State of other programs of assistance to blind persons financed entirely by the State, and to provide for approval of any State plan for aid to the blind even though such plan makes provision for payment of a fixed monthly money payment to eligible blind persons; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 4925. A bill to amend the Internal Revenue Code of 1954 to provide that special equipment for disabled individuals shall not be subject to the tax on automobile parts and accessories; to the Committee on Ways and Means.

By Mr. LOSER:

H. R. 4926. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY:

H. R. 4927. A bill to amend section (8) of the Civil Service Retirement Act of May 29, 1930, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McDONOUGH:

H. R. 4928. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H. R. 4929. A bill to provide for the construction of a new customhouse and Federal office building in Los Angeles, Calif.; to the Committee on Public Works.

By Mr. McGOVERN:

H. R. 4930. A bill to include producers and feeders of hogs among the producers and feeders who are eligible for special livestock loans; to the Committee on Agriculture.

By Mr. McMILLAN:

H. R. 4931. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H. R. 4932. A bill to amend the act of July 11, 1947, to increase the maximum rate of compensation which the director of the Metropolitan Police force band may be paid; to the Committee on the District of Columbia.

By Mr. MACK of Washington:

H. R. 4933. A bill to provide that compensation of a Federal officer or employee shall be subject to State tax only in the State where he is domiciled, and for other purposes; to the Committee on Ways and Means.

H. R. 4934. A bill to increase, in the case of children who are attending school, from 18 to 21 years the age until which child's insurance benefits may be received under title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. MASON:

H. R. 4935. A bill to amend title I, IV, X, and XIV of the Social Security Act so as to further assist the States in extending aid for medical care to persons eligible for public assistance under such titles; to the Committee on Ways and Means.

By Mr. METCALF:

H. R. 4936. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

H. R. 4937. A bill to provide for further research and technical assistance required for the control of mosquitoes and other arthropods capable of adversely affecting the health and welfare of man; to the Committee on Interstate and Foreign Commerce.

H. R. 4938. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Nebraska:

H. R. 4939. A bill to authorize and direct the Secretary of the Interior to convey certain property of the United States located in Juneau, Alaska, known as the Juneau Sub-port of Embarkation, to the Territory of

Alaska; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H. R. 4940. A bill to establish a minimum acreage allotment for corn; to provide acreage reserve programs for diverted acres and for feed grains; and for other purposes; to the Committee on Agriculture.

By Mr. POWELL:

H. R. 4941. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, with respect to the annuities of certain retired employees who served in Alaska and on the Isthmus of Panama; to the Committee on Post Office and Civil Service.

H. R. 4942. A bill to establish the principle of a basic single salary wage scale in the Canal Zone for civilian officers and employees in the Federal service; to the Committee on Post Office and Civil Service.

H. R. 4943. A bill to provide and adjust certain allowances, expenses, and other fringe employment benefits for certain Government employees stationed overseas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RAY:

H. R. 4944. A bill to amend title II of the Social Security Act so as to provide that deductions on account of earnings shall not be made in the case of beneficiaries who have attained retirement age; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H. R. 4945. A bill to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District; to the Committee on Government Operations.

By Mrs. ROGERS of Massachusetts:

H. R. 4946. A bill to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H. R. 4947. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of employers in the food industries who are engaged in activities affecting interstate commerce, to eliminate certain exemptions, and for other purposes; to the Committee on Education and Labor.

By Mr. SAYLOR:

H. R. 4948. A bill to amend title II of the Social Security Act to permit policemen and firemen in positions covered by retirement systems to obtain social security coverage on the same basis as other State and local employees; to the Committee on Ways and Means.

By Mr. SCOTT of North Carolina:

H. R. 4949. A bill to amend the Soil Bank Act to increase its benefits in the case of tobacco; to the Committee on Agriculture.

By Mr. SIKES:

H. R. 4950. A bill to provide for connections with the National System of Interstate and Defense Highways at Panama City, Pensacola, and Tallahassee, Fla., under section 7 of the Federal Highway Act of 1944; to the Committee on Public Works.

H. R. 4951. A bill to amend section 5701 (b) of the Internal Revenue Code of 1954 so as to adjust the rates of tax on cigars, and to add a new definition to section 5702; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H. R. 4952. A bill to amend the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 with respect to foreign tax credit for United Kingdom income tax paid with respect to royalties and other like amounts; to the Committee on Ways and Means.

H. R. 4958. A bill to amend section 812 of the Internal Revenue Code of 1939; to the Committee on Ways and Means.

By Mr. SMITH of Kansas:

H. R. 4954. A bill to amend the Civil Aeronautics Act of 1938 with reference to furnishing of alcoholic beverages; to the Committee on Interstate and Foreign Commerce.

H. R. 4955. A bill to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act; to the Committee on Interstate and Foreign Affairs.

By Mr. TELLER:

H. R. 4956. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WAINWRIGHT:

H. R. 4957. A bill to amend section 391 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. WEAVER:

H. R. 4958. A bill to amend the Bankhead-Jones Farm Tenant Act, as amended, to provide more flexibility in refinancing loans, and for other purposes; to the Committee on Agriculture.

By Mr. WILLIAMS of Mississippi:

H. R. 4959. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 to provide for insurance to be granted thereunder to certain employees of States whose positions are financed entirely from Federal funds; to the Committee on Post Office and Civil Service.

By Mrs. KELLY of New York:

H. R. 4960. A bill to provide for the issuance of a special postage stamp in commemoration of the 75th anniversary of the Knights of Columbus; to the Committee on Post Office and Civil Service.

By Mrs. KNUTSON:

H. R. 4961. A bill to amend the National School Lunch Act so as to authorize assistance to the States in furnishing two half-pints of milk a day to schoolchildren; to the Committee on Education and Labor.

H. R. 4962. A bill to amend the wheat-marketing-quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H. R. 4963. A bill to authorize the National Potato Grade Labeling Act, which provides quality requirements for, and the inspection, certification, and labeling of Irish potatoes; to the Committee on Agriculture.

By Mr. MAGNUSON:

H. R. 4964. A bill to authorize the Secretary of the Interior to exchange lands at Olympic National Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SHUFORD:

H. R. 4965. A bill to amend section 605 of the National Service Life Insurance Act to provide for the investment of 20 percent of the national service life insurance fund in making direct home loans to veterans and in purchasing loans guaranteed under the Servicemen's Readjustment Act of 1944, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AVERY:

H. J. Res. 238. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H. J. Res. 239. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. NIMTZ:

H. J. Res. 240. Joint resolution designating the fourth Sunday of September as Senior Citizens Day; to the Committee on the Judiciary.

By Mr. SIKES:

H. J. Res. 241. Joint resolution to provide for the observance and celebration of the quadricentennial anniversary of the establishment of the first European settlement in Florida; to the Committee on the Judiciary.

By Mr. ZELENKO:

H. J. Res. 242. Joint resolution requesting the President to instruct the Permanent Representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

By Mr. SIKES:

H. Con. Res. 117. Concurrent resolution to commemorate the quadricentennial anniversary of the establishment of the first settlement in Florida; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII memorials were presented and referred as follows:

By Mr. ALBERT: Memorial of the Legislature of Oklahoma, relative to certain statements made by Charles E. Wilson, Secretary of Defense, etc.; to the Committee on Armed Services.

By the SPEAKER: Memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States with reference to making adequate appropriations for authorized reclamation projects; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of New Mexico, memorializing the President and the Congress of the United States to exert its efforts on behalf of the agricultural and livestock industries of New Mexico; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Oregon memorializing the President and the Congress of the United States to provide stop-gap legislation extending the period of time in which Public Law 587 is to become effective, relating to the Klamath Indian Reservation; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States relative to urging the enactment of legislation to bring domestic tin into the same category as tungsten and other strategic metals, etc.; to the Committee on Armed Services.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 4966. A bill for the relief of John Thompson; to the Committee on the Judiciary.

H. R. 4967. A bill for the relief of Giovanni Galbo; to the Committee on the Judiciary.

By Mr. ANFUSO:

H. R. 4968. A bill for the relief of Aron Schatten (Soten); to the Committee on the Judiciary.

H. R. 4969. A bill for the relief of certain Polish sailors; to the Committee on the Judiciary.

By Mr. BALDWIN:

H. R. 4970. A bill for the relief of Joy Kulis and Janet Arline Kulis; to the Committee on the Judiciary.

By Mr. CURTIN:

H. R. 4971. A bill for the relief of Mrs. Yousra Haddad and her three minor children, Daad Haddad, Latifeh Haddad, and Marie Haddad; to the Committee on the Judiciary.

By Mr. DENTON:

H. R. 4972. A bill for the relief of Sui-an Fung and Shu-nung Wu Fung; to the Committee on the Judiciary.

By Mrs. DWYER:

H. R. 4973. A bill for the relief of Lum Shen Ng; to the Committee on the Judiciary.

## By Mr. FENTON:

H. R. 4974. A bill for the relief of Rudolf Dege, his wife, Anna Dege, and son, Helmuth Dege; to the Committee on the Judiciary.

H. R. 4975. A bill for the relief of Dezio Blascovich; to the Committee on the Judiciary.

## By Mr. FARSTEIN:

H. R. 4976. A bill for the relief of Angelos Karydis and Maria Karydis; to the Committee on the Judiciary.

## By Mr. HASKELL:

H. R. 4977. A bill for the relief of Gyula Nandor Szabo; to the Committee on the Judiciary.

## By Mr. HILLINGS:

H. R. 4978. A bill for the relief of Hans Friedrich Thee; to the Committee on the Judiciary.

H. R. 4979. A bill for the relief of Julia Char Lee and Jenny Pey Yuen Lee; to the Committee on the Judiciary.

## By Mr. HOLIFIELD:

H. R. 4980. A bill for the relief of Franz Oberschall; to the Committee on the Judiciary.

## By Mr. HOLTZMAN:

H. R. 4981. A bill for the relief of Mrs. Berta Rakovsky de Spikilis; to the Committee on the Judiciary.

## By Mrs. KELLY of New York:

H. R. 4982. A bill for the relief of Max Warman and his wife, Rachel Warman; to the Committee on the Judiciary.

H. R. 4983. A bill for the relief of Arthur Barnett; to the Committee on the Judiciary.

## By Mr. KEOGH:

H. R. 4984. A bill for the relief of Dominick Moro; to the Committee on the Judiciary.

## By Mr. KING:

H. R. 4985. A bill for the relief of Cesar Garcia; to the Committee on the Judiciary.

## By Mr. McCORMACK:

H. R. 4986. A bill for the relief of the widow and children of John E. Donahue; to the Committee on the Judiciary.

## By Mr. McDONOUGH:

H. R. 4987. A bill for the relief of Isaac Behar and Mrs. Susan Behar; to the Committee on the Judiciary.

## By Mr. METCALF:

H. R. 4988. A bill for the relief of the Thomas Cruise Mining & Development Co.; to the Committee on the Judiciary.

## By Mr. O'BRIEN of New York:

H. R. 4989. A bill for the relief of Sara Aryeh; to the Committee on the Judiciary.

## By Mr. PELLY:

H. R. 4990. A bill for the relief of Fred Chia-chun Hung and Hwa Ching (Lok) Hung; to the Committee on the Judiciary.

## By Mr. PRESTON:

H. R. 4991. A bill for the relief of Waldo E. Miller; to the Committee on the Judiciary.

## By Mr. REUSS:

H. R. 4992. A bill for the relief of Michael D. Ovens; to the Committee on the Judiciary.

## By Mr. ROONEY:

H. R. 4993. A bill for the relief of Serafin Llorca Domingo; to the Committee on the Judiciary.

## By Mr. SIMPSON of Illinois:

H. R. 4994. A bill for the relief of John B. Sutter; to the Committee on the Judiciary.

## By Mr. SMITH of Wisconsin:

H. R. 4995. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Gubbins & Co., of Lima, Peru, and Reynaldo Gubbins; to the Committee on the Judiciary.

## By Mrs. SULLIVAN (by request):

H. R. 4996. A bill for the relief of Mrs. Rita Maria Agnes Larks Settemo; to the Committee on the Judiciary.

## By Mr. WALTER:

H. R. 4997. A bill for the relief of Stephanie Perlehefer; to the Committee on the Judiciary.

## By Mr. WEAVER:

H. R. 4998. A bill for the relief of John Nicholas Christodoulis; to the Committee on the Judiciary.

## By Mr. ZELENKO:

H. R. 4999. A bill for the relief of Leopold Katz; to the Committee on the Judiciary.

H. R. 5000. A bill for the relief of Hermengildo V. Santos; to the Committee on the Judiciary.

H. R. 5001. A bill for the relief of Ernest Braun (Mikulas Neufeld) and Judith Braun (Judith Neufeld); 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:

84. By the SPEAKER: Petition of the secretary, Catholic State League of Texas, San Antonio, Tex., petitioning consideration of their resolution with reference to protesting the use of Federal funds for school construction purposes, etc.; to the Committee on Education and Labor.

85. Also: petition of the president, Holy Name Society of St. Adalbert's Parish, Elizabeth, N. J., petitioning consideration of their resolution with reference to unanimous opposition to any offer, inducement, or invitation to Marshal Tito to visit the United States of America as the recognized leader of Yugoslavia; to the Committee on Foreign Affairs.

86. Also: petition of Ohio Bell, Chicago, Ill., relative to stating a grievance relating to a claim; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

## Lithuanian Independence

## EXTENSION OF REMARKS

OF

## HON. JOHN MARSHALL BUTLER

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, February 18, 1957

Mr. BUTLER. Mr. President, February 16 is the anniversary of the independence of the small but brave and gallant nation of Lithuania. We in America continue to be inspired by their heroic refusal to succumb to the atheistic and tyrannical onslaught of the Soviet dictators who relentlessly seek to stamp out the rich traditions of freedom and independence which for countless centuries have been an essential part of life in Lithuania. In recognition of this significant date, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a brief statement outlining Lithuania's ceaseless struggle to be free.

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

## LITHUANIAN INDEPENDENCE DAY

(Statement by Senator BUTLER)

The Lithuanians constitute one of the smaller ethnic groups in Europe, but they have played a conspicuous role in the history of northeastern Europe. They founded an

independent state more than 700 years ago, and during the 13th and 14th centuries Lithuania became a great power—a Christian power, to be reckoned with by the invaders from the East. Early in modern times the Lithuanian and Polish ruling houses united and from then on the fate of the Lithuanians was linked to that of the Poles. Finally, late in the 18th century when Poland was partitioned and ceased to exist as an independent state, Lithuania suffered a similar fate and became a Russian province.

The loss of independence did not deter the tough and tenacious Lithuanians from clinging to their ideals of national independence. For more than 100 years, they kept alive their belief in liberty, and in 1918 they attained their goal.

On February 16 of that year, the Lithuanians proclaimed their national independence and at once began to shape their own destiny in their own way. From then on for some 20 years, the democratic government they established worked near miracles, both in the task of rebuilding the country and in educating the people in democratic and progressive ways. In this difficult but rewarding task the Lithuanians were so successful that their government in its social, economic, educational, and political working became a model for many other countries. But the life of bare two decades was something like an Indian summer in Lithuanian history. Soon after the outbreak of World War II, Lithuania was forcibly annexed to the Soviet Union. In 1941 the Nazis overran the country and liberated it, only to hand it back to the Red Army in 1944. Since then Lithuania has been turned into a vast concentration camp, completely sealed off from the free world. Under this tyranny,

the Lithuanians cannot celebrate their most cherished holiday, the anniversary of their independence, but it is not forgotten here in America. All Americans join with those of Lithuanian descent in the celebration of this day.

## Catholic Press Month

## EXTENSION OF REMARKS

OF

## HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. KEATING. Mr. Speaker, as February draws to a close, I am happy to note that this month has been celebrated all across the country as Catholic Press Month.

As a regular reader of the Catholic Courier-Journal, the diocesan publication printed in Rochester, N. Y., I can testify at first hand to the fine work being done by our Catholic press. The Courier-Journal, which ranks high among newspapers of this type, consistently supplies complete, accurate, and readable news of particular interest to the Catholic reader. Its editor, Msgr. John S. Randall, deserves praise for the way in which he has put into practice high standards of morality and journalism.

Mr. Speaker, the Catholic publications in this country are filling a vital need for an important segment of our population. I am delighted to have this opportunity to salute this significant branch of America's fourth estate, and to voice my confidence that the Catholic press of this Nation will continue to dispense its high caliber journalism.

### The Use of Surplus Farm Products in Motor Fuel Production

#### EXTENSION OF REMARKS OF

**HON. BEN F. JENSEN**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. JENSEN. Mr. Speaker, before the advent of the auto, truck and tractor, our horses and mules consumed the crops from 43 million acres. Our grain surpluses should now be consumed in motor fuel. The following is a news release:

JOINT NEWS RELEASE FROM THE OFFICES OF SENATOR KARL E. MUNDT AND REPRESENTATIVE BEN JENSEN

WASHINGTON, D. C., February 18.—Senator KARL E. MUNDT, Republican, South Dakota, and Representative BEN JENSEN, Republican, Iowa, today introduced identical bills to achieve use of surplus farm products in motor fuel production in the Senate and the House of Representatives.

On introducing their legislation the two solons told reporters their bill would require that motor fuel used in the United States contain a minimum of 5 percent by volume of alcohol manufactured from agricultural products. Commenting further, MUNDT and JENSEN said, "Experience has shown us that long storage of grain under Government loan is not a practice which can be justified either technologically or economically, since after long periods of storage grain becomes largely lost as a useful commodity. We feel that these farm surpluses, the fruits of American farm production, can be put to work for the good of all our country."

MUNDT and JENSEN pointed to the fact that on January 9, 1957, the Department of Agriculture had nearly a billion bushels of corn in storage. Their legislation calls for a minimum mixture of 5 percent alcohol with gasoline which they estimate would have the potential of using up our stored corn surpluses in 1 to 2 years.

In commenting further, MUNDT and JENSEN said, "We believe this legislation provides the means for the intelligent use of our agricultural surpluses and that Congress has the serious responsibility for development of sensible programs in this field." MUNDT and JENSEN told reporters the United States would not be pioneering in a new field if their bill is passed, since foreign countries such as Brazil and Cuba have operated similar programs with success.

Senator MUNDT and Congressman JENSEN expressed optimism that their bill, if enacted into law, would have an immediate effect. "We are informed that our present distillers of alcohol for medicine and beverage need only to operate their plants less than 25 percent of the time to meet their present requirements, so we feel satisfied that substantial production under the legislation we are sponsoring could be quickly achieved.

Earlier this month, MUNDT and JENSEN spent a morning with the President's Com-

mission on Increased Industrial Use of Agricultural Commodities after which they expressed themselves as highly gratified at the interest and attention the Commission is devoting to the alcohol motor fuel proposal.

GORE said "the Atomic Energy Commission has shown little concern over reports of foreign progress, and the policy makers have been reluctant to adopt policies which will insure that the United States will advance to the front of the race.

\*\*\* Adm. Lewis L. Strauss, Chairman of the Atomic Energy Commission, has recently shown a tendency to favor increased governmental participation in the atomic power field. However, his proposals would continue to restrain the Government from the immediate construction of atomic power reactors.

"Admiral Strauss includes in his eight-point program a proposal that 'the Commission substantially increase the existing opportunities for Government assistance in this respect, by assuming a greater share of the cost of research and development as distinct from actual construction costs.'

"The Chairman continues that if acceptable civilian proposals are not 'forthcoming on all the specified types within a reasonable period of time, the Commission would take prompt and positive steps to build these reactors on its own initiative.'

#### PROGRAM INADEQUATE

"I reiterate: Why continue to rely solely on a program that is so demonstrably inadequate? It has been characterized only by continued delay when delay could be most costly. The extended period this Nation has waited for actual atomic power reactor development has already exceeded a reasonable period of time. We cannot afford to wait longer.

"Experience in the actual construction and operation of large-scale reactors is one of our most pressing needs," GORE continued.

"Regardless of what we would like to believe, our relative position in the atomic power race is far from ideal. Reasons to be complacent are absent.

"Russia has announced as ambitious plan for atomic production of some two to two and one-half million kilowatts before 1961. Some proposed Soviet reactors are to be capable of producing 200,000 kilowatts.

"The British, who already have a successful atomic reactor in operation at Calder Hall, announced a new 10-year program early in 1955 for the construction of 16 large reactors during the ensuing decade, with a total capacity of one and one-half to two million kilowatts.

"By comparison, the maximum nuclear power capacity foreseen in the United States before 1961 is well under 1 million kilowatts, maybe only a fraction of this amount."

#### FOREIGN MARKETS EFFECT

GORE cited what he termed the effect of the United States production lag on foreign markets. "When I was in Japan last summer, I found the Japanese authorities on the verge of entering into a contract for the purchase of a \$75 million reactor from Great Britain. I undertook to persuade them of the advantages of buying an American-type reactor.

"While on my visit, I was advised that a representative from an American firm and a British firm had recently come to Japan to interest the Japanese in a reactor. It turned out the British had been far more convincing because he described a plant that had actually been constructed and a process that already was producing economic atomic power, while the American was speaking more theoretically of a design and type that had not been proven."

GORE said that in offering his bill, "I do not seek to provide a public power versus a private-power fight. There is ample room and need for both atomic electricity, just as there is room and need for both in the generation and distribution of conventional power."

"The point is that only the Government has the means to bring to early fruition the

### Senator Gore Calls for Leadership by United States in Building Atomic Reactors

#### EXTENSION OF REMARKS

OF

**HON. JOE L. EVINS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. EVINS. Mr. Speaker, under unanimous consent I ask to have reproduced in the CONGRESSIONAL RECORD excerpts from a recent address by Senator GORE, of Tennessee, delivered at Vanderbilt University on the need and importance of the Nation assuming and capturing the leadership in atomic development.

Excerpts from the address which appeared in the Nashville Banner follows:

#### SENATOR GORE CALLS FOR LEADERSHIP BY UNITED STATES IN BUILDING ATOMIC REACTORS

Senator ALBERT GORE has renewed his fight for the Government, through construction of demonstration reactors, to chart America's path to leadership in the field of peaceful atomic power.

GORE today told the Vanderbilt University assembly and the Nashville Shrine Club he has reintroduced a bill to provide "\$400 million for the governmental construction of demonstration atomic power reactors of large and intermediate sizes, all on Federal property with their output to be used entirely by Federal installations."

#### PROGRESS A "MUST"

GORE said immediate United States progress in the field is a "must" because:

Britain and Russia are setting the pace. World markets for atomic power equipment and technology soon will escape us.

The United States, developer of atomic power for war, has a world obligation to be the leader in its use for peace.

GORE's bill, he said, is similar to his bill of last year which was approved by the Senate and narrowly defeated in the House of Representatives.

GORE said he was concerned that "not one license for a large-scale power reactor has been issued" under a 1954 bill that placed reliance for the construction of reactors upon private companies under a system of licenses to be issued by the Atomic Energy Commission.

"An atomic power reactor now under construction at Shippingport, Pa., is of intermediate size," GORE continued, "but it was not licensed under terms of the 1954 act. This reactor is being financed largely with Government funds and under Government technical direction, and by terms of the act that was repealed in 1954."

#### LITTLE TO SHOW

"Thus, several years after our explosive announcement of having harnessed the atom, we have little to show as far as peace-time power uses are concerned—no atomic power reactors of even moderate size in operation. By what standard can this be held to be 'adequate progress'?" GORE said.

enormous potential of the atom. Timely action by our Government will foster private enterprise by advancing the date at which there can be widespread participation by both large and small in the atomic-power industry."

GORE concluded: "I emphasize that we cannot afford to delay our program any longer. Our Government must take advantage of the opportunity by immediately developing demonstration power reactors. Then, and perhaps only then, private enterprise will vigorously enter the field.

"In the eyes of the world, we have placed major emphasis upon atomic destruction, as indeed we have. We, therefore, have a clear moral responsibility to be the first to make this marvelous new source of energy available to improve the lot of mankind.

"If the Government will unbind its hands in the atomic-power field and obtain a foothold in it for future development by industry, then it can render a real service while once again meeting successfully a major requirement of the time."

### White Population Dips in Chicago

#### EXTENSION OF REMARKS OF

#### HON. E. L. FORRESTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. FORRESTER. Mr. Speaker, the Washington News, February 14, 1957, issue, carries a United Press story dated February 14, headlined from Chicago, reading as follows:

#### WHITE POPULATION DIPS IN CHICAGO

CHICAGO, February 14.—Chicago's white population has declined since 1950 while the number of nonwhites has increased, a study reveals.

It showed that by mid-1956 the city's white population had declined from 3,112,000 in 1950 to 3,039,000 in 1956. The nonwhite population increased by 197,000 during the 6 years, from 509,000 in 1950 to 706,000 in 1956.

The study showed that nonwhites make up 19 percent of the city's population.

According to that article, the white population of Chicago has declined since 1950, but the number of nonwhites has increased. It is startling, I am sure, to the white citizens of the great city of Chicago, that in 1950 the white population in Chicago was 3,112,000 people, but after a lapse of 6 years, and during the most prosperous times in the history of this country, the white population has decreased to where it is only 3,039,000 white people. I feel certain that the white people of Chicago will also be interested to note that the nonwhite population in the same 6-year interim had increased from 509,000 people in 1950 to 706,000 in 1956.

I think that I can say to the people of Chicago that they need have no doubt that this nonwhite population is going to increase. The good people of Chicago may want to know what has happened to so many of their fine white citizens that have seen fit to move from their borders. I am happy to tell them that quite a few of them have now become firmly rooted down in south Georgia, and in the district that I have the honor to represent, and that we are thoroughly delighted

with those new citizens. These people who have left their Chicago homes and come down to live with us are making a splendid contribution to our section, and to our American way of life, and we are most delighted to send them some more of our nonwhite population in exchange for those fine white citizens who have found that Chicago is no longer congenial to their thoughts and to their traditions. Keep it up, Chicago, because we will take all of your good people that want to come and want to be a part of us.

#### Plight of a Midwest Farmer

#### EXTENSION OF REMARKS OF

#### HON. MERWIN COAD

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. COAD. Mr. Speaker, this last Thursday, February 14, was a day which obviously will long be remembered in the Ernest W. Mueller family circle. You see Ernest W. Mueller is—or was—a young Iowa farmer of approximately 35 years of age who lived 5 miles west of Knoxville, Iowa. He grew up on a large farm just north of Winterset, Iowa, and graduated from the Winterset High School. At the time he was drafted in World War II he lacked just 1 or 2 quarters of graduating from the agricultural course at Iowa State College.

Now an interesting thing about Mr. Mueller is that last fall during the campaign Secretary of Agriculture and his party were entertained for lunch in the yard of the Ernest Mueller home. There were pictures in the paper of the party eating dinner there and also interviews on television.

Now, I learn through a sale bill in the Iowa newspapers that Ernest Mueller is selling out and getting off the farm. It is my understanding that he plans to become a salesman for a livestock feed concern.

Surely, Mr. Speaker, the kind of a farm program which has consistently been espoused and fostered by this administration is ruinous to the American farmer. Here is concrete evidence that all is not well on the farm when those who are loyal Republicans cannot stand the financial strain which has been thrust upon them through the policies of their own party.

In the next few days I understand that we are to have an opportunity to debate openly a bill designed to aid the farmer. At that time, Mr. Speaker, I will state further my views on the plight of the Midwest farmer.

A condensed copy of the Ernest Mueller sale bill is as follows:

#### LARGE PUBLIC SALE

I will sell at public auction at the farm located 5 miles west of Knoxville on Highway 60-92, north of highway near Roadside Park, on Thursday, February 14 (must start 10:30 a. m. sharp; in case of bad weather sale will be held in the loafing shed), 95 head of Holsteins, 39 head of hogs, dairy equipment, farm machinery, 3 Ford tractors, livestock

equipment, 8-year-old Shetland gelding, 300 bales 3d cutting alfalfa.

ERNEST W. MUELLER.

(Lunch served on grounds. Peters, Bingley, Richards, auctioneers. Iowa State Bank, clerk.)

(Closing-out sale.)

#### Recommendations for Cutting the Budget

#### EXTENSION OF REMARKS

OF

#### HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. MILLER of Nebraska. Mr. Speaker under permission to extend my remarks in the CONGRESSIONAL RECORD, I include a letter I am sending to the President of the United States, making certain suggestions for cutting the budget:

FEBRUARY 12, 1957.

The President of the United States DWIGHT D. EISENHOWER,

The White House,  
Washington, D. C.

MY DEAR PRESIDENT EISENHOWER: Since the President's budget of nearly \$72 billion has been presented to the Congress and the country, there has been a wave of indignation and resistance to the largest peacetime budget in the history of our country. The President and the Secretary of the Treasury, Mr. Humphrey, has suggested that the Congress should examine the budget carefully and make any cuts they feel can be made.

I note the President and his economic advisers are greatly concerned about inflation and how it should be controlled. I believe they recognize that excessive spending can jeopardize the Nation's economy. The President had strong words to say about inflation, asking labor and industry to use caution in advancing prices. Recently, there have been suggestions that certain controls might have to be imposed if inflation is not halted.

While we complain about inflation, we note that the budget contains money for several new projects and continues others that might well be trimmed. I respectfully make the following suggestions as to how and where this budget can be reduced:

1. Adopt the Hoover Commission recommendations in total and save about \$5 billion.

2. We cannot continue to carry the world on our back in giving foreign aid. There are now about 40 countries receiving our assistance, costing on an average of \$5 billion a year. This can be drastically cut and in some instances, eliminated altogether.

3. Reduce the swollen 2,400,000 Federal employees by not hiring additional employees when vacancies occur, until the Federal payroll has been reduced at least 10 percent. The present budget calls for adding 27,000 new employees. No one would be hurt by not hiring a replacement for those who resign, die, or leave Government employment.

4. Call a halt to all new spending programs, including Federal aid to education, and 6 or 8 new programs now being proposed. This would save an additional \$3 or \$4 billion. The overall savings in these suggestions would be close to \$10 billion.

There is no question about the budget being inflationary. I am sure that inflation cannot be stopped by calling for the biggest peacetime budget in the history of the United States. The Government should set the example. We need a little of the old-fashioned

spunk that you showed during your 1952 campaign when you said:

"Our opponents say you cannot cut taxes. You cannot end or minimize Korean losses. You cannot stop inflation. You cannot stabilize international relations. What kind of stuff is that? Of course we can and will."

May I suggest, Mr. President, that we can and do cut the budget.

Very truly yours,

A. L. MILLER,  
Member of Congress, Fourth Dis-  
trict, Nebraska.

### Will We Have a Depression?

#### EXTENSION OF REMARKS OF

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. GROSS. Mr. Speaker, Carl H. Wilken, economic analyst for the Raw Materials National Council, has just published his summary of 20 years of research in which he has analyzed the operating record of the United States.

The title of the publication is "All New Wealth Comes From the Soil." The material in the publication analyses the record of our economy from 1910 to 1956. It specifically points out the reasons for the depression following 1929 and the tremendous economic loss suffered by the United States.

The past 11 years of our economy are set forth specifically in terms of national income, additions to the total debt, public and private and the severe dislocation between rural America and the rest of the Nation.

The publication points up the fact that we have added \$600 billion to the total debt in the period following 1940 and that this debt has become a large part of the operating costs at the present time.

During the past 2 years it has required \$120 billion to offset the loss of earned income due to relatively low farm prices which affect all the people in rural America. To offset this increase in debt requires approximately a 10-percent increase in the consumer price level.

The publication uses the State of Iowa as an example of current dislocations in our economy. It points out that Iowa lost \$1 billion in 1955 and again in 1956. This in turn meant a loss of \$700 million of retail sales in Iowa, a market lost to Iowa businessmen and American industry.

Mr. Wilken also points out that in 1956 even though consumer-goods sales were at the highest dollar level in history, they represented only 48.5 percent of the national income as compared to 55.3 percent, the average for 1946-50. This drop in percentage represents a relatively low level of consumer buying in ratio to national income in 1956 amounting to \$22 billion. This loss of earned consumer-goods sales is being offset by excessive increases in the total debt.

In commenting on the future, the publication points out that unless we get our rural economy back in balance with

American industry a depression is just a matter of time. Loanable funds as a result of excessive credit are at too low a level to carry on the economy with debt.

The results of another depression are specifically pointed up. A 25-percent drop in the current consumer price level would set the stage for a cutback of \$190 billion of current national income and would force a reduction of \$700 billion in property and other capital values existing at the present time.

Mr. Wilken in commenting on the effect of such a happening said: "It would curl the hair of even a baldheaded man."

### CG-249 Would Stagnate Oil Exploitation and Charter Fishing Industry

#### EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. HÉBERT. Mr. Speaker, following the hearings held on October 16, 1956, in Washington, D. C., regarding the proposed agenda, CG-249 to give force and effect to Public Law 519, I have been deluged by my constituents who fear that CG-249 will become the rule with only minor changes.

I have taken the opportunity to inform myself of the contents of CG-249 and after listening to the legitimate complaints thereof, have concluded that if adopted in rule form, even with major revisions, serious hardship and even stagnation of the oil exploitation and charter fishing industries in the district I represent would be a certainty.

This agenda, as has been pointed out to me, was written without consultation with either the shipbuilders or operators and is, to say the least, arbitrary and unreasonable. While trying to prevent accidents, it goes to such lengths and into such details that it would certainly—

First, require many more persons in the Coast Guard to even begin enforcement; second, prevent builders from utilizing newer concepts of small boats necessary to meet the competition from other forms of transportation not similarly affected—helicopters; third, threaten, by increasing the cost of boats to such an extent, the profitable nature of the commercial venture.

It would appear that the accidents which we are trying to prevent have been caused principally by, first, unauthorized use of butane gas; second, overloading of vessels; third, inexperienced or negligent operating personnel; fourth, fires and/or explosions due to gasoline and fed by oil-soaked wooden hulls.

Because of the resistance that CG-249 has met with and the need to protect the lives and property of passengers on vessels affected, a solution is suggested that should give the desired force and effect to Public Law 519, namely:

First. Throw out CG-249.

Second. Inspect under Public Law 519 using the rules for uninspected vessels—Motor Boat Act of April 25, 1940.

Third. As experience and the industry concur, augment these rules with certain provisions relating to the overloading and the prevention of fires and explosions on gasoline powered and/or wooden vessels.

### Distressed or Surplus Labor Area Legislation

#### EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. SAYLOR. Mr. Speaker, for many years, I have been advocating enactment of so-called distressed or surplus labor area legislation. I have contended that such action is a necessary step toward achieving economic stabilization on a nationwide basis. It would serve to bridge the gaps and crevices which inevitably occur along the road to economic progress in a highly industrialized society.

My program calls for a Federal program designed to assist in maintaining a high level of prosperity and employment. It provides for the planning and construction of useful public facilities, not only to mitigate substantial unemployment, but to provide permanent capital improvements of a nature which will strengthen the national economy and increase the well-being of all citizens.

As a firm advocate of the free economic system, unfettered by Government restraints and devoid of Federal invasions into fields of business, I feel that my program would in effect serve to safeguard this philosophy. I believe that my proposal is especially necessary in a period of international uncertainty, for it would help to maintain the industrial flexibility required for a sound defense structure. It is additionally essential in an era of rapid technological advance in which local employment conditions are subject to sudden disruptions with extended applications of automatic devices. In brief, the legislation which I propose would tend to allay whatever fear might otherwise seize workingmen and women when automation threatens to dispense with their jobs.

Introduction of new machines has engendered consternation in human minds through the ages, at least since the time that the industrial revolution in England had a tragic impact upon so many families. Their jobs taken away by the use of power-driven machines, they were ruthlessly turned into the streets to forage for themselves. At times in isolated areas of this country there have been parallel cases, though to a lesser degree. The thought has continued to plague segments of the working populace. To counteract it, Congress should adopt my program and thereby substitute a feeling of security in place of trepidation.

Obviously, automation should be encouraged. One of the most lucid and

logical explanations to be presented on this subject was contained in the testimony of Thomas Roy Jones, president of Daystrom, Inc., when he appeared before the Subcommittee on Economic Stabilization of the Joint Economic Committee last year. Mr. Jones started his engineering career as a laborer on a railroad signal gang, and in his rise to the top level of industrial management he has familiarized himself with the many advantages of technological progress. Here is a summary of his reasons for wanting to accelerate the application of automation:

First. Automation is essential to the economy in that it provides an opportunity for the American worker to increase his real wages through increased individual productivity.

Second. It is a psychological necessity that man continually seek to extend himself to the limit of his inherent capabilities.

Third. Automation is essential to the national defense, for it could determine the extent to which the civilian economy could support military production.

Mr. Speaker, some of the recommendations contained in Mr. Jones' testimony might well be adopted by Congress in its determination to accelerate training of technical talent and to encourage more of our youth to pursue a teaching career in science and engineering. I would suggest that, when the committee report is available, my colleagues peruse this convincing statement advocating a step-up in the drive toward further automation.

Once this philosophy is accepted, enactment of surplus labor area legislation should follow immediately. We in Pennsylvania have had ample evidence of the need for such a program. When coal mining companies invested in labor-saving machines to increase productivity, the United Mine Workers of America made no protest. They realized that employment would be affected, yet they refused to oppose progress. Had my proposed legislation been made into law, the surplus workers could have moved into public works projects while waiting for new industry to enter the State and absorb them. Certainly it has not been fair to penalize this far-sighted organization for its unselfish attitude toward mechanization.

The solution to the situation calls for continued cooperation between management and labor, plus application of sound Christian social principles. The latter consideration requires passage of a surplus labor area bill as quickly as possible.

#### Sonic Boom Explosions

##### EXTENSION OF REMARKS

OF

**HON. SID SIMPSON**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 18, 1957*

Mr. SIMPSON of Illinois. Mr. Speaker, for the past 4 or 5 years, our office has

been contacted relative to jet airplane sonic boom explosions, thereby causing property damage. This office has contacted Lambert Field at St. Louis where these planes are supposed to be based, for information relative to this situation. The answers have never been understandable. The complaints of damage to homes, both in urban and rural areas, business houses and even livestock, have been very prevalent.

The Federal Government cannot be sued without its consent. Under the Federal Tort Claims Act, the United States sovereignty has been waived under certain types of suits. It is questionable whether the Federal Tort Claims Act would cover or be sufficient over claims for damages by jet explosion. I have asked the legislative counsel to draft legislation whereby the Federal Government would waive its immunity to suit under conditions herein described. I will introduce it the day it is available.

I feel that it has reached the point where damage claims should be allowed or the jet explosions controlled.

**H. R. 4678**

##### EXTENSION OF REMARKS

OF

**HON. HAROLD R. COLLIER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 18, 1957*

Mr. COLLIER. Mr. Speaker, under unanimous consent, I include in the CONGRESSIONAL RECORD my remarks regarding interest on E-bonds as part of the standard income tax exemptions as provided in the bill I introduced on February 11, 1957, H. R. 4678.

It has been repeatedly implied that the United States Treasury Department proposes an increase in the interest rate on long-term bonds as it has already done on short-term obligations. In the interest of stemming inflations within the processes of our Federal fiscal system, I propose that the Treasury Department entertain a plan to exempt the interest on E-bonds as part of the standard income tax exemptions.

May I point out, under the existing law interest of \$25 realized after 10 years is taxed at a figure of 22 percent or \$5.50 per a net gain of \$19.50 on a hundred dollar denomination.

It seems to me that the ultimate goal of the Government is to encourage the public not only to hold but to buy bonds and, in this manner, hold down deposits and reserves created when the Treasury borrows from banks.

I believe that we are all aware of the fact that Treasury borrowing from banks is an inflationary process. I should like to point out further that in my opinion the public could be induced to buy and keep E-bonds by making the interest tax exempted. At the same time, it would tend to arrest the inflationary cycle.

Exempting interest on E-bonds and other publicly held securities would work

toward this objective. Furthermore, redemptions and conversions would undoubtedly decline, thus resulting in a saving in clerical cost and operation.

In conclusion may I suggest that the United States Treasury Department and the Committee on Ways and Means give serious thought to this proposal.

#### Lithuania Will Be Free Again

##### EXTENSION OF REMARKS

OF

**HON. LAWRENCE H. SMITH**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Monday, February 18, 1957*

Mr. SMITH of Wisconsin. Mr. Speaker, under leave to extend my remarks, previously given, I desire to again reaffirm a statement I have made many times before; namely, that some day Lithuania will again enjoy liberty and freedom. One cannot safely say just when this will be, but there is a just God that rules the universe and it is safe to say that liberty and freedom is a by-product of Christianity and in the normal course of events the freedom so devoutly cherished by the people of Lithuania is bound to be realized.

Mr. Speaker, history will record that one of the high crimes of this century will be the subjugation of the Baltic States by the ruthless masters who rule from the Kremlin. There was no justification, no good reason, for Russia to physically impose its will on the free countries adjacent to its borders in the Baltic region.

It is well to point out, Mr. Speaker, that when World War II started in Europe the price of Russian help to Germany greatly increased and Germany was obliged to cede to Russia all three Baltic States in addition to the Ukrainian and White Russian sections of Poland. While the Germans had actually occupied those countries prior to the outbreak of the war, their actions like the Russians' were not justified. Prior thereto, Russia had always maintained what the Baltic people believed was a friendly attitude but events have proved that she was only waiting for a better opportunity to seize the nations and at a time when the other great European powers might be engaged in war. And so it was in 1939 that she disclosed her real intentions by assembly of a young army of 1 million or more near the Baltic boundaries and addressed these three Baltic States with separate ultimatums demanding still greater friendship; namely, admission of Russian garrisons and occupation of strategic military points in those countries.

Obviously, these three Baltic States were in no position to defend their borders against what was obviously a Russian determination to occupy and dominate their lands.

Mr. Speaker, the high crimes committed by the Russians against these peaceful nations will never be forgotten and with the light of liberty still burn-

ing brightly in the hearts and minds of Lithuanians who have since migrated to this country, I repeat again, that someday Lithuania, Estonia, and Latvia will be free.

As part of my remarks, Mr. Speaker, I am including an address by Mr. Peter Petrusaitis, chairman of the Lithuanian American Council in my own city of Racine, Wis. The Lithuanian people in Wisconsin are holding high the torch of liberty and freedom.

I also include as part of my remarks a resolution adopted by the Lithuanian American Council, Racine branch, on February 16, 1957:

ADDRESS BY PETER PETRUSAITIS, CHAIRMAN, LITHUANIAN AMERICAN COUNCIL, RACINE BRANCH

It is my proud privilege to extend my most heartfelt greetings to all of you gathered here.

Today, 39 years ago, the Lithuanian people declared to the world that they wanted to be free again. They had to conquer many hardships to achieve their goal. That determination became reality.

I am proud to state to everyone that Lithuania during the 22 years of independent life proved to be a worthy member of those nations who had contributed to the welfare of mankind.

The brute force, which is even now threatening to destroy freedom everywhere, extinguished the liberty of Lithuania and enslaved her people. Although the physical enslavement is torturing the bodies of the Lithuanians, they continue to be free in their hearts. I want to point out that no nation can ever be conquered as long as the faith and the will of the people is stronger than that of their oppressors. Such a nation will survive throughout all hardships.

The Communists have failed to win the people of occupied countries to their side. Especially, their failure is visible in the ranks of the working classes and the youth of the land, which should be assuring backbone of the growth of communism. There is no one disputing this fact. Let us see the inside story of the Hungarian revolution:

There was no carefully prepared advance scheme to revolt. The ferment of discontent was brewing through all the years of oppression. It broke into the open all of a sudden during some clashes between the police and the demonstrating crowd. We know that the most active participants in the revolution, which is still going on, have been workers, students, and even children. Let me quote an announcement from the freedom fighters controlled radio station Budapest: "Now, children, it is getting late. You must be very tired. Please, put down your guns and go to sleep like good boys and girls."

Poland's revolt won some concessions. Smaller scale revolts occurred in Lithuania, Estonia, and other countries, including Russia herself.

It is very likely that these unrests started from growing discontent with the cruel rule of Communists. On the other hand, however, it was a well-known fact for a period of 4 years that the oppressed peoples believed that the United States was pursuing a cause of advocated liberation.

I am sorry to state that this was not true.

Now we know, that our administration has adopted a new do-it-yourself policy for the satellites and even has let the Kremlin know that enslaved countries are strictly a Russian affair. This sudden switch of policies occurred during the culmination of unrest in the Red empire.

I believe that those men who are elected responsible leaders of this great Nation should reexamine their consciences and their

past course of action to determine whether or not such courses of action are causing peoples to believe in the faith of freedom to lose such a faith, both in themselves and those whom they want help.

However, I am fully convinced, that we all are firm believers in the faith of freedom and human dignity. Let us hope, too, that there are scores of good people who also believe that universal liberty is the cause of all free men.

Therefore, we must pledge anew that we must never cease to fight until the sun of liberty will shine over all lands, including Lithuania.

Whereas while driving for world conquest, the Soviet Russia has forcibly occupied many free countries, including Lithuania; and

Whereas the variable Communist tactics do not change their basic aim which is to destroy every free nation; and

Whereas by every standard of national and international conduct, Soviet Russia, under its present regime is an outlaw nation; and

Whereas the existence of freedom throughout the world today can only be preserved in those countries where people firmly believe in the policy of deterring aggression by their very own strength and belief in their unity; and

Whereas the tolerances of adherence to a double standard of international morality are giant steps away from the unifying beliefs and principles of a free country and free people: Therefore be it

*Resolved*, That this meeting wholeheartedly support President Eisenhower's Middle East program as a sound countermeasure against the challenge of imperialistic communism which is creating and has already created a grave threat to world peace and security in that area; and be it further

*Resolved*, That we oppose any policy advocating the present status quo in Europe as permanent and even as a desirable balance for so-called lasting peace because this policy is simply an expedient of the total overall communistic plan; and be it further

*Resolved*, That our Nation through its constituted voice of freedom, the Congress, should cause legislation to be enacted in the United Nations giving assurance that the members of that great body would not be allowed to practice a double standard of international morality which practice is a flagrant abuse of principles of the founders of this great Nation; and be it finally

*Resolved*, That this mass meeting gratefully express its sincere gratitude to the executive and legislative branches of our Government for its various efforts to aid all men who seek freedom and for its nonrecognition of the annexation of Lithuania into Soviet Russia.

PETER PETRUSAITIS,  
Chairman.  
STANLEY P. BUDRYS,  
Secretary.

RACINE, WIS., February 16, 1957.

#### National Crime Prevention Week

##### EXTENSION OF REMARKS OF

HON. EDWIN H. MAY, JR.  
OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. MAY. Mr. Speaker, the Exchange Clubs are performing a great service for the citizens of this Nation by sponsoring the annual observance of National Crime

Prevention Week. This year the period from February 10 through 16 has been designated for this purpose.

I am particularly proud of the excellent job being done by the Exchange Clubs of the State of Connecticut. On Monday, February 18, the New Britain Exchange Club will play host to 15 Exchange Clubs from all over the State of Connecticut. The theme for the evening will be: "Lawlessness, a Major Threat to Our Way of Life."

This program is designed to bring to the attention of the general public the vital need for a year-round program of crime prevention. The emphasis should be placed on educational programs designed to acquaint the public with problems concerning crime they often do not realize exist. Public apathy is one of the most prevalent factors in creating an atmosphere most suitable for the development of a strong and flourishing criminal element.

J. Edgar Hoover, in a very timely and realistic statement, has brought to the Nation a warning that crime is increasing at an alarming rate throughout the Nation. We could very easily find ourselves in a situation reminiscent of the gangsterism that accompanied the bootleg days of prohibition.

I congratulate the Exchange Clubs of Connecticut and of the Nation for their effective program in educating the public to a very real public danger.

#### "I'm Shocked by Our New Schools"

##### EXTENSION OF REMARKS OF

HON. GORDON CANFIELD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. CANFIELD. Mr. Speaker, it is not hard to know and admire Rhode Island's friendly, sincere, and hard-working Congressman, JOHN FOGARTY. He and I came to the House together in January 1940, and it was only a matter of a few days that I knew him as a builder—not just because he was a journeyman bricklayer in Providence when elected—it was so obvious he was anxious to promote legislation to help people in need of life's most precious asset, good health. Today all of us know him as the No. 1 pioneer of the Congress sponsoring Federal medical research to isolate and exterminate the germs known as man's greatest killers.

When last Sunday's issue of the weekly newspaper supplement Parade came to my door, I quickly spied an article written by JOHN FOGARTY and captioned "I'm Shocked by Our New Schools." I found it most interesting and challenging. Parade describes it as an "eye-opening report for every United States parent and taxpayer by a Congressman-expert who is chairman of the House subcommittee handling funds for the Department of Labor and the Department of Health, Education, and Welfare."

The article follows:

**I'M SHOCKED BY OUR NEW SCHOOLS**

(By Representative JOHN FOGARTY)

WASHINGTON, D. C.—If you live in an average community, your school-building program probably is in a mess. Chances are you don't have enough classrooms, and the few under construction seem to cost more than you expected.

You're unhappy about it—and you should be. Few community problems affect you more directly than adequate schools. They affect your child's welfare; they take the biggest bite out of local taxes. Yet in no other area is there such public confusion.

I favor Federal aid to school construction, but my purpose here isn't to argue about that. My purpose is to warn you not to be lulled into thinking Federal money, if approved this time, will solve your school expansion problem. Over 180,000 new classrooms are needed right now; another 210,000 are needed to keep up with future increased enrollment. The majority of States are losing ground to the blossoming birthrate.

And here's what bothers me. The classroom shortage is being compounded by an appalling ignorance of how to build them. Too many communities, to cut costs and save time, are trying rash experiments.

Last year in Wilkes-Barre, Pa., parents complained a new school with wide windows and no cellar was freezing the children. A New England school eliminated the ventilation for its gym; during opening ceremonies, condensation formed on the ceiling and it rained on the audience. Viers Mill Village, Md., bought a prefabricated school on the theory it could be built cheaply in less time. It cost more to build, will cost more to maintain—and is only temporary.

This prefab idea is the newest gimmick offered desperate communities. But every school site has its own grade or slope, its own soil condition or drainage, its distinctive utility connections, its own exposure to wind, heat, light. No plan will fit two sites without extensive—and expensive—changes.

And there's no such thing as "average classroom cost." It costs more to shut out the cold in Connecticut than in Texas. Materials and labor vary. What's high in Columbus, Ga., may be low in Chicago.

Recently I checked on some low-cost schools going up across the country, and got pretty excited by what I discovered.

In Springfield, Ohio, Architect Arsene Rousseau has turned out schools for \$7 to \$9 a square foot, a remarkably low figure. The Rousseau technique stresses simple design, high-quality materials—and no frills.

**COST AND SAFETY**

In St. Louis, Architect George Hellmuth has won awards for Riverview Gardens High School, which cost \$10.85 a square foot, several dollars under the local market. In his system, the interior walls support the building. Outside walls are brick "curtain" walls, saving steel.

In Houston, Tex., architect Don Bathelme has built schools with slim marble panels in steel frames. Cost: \$9 to \$10 a square foot.

More important than school cost, however, is school safety. I'll bet you don't know about the minimum standards demanded by your building code or how well your children are protected.

Until 1954, for example, people thought a one-story school of combustible construction was safe if it had enough exits. Then fire flashed through a one-story frame school in Cheektowaga, N. Y., a Buffalo suburb, killing 14 children. Despite two large exits, the children were trapped inside.

Additional exits might have saved more children. But are you willing to assume

your child won't panic? To me, it's reckless to base safety provisions on a child's coolness and fleetness.

Cutting school costs isn't for amateurs. In wrong hands, it can be expensive, even dangerous. But you can get better, cheaper schools. Here's what I recommend:

Form a local school improvement committee, including several local architects, builders, and labor representatives. Select a subcommittee as a permanent advisory council to the school board.

See to it that the council and the board plan a 10-year advance program of building for your community. You can adjust targets from year to year as needed.

Insist on simple designs, elimination of frills and use of proven materials.

Ask for regular appearances of local architects, builders, educators, and labor leaders to explain school needs and plans.

You may think this is a lot of trouble to go to just to get good schools. But remember: it's your pocketbook and your children's education at stake. If you shrug off your responsibilities to them, you'll forfeit the welfare of both.

**Lithuanian Independence Day Anniversary**

**EXTENSION OF REMARKS**

OF

**HON. WILLIAM F. KNOWLAND**

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, February 18, 1957

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD the address delivered by me yesterday afternoon at the Lithuanian Independence Day anniversary celebration in Chicago, Ill.

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

ADDRESS BY UNITED STATES SENATOR WILLIAM F. KNOWLAND, LITHUANIAN INDEPENDENCE DAY ANNIVERSARY, FEBRUARY 17, 1957, AT CHICAGO, ILL.

We are commemorating the 39th anniversary of the declaration of the independence of the Republic of Lithuania, February 16, 1918, and the 704th anniversary of the founding of the Lithuanian State when Mindaugas the Great was crowned the first king of Lithuania in 1253.

In the long recorded history of civilization it has been a limited period of time during which the people of Lithuania have been subjected to Communist brutality. To the people there and to the relatives of the dead or those in Siberia it must seem to be an eternity.

Some will claim that the fate of Lithuania, a nation which after all only secured its recent independence in 1918, was not important in the world scheme of international relationships and policy. These individuals, many of them from so-called neutral nations, have forgotten the most basic lesson of history—that freedom is indivisible and is diminished everywhere when it is lost anywhere.

The largest group of American citizens of Lithuanian descent is located here in Chicago and I am pleased to be able to meet with this representative gathering here today on the anniversary of Lithuanian independence.

With the exception of the American Indian all of us in this New World—ourselves

or our parents, grandparents or more distant forebears—came from the Old Worlds of Europe, Asia, or Africa.

While as citizens of the United States our loyalty is to this great Republic it is also natural that there remain ties of historic interest, family or racial connections, and religious beliefs, together with our natural humanitarian instincts, that makes what happens in Budapest, Berlin, London, Peiping, Cairo, or any other city, large or small, more than just a newspaper dateline.

There are many great problems confronting our country, domestic and foreign, but to me the greatest issue of the day is human freedom. Under either Republican or Democratic administrations our foreign policy should be based upon it. What advances freedom we should support and what retards or endangers it we should oppose.

There are principles of international morality that cannot be compromised without fatal effects on the compromiser or on the sacrificial victim. Czechoslovakia was a casualty of such an exchange and Munich should have taught the world that appeasement is not the road to peace but is only surrender on the installment plan. Communism is an evil thing. It is destructive of religion, freedom, family life, and the other human rights that freemen honor and hold dear. Dear we forget the admonition in II Corinthians:

"Be ye not unequally yoked together with unbelievers: for what fellowship has righteousness with unrighteousness and what communion has light with darkness?"

Kadar, Khrushchev, Gomulka, Chou En-lai are not to be trusted. The policy of international communism has been, is, and will remain the destruction of freedom and national sovereignty. Any nation in Europe, Asia, or the Middle East that ignores this basic fact will do so at its peril.

A propaganda barrage is developing here and abroad to give economic aid to the Communist States of Eastern Europe. For what purpose? To lessen the drain on the Soviet Union so it will have more economic resources to use against the nations of the free world or to subvert the uncommitted countries outside the Iron Curtain? To sustain godless local Communist chieftains who would not last a month were it not for the support of Soviet bayonets within their borders? To give character and prestige to men whose hands are red with the blood of those patriots whose love of freedom for their countrymen was greater than their love of life? Are we to bolster sagging Communist economies whose own workers, by strikes, slow down or sabotage in the face of death penalties and prison terms have contributed to the weakening of an important segment of the Communist regime?

None of these things make sense to me. I shall oppose the taking of a single dollar from the overburdened American taxpayer to build the economic strength of any Communist country behind the Soviet Iron Curtain or to give military aid to any Communist State anywhere in the world.

If the Soviet Union wants peace there is an honorable proposal that could be made to that Government.

Withdraw all Soviet forces from Lithuania, Poland, Albania, Latvia, Estonia, Czechoslovakia, Hungary, Rumania, and Bulgaria and guarantee free elections under United Nations supervision. Let the people decide, free from the force of Gomulka's counterfeit elections such as Poland was insulted with on Sunday, January 20, while Soviet troops still occupy that restless country.

Let the great powers and the United Nations guarantee the neutrality of all of these Eastern European states after the withdrawal of all Soviet troops and after the free elections under United Nations auspices have been held.

Both the Soviet Union and the West could then be assured that these free states would be similar to the neutral positions which today exist in Austria, Switzerland, and Sweden. They could not be used as a springboard for invasion against the free world or against the Soviet Union.

The free world has no quarrel with the people of Russia. They were the first victims of Communist aggression. It is not the Russian people but the Soviet Communist regime which has broken all of its international agreements with non-Communist powers and which has been a disturber of the peace of the world and still threatens it.

With such a settlement in Eastern Europe the burdens of armaments could be lifted to a considerable extent from the backs of the people of the free world and the Soviet Union as well. Then the people of Russia who do not have the privileges of the small but relatively well off Communist Party hierarchy would be able to enjoy during this lifetime better housing, more consumer goods and a certain amount of luxuries which are now enjoyed by urban and rural workers in the free world.

But let us not as a great free republic ever compromise the basic principle of human freedom. Let us never give our moral or legal blessings to the enslavement of millions behind the Iron Curtain who long to be free. Nor should we permit any international organization of which we are a member to compromise us in this regard.

At the time of the Korean aggression the Soviet Union supplied the guns, tanks, ammunition and planes to make war against the United Nations forces. And to make their disrespect of the United Nations Charter complete, they publicly admitted it.

At that time I urged that steps be taken to expel the Soviet Union from membership under article 6.

#### Article 6:

"A member of the United Nations which has persistently violated the principles contained in the present charter may be expelled from the organization by the General Assembly upon the recommendation of the Security Council."

Or, at the very least, that they be suspended from the exercise of their rights and privileges under article 5.

Article 5: "A member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council."

The question may be asked, "How is the Soviet veto to be avoided?" I believe it can be avoided by invoking a proviso of section 3 of article 27, where there is an issue clearly a violation of the charter which relates to the specific settlement of disputes under chapter VI.

Article 27, section 3: "Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members, including the concurring votes of the permanent members: *Provided*, That, in decisions under chapter VI, and under paragraph 3 of article 52, a party to a dispute shall abstain from voting."

If the Soviet Union makes a point of order that they are exempt, let the point of order be overruled by the Chair and sustained by the other Security Council members.

At this point the Soviet Union might decide to walk out as Hungary did last December.

If the action of the U. S. S. R. during the Korean and Hungarian conflicts are examples of what we must contemplate for the future, the United Nations will have a better chance of survival without the Soviet Union than with it. I believe this to be the case.

How can any nation ignore the moral issue involved in Soviet destruction of freedom in Hungary and want sanctions applied in the case of troubles in the Middle East? What organization can survive such a double standard? Either we have a system of law and order or the doctrine of might makes right is recognized. Communism cannot be allowed to place itself above international law or God-given moral law.

Nations can die while delegates talk. In World War II Holland was attacked and surrendered to Nazi Germany in 6 days, Belgium in 20 days.

From October 27, 1956, to January 10, 1957, a period of 76 days, the General Assembly passed 10 resolutions while freedom in Hungary was strangled to death and the United Nations stood impotent.

The Soviet Government is not entitled to sit among the civilized nations of the world. Their record of brutality and broken agreements cannot be disputed.

Our President Abraham Lincoln said:

"Fellow citizens, we cannot escape history. \* \* \* The fiery trial through which we pass will light us down to the latest generation. \* \* \* We, yes even we here, have the power and bear the responsibility \* \* \* in giving freedom to the slave we assure freedom to the free. \* \* \* We shall nobly save or meanly lose this last best hope on earth."

### Estonian Independence Day

#### EXTENSION OF REMARKS OF

#### HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. KEATING. Mr. Speaker, it is a privilege to join with my friends of Estonian descent in commemorating Estonian Independence Day, which occurred yesterday.

Estonia's long history is studded with her attempts to gain freedom from various forms of political domination. Throughout these years her desire for freedom has never faltered, nor have Estonia's people lost their distinctive culture and mores.

It was 39 years ago, on February 24, 1918, that Estonia proclaimed herself a republic. For some years she thrived as a member of the family of free nations. However, in 1940, the Soviet Union, violating previous promises, marched in and occupied the country. Disregarding American protests, the Russian invaders embarked on a particularly brutal campaign to wipe out the heart and fight of the Estonian people.

It is a tribute to their faith in God and faith in the eventual triumph of freedom and justice that these brave people have not bowed down before the tactics of mass deportations, murders, arrests and other terrorist activities. No, Estonia's spirit has not been broken and her people continue to resist the Red oppressors.

There is, of course, no celebration today of what should be a joyful occasion. But it is fitting that on this 39th anniversary of Estonian independence we assure these noble people that they have not been forgotten, and that we in America hope and pray for the day when they will once again enjoy the freedom which is the birthright of all men.

Harriman Hits President on Violence Issue

#### EXTENSION OF REMARKS OF

#### HON. E. L. FORRESTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mr. FORRESTER. Mr. Speaker, the Evening Star, Thursday, February 14, 1957, page B-18, carried an article entitled "Harriman Hits President on Violence Issue." I think that that article would be of interest, and I quote that article as follows:

#### HARRIMAN HITS PRESIDENT ON VIOLENCE ISSUE

NEW YORK, February 14.—Gov. Averell Harriman says President Eisenhower has ignored a request from Southern Negro ministers that he publicly condemn violence against Negro homes and churches.

The Democratic Governor says this is more than a discourtesy—it is a tragic failure to assert his responsibility and to speak the conscience of the American people.

Governor Harriman, who spoke at a brotherhood in action rally at Madison Square Garden last night, noted that two-thirds of the world's people are nonwhite.

He added that violence in the Deep South or the housing riots in the Middle West impair our effectiveness among the peoples that have newly come out of colonialism.

Governor Harriman, former United States Ambassador to Russia, pressed his attack on the Eisenhower administration's policy in the Middle East.

"In the United Nations," he said, "We must not support a double standard of morality. In the Israeli-Egyptian dispute it is immoral to invoke moral principle on one side and ignore it on the other."

"Dictator Nasser (of Egypt), supported by the Kremlin, has for many years flouted the United Nations resolutions and Israel is entitled to have our support in her demand that Egypt as well as Israel accede to the United Nations directives."

Mr. Speaker, I believe that everyone will agree with me that, while Mr. Harriman is still a candidate for the nomination by the Democratic Party for the high office of President, he is willing to promote strife and confusion in order to forward his own selfish ends.

While there are many things that our President has done that I do not agree with, and things that I sincerely deplore that he did do, I believe every right-thinking individual will agree with me that the President was correct in his refusal to go down into the South and make a speech concerning the rights of Negroes, and to add fuel to a flame that is now burning, and can be made to burn brighter easily by any demagogue, such as Mr. Harriman has long since proven to be the rank and file of the people that he is.

Mr. Harriman's tirade is nothing new to the people of the South. As a matter of fact, we have known for a long time that Mr. Harriman was antiwhite.

I would like to point out to Mr. Harriman and to the leaders of the Democratic Party that just such rantings as Mr. Harriman has done in this instance afford reasons why the President of the United States carried 41 of our 48 States. As a matter of fact, only seven Southern States saw fit to vote for Mr. Stevenson,

the far-to-the-left Democratic nominee for the Presidency. I believe it is time to tell the people that Mr. Eisenhower was not elected on account of his tremendous popularity. The President is not possessed of all of the glamour that some people would endow him with. The truth is, that Mr. Eisenhower simply had no competition. The people of the United States, that is, the rank and file, would save this country and our republican form of government, if they had a fair chance so to do. Anyone who was familiar with the political picture, and the election of last November 6, is bound to realize that up until about 30 days before that election, it was a horse race between the Democrats and the Republicans. It was only after Mr. Stevenson had completely demonstrated to the people that he was absolutely wild, and would abolish the draft and would stop the atomic-bomb tests, and that his actions had the approval of Bulganin, that the people were called upon to choose between the lesser of the two evils. Let Mr. Harriman make no mistake, he is simply adding fuel to the flames, and he is simply making it easier, for any candidate for the other major party to defeat any Democratic nominee believing in such trash as Mr. Harriman does, and putting it where that the Republican Party can elect anyone that they nominate, irrespective of his popularity.

I believe that the last election, when honestly analyzed, will prove to both parties that the rank and file of the voters of this country, and God bless them, are hoping and praying that some time they will have the opportunity of electing to the Presidency of the United States a man who is inclined to the right and a man who believes somewhat in conservation of our resources, both in money and in character.

### Highway Program

#### EXTENSION OF REMARKS OF

#### HON. DENNIS CHAVEZ

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Monday, February 18, 1957

Mr. CHAVEZ. Mr. President, I ask unanimous consent that an address delivered by me before the American Association of State Highway Officials at Atlantic City, N. J., on November 27, 1956, may be printed in the CONGRESSIONAL RECORD.

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

ADDRESS BY THE HONORABLE DENNIS CHAVEZ,  
UNITED STATES SENATOR, NEW MEXICO, BE-  
FORE THE 42D ANNUAL MEETING OF THE  
AMERICAN ASSOCIATION OF STATE HIGHWAY  
OFFICIALS, ATLANTIC CITY, N. J., NOVEMBER  
27, 1956

Through the kindness of the people of my State, I do happen to be the chairman of the Committee on Public Works of the United States Senate. Through the kindness of the people in many other States, I do happen to have a fine committee, including the gentleman who addressed the gathering this morn-

ing, Senator MARTIN. He is the ranking man on the minority side.

I want to assure you that that committee is not a political committee, and on one ever thinks about party politics when considering what is good for the country as far as that committee is concerned. I want to assure you that I have received the cooperation of Senator MARTIN, Senator CASE, Senator KUCHEL, Senator HRUSKA, Senator COTTON, and Senator BUSH of the minority side of that committee in everything that was good for roads or in passing legislation that would take care of the water pollution which is so acute, especially around this area. The chairman of the Subcommittee on Roads is Senator GORE of Tennessee. Senator GORE had hearings by the week, over and over again, listening to the tales of woe of people from all over the country who were interested in good roads. And we were. After due hearings and consideration by the full committee, the committee reported out the bill that has become the law and which is the program about which you gentlemen and ladies are to work on for the next 13 years. It is a 13-year program with a 3-year space to start with, which means 1957, 1958, and 1959, after which Congress will again look the matter over and provide for the funds necessary to continue the program for the next 10 years.

I consider myself most fortunate in being chairman of that committee and in other committee assignments that I have. Because as chairman of the Committee on Public Works we pass the basic legislation authorizing the project, but I am also No. 3 in appropriations which will get you the money to complete your project.

I want to pay my compliments today to the President of the United States in selecting a director, or the headman, who is to handle the matters of public roads in the Department of Commerce, and that is Mr. Tallamy. Of course it was suggested that there should be two appointed but Congress thought otherwise and they decided that one would be enough. But either Mr. Volpe or Mr. Tallamy, I am sure, would have done the job fine and I know that Mr. Volpe will. I want to assure him this afternoon that as far as the Committee on Public Works of the Senate is concerned, that he will have our complete cooperation because we do believe in good roads in this country.

I think for a moment, at this particular time, it would not be amiss if we would all stand up and stay silent for 30 seconds in respect for a great roadman who passed away a short time ago, the late Robert Reindollar, of Baltimore, Md. (Audience stands in silent tribute to Mr. Reindollar.)

The history of roads in this Nation is a wonderful history. I have tried to emphasize it at highway gatherings over and over again, but I don't think it would be amiss to say it again. Directly after the War Between the States, we were all isolated in sections. The so-called rebel was down in the Deep South and the damn yankee was up in his area. They would cuss one another and they would both cuss we people out in the wild and woolly West. But it happened in the early part of the century that Mr. Ford had an idea. He developed the jalopy. Of course the jalopy had to have somewhere to go and a place to go on as a result of which people commenced to think about roads. How are we going to get them on roads. Then people began to think that, after all, that jalopy needs some gasoline, needs some lubricants and needs some rubber, which all made for the development and the progress of the country as a whole. Nowadays, due to the results of the road program throughout the United States, you can have four school teachers from deep Tennessee or deep Alabama or Mississippi get together and go up to northern Maine and the northern States and find out that they are just the same as any other American that the trials and tribu-

lations are identical, that they have the same problems and the same thing happens with your transcontinental highways from the Atlantic to the Pacific. Only a few days ago I was in Los Angeles, San Diego, and San Francisco on the Pacific, now we are over here on the Atlantic, and I can visualize that if this program is carried out that it won't be long before you will be able to go from Atlantic City, N. J., to San Francisco or San Diego or Los Angeles, on a four-lane highway and safety at that. I can see it. I believe in it.

Prior to the Reorganization Act, the Monroney-Mansfield Act, roads were authorized through the Committee on Post Offices and Post Roads of the Senate and of the House of Representatives. Then came the Reorganization Act which created the Committee on Public Works and other committees. It is a fine committee. I know and probably Senator MARTIN told you that a lot of folks think it is a secondary committee, but what is better for the American people than good flood protection, good roads, and the control of water pollution as far as it affects the American people. That committee has for its functions everything that has to do with navigation, even in Philadelphia, everything that has to do with rivers and harbors, even in Philadelphia, everything that has to do with flood controls and you people in the Northeast are learning about flood control the hard way. We always knew about them out in the West, but it took Hurricane Carol to actually find out what flood control really meant. It is interesting at times, sometimes it was amusing. The boys in the East and Northeast that were fighting flood control are now the most anxious to work for flood control. Well, that comes under the same committee.

With the road bill we passed a water-pollution bill. It is important, especially to the States in the East. What the Ohio and Monongahela does to Pittsburgh, to Wheeling, to Louisville, and to Cincinnati is out of this world. Now the Committee on Public Works and the Congress of the United States thinks it is a Government responsibility to try to do something about those matters on interstate streams. Basic legislation has been passed for that. But I am getting off of my subject.

Now when it comes to the question of the roads themselves. You are the boys who are going to do it. You have the responsibility. You and the Bureau of Public Roads. But you should have that teamwork that one of the speakers this morning spoke about. He says we ought to work together with the Bureau of Public Roads and your State highway officials, which is correct. But don't forget the third party, Mr. Citizen. That is the reason we provided in this piece of legislation that hearings be had in all communities wherein the people would join you. They might have differences of opinions until the Bureau explained and the State highway officials explained, and then the matter would end as a love feast. And isn't it fine that you would have the American people, the citizen who, after all, is the fellow who is paying for these roads, a partner in dealing with the construction of the roads throughout the Nation. I think that is a great provision. I understand that a gentleman from one of the States, a State highway official, is to give you a paper on the matter of the hearings later on in the program.

Teamwork is necessary; hearings are necessary because it will express the opinion.

Now the impact. What does it mean to the economy of this country, this proposition of this terrific construction? Let me give you a few excerpts around here and tell you about the dollars and cents to start with.

In the 13 years the American people are going to spend \$24,825,000,000 on roads. In 1957, which is next year—and I hope the program is ready by that time so that we can start it moving; I know some States are hav-

ing quite a time with the proposition of rights-of-way and other things, but I do hope the State highway officials will get busy in their home States and get out a program so we can keep on rolling—in 1957, \$1,000,000; 1958, \$1,700,000,000; 1959, \$2,000,000; 1960, \$2,200,000,000; 1961, \$2,200,000; 1962, \$2,200,000,000; 1963, \$2,200,000; 1964, \$2,200,000,000; 1965, \$2,200,000; 1966, \$2,200,000,000; 1967, \$2,200,000; in 1968 it commences to taper down to \$1,500,000,000; in 1969, \$1,025,000,000, making a total of \$24,825,000,000 that will be spent for roads—that is, the overall system taken in, your primary, your secondary, urban, and interstate traffic.

It is interesting to break it down. The apportionments of the Federal-aid highway funds authorized for the fiscal 1957 and additional sums authorized by the Federal act of 1956, for instance, will take your neighbors around the neighborhood. The total will be \$1,125,000,000. The little State of Delaware will spend a total of \$6,783,214. New Jersey, primary, secondary, urban, interstate system, a total of \$24,278,783. Pennsylvania will spend a total of \$59,639,230 in 1957 only. That is the first year of the 3-year program. In 1958 Delaware will spend a total of \$14,250,856; New Jersey, \$55,388,479; Pennsylvania, a total of \$132,143,200. Of course, that will have a tremendous impact on the economy of those States, on the labor of those States, on the equipment people of those States, on the men who supply gravel for the concrete roads in those States, the cement factories, and everyone else. I have a little something on that I would like to leave with you for what it is worth with reference to the impact.

It is my good fortune to be the chairman of this Senate Committee which deliberated for two sessions of the Congress and which recommended Highway bill now enacted into law. It is entitled the Federal Highway Act of 1956, Public Law 627, 84th Congress, 2d session, which I believe will go down in history as one of the most far reaching and progressive pieces of legislation in our time. It is the biggest highway bill that has ever been enacted in the history of the world—the biggest one. My experience in the field of highway legislation has been continued since becoming a Member of the Senate in 1935, and during these 21 years I have worked continuously in the development of legislation which has as its goal the construction of a system of highways to adequately connect the cities and towns along the Atlantic with those of the Pacific and the Gulf of Mexico, and to connect from our neighbors in Canada to the Republic of Mexico. Not only do we want to provide fine avenues for traffic between these areas for commercial interchange, but we want to provide facilities so that our farmers, our ranchers, oil and gasoline producers and marketers, automotive manufacturers and other segments of our economic makeup can easily and rapidly distribute their products between one another. The legislation which we now have is intended to enable us to complete a network of 41,000 miles of roads and expressways to connect all of the 48 States.

The program calls for accelerating work on the 235,000 miles of roads in the primary system and 525,000 miles in the secondary system. In addition work would be carried on in improving forest roads and trails, national park roads, Indian roads and roads on public grants. In evaluating the economic results of the program, a great volume of statistical data has been accumulated. Among those many figures we find what? The following requirements for each billion dollars of new highway contract construction: 7,500 tractors, 3,200 scrapers, 3,000 power cranes and shovels, 2,500 mobile graders and 2,500 rollers. In all, it is estimated that 57,000 units of equipment will be needed for each \$1 billion of new contract construction. The units will have a value of a half a

billion dollars and would be expected to produce about \$7 billion of highway construction. In carrying the analysis to its conclusion, it is estimated that for a \$28 billion program, the value of the equipment will be around \$2 billion. It has been estimated that by 1960, highway construction would require the services of 900,000 men, while occupied in producing materials and transporting them to the job would probably amount to another 900,000 men. After the completion of the monumental job of constructing this vast system of highways contemplated, there would be available routes for the efficient and rapid transportation of our national products. This would result in many billion dollars of economic benefit as well as the saving of many thousands of human lives.

The Bureau of Public Roads and the State highway engineers have before you a tremendous challenging job of converting legislative authorization into highways over which our people may travel. In accomplishing the job before you design standards must be developed. Many location problems must be overcome and many contracts must be executed and supervised. I am certain that while in the days you are in conference here in Atlantic City many problems will be discussed and agreements reached.

Among the items which I feel deeply strong about and which I certainly would require very careful consideration is the acquisition of rights-of-way, relocation of highways with respect to bypassing and going through communities and providing adequate approaches and exits for presently developed areas. You gentlemen of the Bureau of Public Roads and State highway departments have the responsibility of executing and carrying out the great program of highway construction, and I know that you will proceed with care in locating said roads so there will be a minimum loss to existing business enterprises consistent with good engineering, designing practices. I am sure you realize that a program such as the one which you are now embarking on will require great tact and judgment so that many of the existing businesses along many highways and in communities will not be forced out of their means of livelihood. In other words, couple your fine engineering talents with a complete economic study in considering the routing.

In my own State of New Mexico, the program of highway construction is progressing quite rapidly and I want to compliment the State highway engineer, Mr. Wilson, and his associates, Mr. Miller and Mr. Wiley, for their diligence. The one discordant note is the expression of fear of many roadsides and businessmen that the proposed Interstate System will bypass them to the extent that they will be seriously affected. I have received many letters from such people and I am certain that more will be received requesting that I intercede in their behalf. That affects every State. We have to consider the man who is now in business, and in developing our design and our plans to see whether we can keep him in business instead of putting him out of business.

No doubt you people who are responsible for this program realize the importance of constructing a system of highways which will not become obsolete in a short time because of congestion along the rights-of-way. I am certain also that you realize that a highway which no one can get on or off could be of little value to the surrounding community. In sparsely settled areas of the West, and I want you folks to especially understand this, Montana, Colorado, Wyoming, Utah, Idaho, the Pacific, Arizona, New Mexico understand it. Remember that we have tremendous area, but very small population. New Mexico has an area of 122,000 square miles. It is not like building a short road in Delaware. One

hundred twenty-two thousand square miles of which possibly 60 percent belongs to the Federal Government and is not on the tax roll. Forty percent pays for the cost of State government and State government is not getting any cheaper. It is like Uncle Sam, it is going up every day in the week. So you see why we are concerned with the formulas that go in developing and distributing the Federal dollar for the different States. Well, those folks understand that the bypassing of a little community in Wyoming, Montana, New Mexico, or Arizona, creates a hardship in that particular community. Bypassing, or not having an underpass or an overpass where a fellow with his cattle can get from one side of the highway to the other creates an economic hazard and a personal problem for the fellow who is handling that problem. In sparsely settled areas of the West it would seem to me that direct entrance or exits from the highway could be permitted and if and when traffic is generated at these points which would create a hazard, then consideration could be given to prohibiting such direct entrance to the highway. I would like to suggest that when you contemplate a highway location that you discuss your plans with local people who will be affected and give them a chance to be heard. The law provides that they be heard. That is where they provide for hearings. Then consider very carefully the economics as well as the engineering factors of the project.

I want you to know that I am extremely happy to be here. I am sorry that GEORGE FALLON wasn't able to come. I am sorry that ALBERT GORE or Senator KERR were unable to come. I know they would have. I was due in Guatemala also, but I would rather talk roads in the United States than go to Guatemala. I will go to Guatemala in the future.

I thank you and God bless you.

### A Plan of Action for One of the World's Greatest River Valleys—Address by Congressman Richard Bolling

#### EXTENSION OF REMARKS

OF

**HON. LEONOR K. SULLIVAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1957

Mrs. SULLIVAN. Mr. Speaker, I have heard numerous comments from among those who attended the Mississippi Valley Association meetings in St. Louis about the excellent address made there last Tuesday by our colleague, the Honorable RICHARD BOLLING, of the Fifth District, Missouri, who spoke on Water and Progress.

Congressman BOLLING outlined a plan of action under which all interested groups in the Mississippi Valley area would coordinate their activities and their efforts to help build up the economy of the entire area—one of the world's greatest river valleys.

All of us in the House of Representatives know Congressman BOLLING as a great student of national affairs as well as a hard-working and conscientious Representative of his own district. In this address, he analyzes the regional problems and promise of the great Mississippi Valley area. His address, I know, will be of broad general interest, and therefore I submit a partial text for

printing in the CONGRESSIONAL RECORD, as follows:

#### WATER AND PROGRESS

(Partial text of address by Hon. RICHARD BOLLING, Member of Congress, Fifth District, Missouri, before the Mississippi Valley Association at St. Louis, Mo., February 12, 1957, Hotel Sheraton-Jefferson)

I have chosen "Water and Progress" as the title of my remarks this morning for I believe those words can tell the story, past and future, of the Mississippi Valley. Your association has played a great role in the story of the past progress of this area.

Let us look at this great midcontinent area of the United States. Today it has a population of over 77 million people, or close to half the total population of the United States. In 1919 when the Mississippi Valley Association was organized the population was only about 53 million.

At that time there were less than 100 miles of dependable 9-foot navigable channels in the Mississippi River and its tributaries above Vicksburg. Today there are more than 6,000 miles of channels with a navigable low water depth of 9 feet.

In 1919 there was not one common carrier barge line operating on the Mississippi River system. In 1954 there were 163 common carrier barge and towing vessel operators on our inland waterways in addition to more than a thousand contract and private carriers and the Federal Barge Lines.

America's waterborne tonnage today is over 1 billion tons annually. On the inland waterways alone, there has been a traffic increase of more than 200 percent in the last 10 years, and an increase of 800 percent in the last 25 years. Since 1940 the rate of increase in inland water traffic has been second only to the rate of increase of traffic carried by trucks, while railroads, for example, have had a great decrease in percent of total traffic carried.

Of the amount spent by the Army Corps of Engineers for inland water improvements—about \$4.5 billion so far—90 percent of that has been spent since 1910, and about 60 percent within the last 25 years.

In 1954 in this great area of the Mississippi Valley there were about 7 million manufacturing employees, while in 1919 there were about 3.8 million. From 1951 through 1954 there was over \$16 billion of new capital expenditures, and we all know of the new industries and expansion of others which has meant expenditures of hundreds of millions of dollars in the last few years.

To these impressive statistics must be added those earmarks of progress which can't be measured as easily—our great schools, enviable cultural opportunities, and friendly happy people. Truly, as your association has so long proclaimed, the Mississippi River Basin is "our greatest manufacturing, commercial, agricultural, and mining center. It is the workshop, foodshop, and natural resources storehouse of America."

But progress is a relative term, and there is some evidence that the present is not as bright as it could be; that there is still a lot of work to be done to make the future what it should be.

Let us look at some of that evidence.

According to the latest figures available (1952) less than one-half of the Mississippi River system, I repeat, less than one-half, is 9 feet or more in depth. In dollars, of about \$6.2 billion of authorized projects for the Corps of Engineers, less than half, or about \$2.5 billion was actually appropriated through fiscal 1954.

And impressive as are the annual tonnage figures, we must remember that water project construction traffic accounts for a significant amount of the total in some areas.

As to flood control and other projects, General Sturgis of the Army Corps of Engineers, stated less than a year ago that there isn't

a single river valley in the United States that is more than two-thirds completed.

Yes; progress can seem great when the past of one area is compared to its present, but that progress seems to be and is much less impressive when that area is compared to a different area over the same period of time.

Let us look again at our population growth, for example. From 1950 to 1956 only 5 States in our 23-State watershed area showed population increases greater than the national average. Two States, Mississippi and Arkansas, had population decreases, while Oklahoma, Alabama, Kentucky, and Iowa had increases of less than 3 percent. This compares to a national average increase of 10.9 percent. Furthermore, the percent of the United States population which lived in the Mississippi Valley region in 1919 was about 50.4 percent; in 1954 it was 46.2 percent, and today it is probably even lower.

Likewise, in the great industrial expansion which is taking place throughout the United States, the Mississippi Valley area is not doing much more than holding its own. Latest figures indicate that during the period from 1947 to 1954 the percentage change of manufacturing employees was down in New England, up in the Pacific area, while our area showed only a slight percentage increase.

Another qualification to be placed upon the progress record of our Mississippi Valley area is that not all parts of our area have progressed at the same rate.

One very graphic illustration of this uneven development with which you are all familiar is found in the statistics of the annual tonnage carried on the various rivers of the Mississippi system. On the one hand, there is the Ohio with 71 million tons in 1955, the lower Mississippi with 44, the Illinois with 21, and the Tennessee with 10. On the other hand, there is the lower Missouri with 1.3 million tons annually, the upper Missouri with 1.9, and, of course, the Arkansas system has much less than that.

Uniform progress is not to be expected, of course, but perhaps the words spoken yesterday by General Itschner bear repeating: " \* \* \* it becomes more apparent with each year that \* \* \* development must be planned on a basin-wide basis, with coordination, cooperation, and integration the only alternatives to destructive waste and confusion of working at cross purposes. We want to develop every water resource potentiality of every river valley. But more and more in our thinking and planning, we must not think so much of the Ohio or the Missouri or the Arkansas as of the Greater Mississippi Valley—the one big basin in whose overall welfare and progress we are all inseparably bound together."

Yes, spotty progress, I submit, means less progress for all, for ours is an economically interdependent area.

Finally, in this review of our progress we should ask ourselves whether or not we are ready for what seems to be a new era in water resources development. Throughout the United States we see how water is becoming a very critical resource, especially for industrial and domestic users. We have in quantity what is becoming a scarce commodity in other regions. We who are finally controlling our waters must now take advantage of those controlled waters or else be found guilty of lacking the foresight in not planning for the full and proper utilization of those waters. Industry and people must be brought to water and not vice versa. This calls for new energies to be exerted in promotion and planning—more research and new emphasis.

If you accept my thesis that our region can achieve an even greater rate of progress, let's look now at what can be done to make certain that that progress will occur.

We must, of course, continue those efforts which have proven to be effective in the past. Cities and towns, industry, and organi-

zations such as yours must continue and expand the work they have been doing.

When we look for other paths to progress, I suggest we are not reaping the full benefit which could come from a cohesive and active congressional delegation in Washington. There are more than 200 Congressmen and nearly half the country's Senators from the Mississippi Valley area. This group of legislators, once it understood what needed to be done, would be a source of great strength. We need only to look to the Northwest or Southwest for examples of successful political action in behalf of an area.

But this more effective coordination and use of our area's great political strength will not be achieved simply by Congressmen and Senators talking to each other. All of us are inclined, and inevitably so under present circumstances, to work hardest for those projects which directly affect our constituency. I, for example, have at the top of my priority list, flood protection for the great city I am privileged to represent and the completion of the 9-foot channel from Kansas City to the mouth. But, if all of us could see the truth of our interdependence, one district dependent on all the others, one State dependent on all the others of our area; and, if our constituents in whatever district and State also recognized the truth, that the development of our valley is one great project composed of many interdependent projects—with the whole being greater in its benefits to us all collectively and even separately than the sum of each of the benefits standing alone—then the way would be open for maximum progress through effective coordinated teamwork.

But this understanding of interdependence and the achievement of real team work among the legislators of this great area will be achieved only when all the economic interest groups of the area come to understand that unless we in our area hang together we will hang separately, hang on the economic gibbet of an area going backward because it fails to keep pace with the progress of other areas of our country.

Progress, as I have said, is relative. In one sense we have made great progress in absolute terms, in the other sense of progress, progress relative to that of other areas, we find ourselves not in the lead. This we can change by each one of us, whatever his interest or area, recognizing that our strength in the end will be the strength of the whole. The inadequate and incomplete Missouri channel hurts not just Omaha, Kansas City, St. Louis, and other areas adjacent to the Missouri, it also hurts the economies of Ohio, the lower Mississippi and all other parts of our great valley.

Now, of course, the achievement of understanding of this truth and of greater coordination in legislative effort in the halls of Congress is in part the responsibility of us legislators, but it will not be achieved unless you and those whom you represent—people, corporations, interest groups, even more effectively attack the problem.

All of the people of our area have a common desire for progress for our area. I hope you will not consider me presumptuous when I suggest that the difficult task I outline will only be accomplished when the active groups working together to achieve our common goal include an even broader representation of all the people of our area. The leaders of industry, agriculture, business, labor, and research and planning groups working together can accomplish much more for our area than any 2 or 3 of these groups working without the added strength of mind, energy, and influence of the others.

I see no good reason why this association should not play a leading role in this basic task of broadening the base of support for the most speedy and effective development of our valley. Unless I misread the signs and the statistics it is an urgent matter for all

of us. Lack of broad vision and adequate action today can cause untold hardship tomorrow.

Ours is one of the world's greatest river valleys. We have the opportunity and the responsibility to achieve its full potential for good living. The accomplishment of this, our responsibility, requires of us the broadest vision, the most thoughtful planning and the most effective coordinated action of which we are capable. We have done much. "Much" is not good enough. We must do more. To that I pledge my best efforts, as I know you do.

**Address by Hon. Ralph E. Flanders, of Vermont, Before Vermont Legislature**

**EXTENSION OF REMARKS**

OF

**HON. RALPH E. FLANDERS**

OF VERMONT

IN THE SENATE OF THE UNITED STATES

*Monday, February 18, 1957*

Mr. FLANDERS. Mr. President, I hold in my hand the manuscript of an address which I delivered before the Vermont State Legislature on February 13, on modern education, a subject which I find is gaining quite a toehold in my State, and which I also believe has some elements in it which threaten the training of mathematicians, physicists, engineers, and scientists for the country as a whole, with particular reference to our defense preparations. I ask unanimous consent to have the address printed in the Appendix of the RECORD.

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

Governor Johnson, Lieutenant Governor Stafford, Speaker Brown, members of the senate and house of the Vermont Legislature. The invitation to address you from time to time is a privilege and an honor for which I am deeply grateful. It is fitting that I should report to you, the elected representatives of the people who elected me, such items of national policy as affect all of us citizens of Vermont and of the United States of America.

In previous appearances my subjects have related to national problems and national policy. Since my subject today is a consideration of State policies in education, it may at first seem that I am departing radically from previous practice. The departure is in seeming only, for my immediate concern is with the armed defense of the United States, and I believe it can be shown that our own school system in Vermont can help or hinder our national defense.

The military strength of a nation in these times still depends to a large degree on the training, endurance, courage, and skill of the infantryman. Yet, no matter how good these qualities may be, they alone are not sufficient for a successful defense. To them have been added in succession the machine-gun, long range artillery, the tank, the airplane for strafing and bombing, the elaborate antiaircraft missiles and aiming mechanism for bringing down the enemy planes, and then the "blockbuster" bombs.

These have now been followed by the terrifying atomic and hydrogen bombs, and the even more terrifying strategic guided missiles and, finally, the intercontinental ballistic missile, or the "ICBM" as it has come to be known. Warfare, even defensive warfare, is dependent ever more heavily, year by year,

on science and engineering and on the mathematics which underlies these subjects. That is why the quality of the teaching of mathematics and science has become a matter of more than Vermont concern. It is a matter of national concern.

Beginning about 50 years ago, there has been a revolution in the theory and practice of education. In a one-room, ungraded country school I learned to read, to spell, to write. I studied English grammar, geography, and American history. In that one-room schoolhouse I was prepared to enter a high school which gave a better classical education—for what it is worth—than colleges give today. Beside that I progressed in mathematics to trigonometry, studied physics and world history, and was trained in English literature and composition. Such an education is not now automatically obtained even in college. It is only for those who wish it and demand it.

Now let me say something about the changes in education which have been taking place since my youth. These changes began with the new ideas which were introduced by Vermont's intellectual, the philosopher, John Dewey. He properly called attention to the individual and made clear the necessity for training him to take his place as a cooperating member of society—in his town, his industry, his State, and the Nation. This step was all to the good.

The next steps were not so good, for they tended to focus the whole effort of education on making the boy or girl a happy member of society. This step had little interest in teaching him to discern what was good and what was bad, what was right and what was wrong for individuals, for groups, for local governments, and for national policy. In fact, it specifically denied the existence of standards of good and bad, right and wrong in human affairs. Our personal and national judgments are to be based on the expediency of the moment.

Beside abandoning standards of conduct the new education lost its interest in the pupils' acquirement of knowledge. It was concerned, principally, with his success as a "member of society."

It was Dr. William Heard Kilpatrick, a pupil of John Dewey, who took his basic ideas, elaborated and exaggerated them beyond all reason, and made them the basis of modern education in Teachers College, at Columbia University in New York. From here they have spread over the country. It has now come to the point that the standing and promotion of teachers, even their very acceptance into the school systems, depends little on their knowledge of the subjects they teach or on their ability to interest and instruct their pupils in the subjects. It depends primarily on how much they have studied the new education and what degrees they have attained in it.

I could spend hours on this, but let us get down to practical matters. How do Vermont schools stand in the preparation of our children for life as they will have to live it, and for serving our country as it must be served?

Whether as parents or as citizens we are interested in the training given our children. As parents we want them to be able to read, write, spell, and be competent in the mathematics generally assigned to grade schools and the high schools. Can you be sure that these subjects are properly taught in your own schools? Do the teachers mark your children as to their ability in these subjects? I must confess that in looking at the report cards of schools in my hometown of Springfield, Vt., I cannot for the life of me tell how either the pupil or the parent is to know how much has been learned.

That the standards of knowledge acquired may be low all over the State seems to be indicated in the report of the State board of education referring to Lyndon Teachers

College where it says on page 46: "Entering students with specific deficiencies in the basic subjects, particularly reading, spelling, composition, and mathematics have been given intensive remedial work. Definite standards of achievement have been set, below which a student is not allowed to continue in teacher preparation." How comes it that high school graduates have deficiencies in the basic subjects? Did they know they had these deficiencies? Did their report cards indicate them? Why should not a definite standard of achievement be set for entrance, not for permission to continue?

A couple of weeks ago I spoke at a small new college. One of the buildings on the campus had a sign on it that said "Reading Clinic." I was told that it had become necessary to teach this elementary and grammar school subject to students who had been graduated from high school before coming to college. What is happening to us? The president of one of Vermont's colleges tells me that the freshmen come to him uneducated. They don't know how to spell. Some of these freshmen come from Vermont and some from the outside. The complaint seems to be universal.

Three of my grandchildren are in high school, but in this particularly woeful case I am glad to say not a Vermont high school. They do excellent work in writing compositions and essays but they don't know how to spell. Worse yet the teachers don't correct their spelling. If this thing goes on, will the teachers themselves know how to spell? Have we already arrived at the point where the teachers don't know how to spell?

This fundamental matter of spelling is basic to a student's usefulness in whatever stage his formal education is finished. It is particularly important for those who are going on into science and engineering and form the needed body of those who are to keep it abreast and ahead of the rest of the world in national defense. An illiterate scientist is a pitiful object. There will not be any in Russia; why should there be any in the United States?

Mathematics is another subject that needs attention. In looking into this matter in my own hometown I was glad to find the textbooks satisfactory. The local school management had fortunately not advanced to the point where there was an endeavor to teach the high school subject of algebra and geometry in some easy way. This easy way was offered one of our children a generation ago and led to a frustrated experience in a mind capable of understanding mathematics as a science. Our daughter afterward went to a college with high scholastic standards, majored in mathematics and graduated with a cum laude—that is, with honor in her specialty. Any student who is going into a professional life of his own or of service to his country in science or engineering must stand on a basic foundation of mathematics as a science. Be sure that this is really taught in your schools. I assured myself that the textbooks and teaching were satisfactory in the schools in my own town but I did not find the report cards giving the information which both parent and pupil have a right to know.

The drift toward the easy life in a pupil's education has been stimulated by the fact that now every child has a right to a high-school education in view of the fact that he is not permitted to work until he is 17. This means that young people with all sorts of different capacities and capabilities must be taken care of in our secondary schools. The way to take care of them is not to grade down the whole level of the teaching in these schools in such subjects as mathematics and science. Nor even in such things as reading and spelling. Before closing I am coming back to this question of how we can best provide a solid secondary education to all of our young people below the age of 17. It

must not be done by denying proper training to those whose future lives will require proficiency in the harder subjects.

A word or two at this point may be in order as to the nature of the training now being given to teachers in the conventional schools of education. As I said earlier, from Teachers College the influence of Dr. Kilpatrick has gone throughout the country to such a point that it is difficult for teachers to get positions in public schools unless they carry degrees in education from institutions which for the most part follow the Columbia Teachers College training. If you are merely competent in your subject, you may teach in a university, but not in a high school.

In practice the conclusion that man is a social animal and nothing else results in a concentration on working together—teacher working with students, students with each other, and both working on the family. This leads toward an easy curriculum—one that is easy for everyone. There is a definite tendency to ignore languages, mathematics, spelling, standard literature, and other elements of the education which we elders enjoyed. For instance, the official biographer of Professor Kilpatrick quotes him as saying "There are linguistically gifted people for whom the study of languages is profitable. But even for them, I begrudge the time it takes to master the language. If it could be done quickly and easily, and if they could begin the study of literature or whatever else they plan to do with the language, my objection would not be so strong."

Asked if this applied to modern languages, he said that "it holds in less degree" because they are quicker and easier to learn, but he still believed that for the average student it was a great waste of time. In terms of rich, vital interests that might lead to individual growth, languages offer meager possibilities. Similar statements relate to the 3 R's which were so important in the curricula which were devised for our training in our own youth.

The new education calls itself democratic and makes loud and earnest professions that it is indeed so. This is about as untrue to facts as it well could be. The democracy of the new education resembles the "democracy" of the Soviet Government. This education has been conceived in the recesses of Teachers College. It has been introduced when parents weren't looking and it has become deeply entrenched without the parents' understanding or counsel. The appearance of democracy is given by discussions in class as to what things mean and what we are to do next. Even this is not democracy for it is inevitable that mature teachers should guide the deliberations of immature scholars.

Let me congratulate the board of education and the State on the decision to keep the three teachers colleges going. I hope that two of them at least will be a bit old-fashioned. I hope they will turn out teachers who know the subjects they are to teach and who are trained in the ability to transmit their knowledge. The ability to transmit knowledge is a basic requirement of a teacher which, as you may judge by modern report cards, is not now considered to be of prime importance. The teacher who can transmit knowledge, who knows his or her subject, who can transmit this knowledge enthusiastically and who can generate interest and perhaps even enthusiasm in her pupils, is the kind of teacher we want. I sincerely hope that a course of studies in Johnson or Lyndon can be turned into this direction. If so, they will serve the State well.

But here we run into a difficulty. Can such teachers be satisfied under the present standards set up by our State board of education? The giving of a certificate seems to be largely based on the teacher's training in subjects which embody modern education. I would earnestly urge the State board of

education to concern itself with more practical standards of teaching so that certificates may be available not merely to new graduates of "normal" normal schools, but also to that very useful body of old-fashioned teachers whose status is that of part-time or emergency teachers. Some of the best teaching in our schools is done today by this uncertified group.

This brings us to the nub of the whole matter. By setting up a science of education, a pseudo-science—or phony science as I am inclined to call it—the Teachers College at Columbia University and the great mass of teaching courses and training schools that have followed it, have erected a monopoly. Unless you are trained in this pseudo-science, you cannot be certified. Thus, the system preserves its grip on the schools, the pupils and the parents of this country. I hope that our school board and our local boards will break this grip.

We need to spend more money on education in Vermont, but where and how much? The first call would certainly come on adding schoolrooms and seats to schools which are overcrowded. But close behind that should come increased salaries for teachers who can teach, and this includes many who do not have the Kilpatrick blessing.

Considering further the teachers and our interests, I quote a short passage from the commencement address which I delivered at Johnson Teachers College last June. These remarks were directed to the newly graduated teachers:

"We will owe you monetary rewards, but we will owe you more. We will owe you recognition for the great task we have laid upon you and for your successful participation in it. We will owe you moral support and more active help. This the parent-teacher associations are preparing to give but these must not carry out their function in any formal, impersonal way. Parents, children, and teachers must live together.

"You are entering into a life which is fundamentally one of values. Make them strong and sound. While not neglecting these things which can be counted and measured, do not forget the intangibles. They are in the long run by far the more important. It is your great privilege to train the children of this generation. Train them above all to have a deep and sound sense of ethical value."

The buildings are important. The equipment is important. The curriculums are important. The administration is important. But important above all else is the teacher.

A few moments ago I said that I would return to a suggestion as to what kind of education we should have to serve the interest and the future of our students of all kinds of abilities under 17 years of age. While the ideas I am about to express were the result of original thinking, I decided to make a visit to my old friend, Marion Folsom, now Secretary of the Department of Health, Education, and Welfare, to get from him and from his staff any suggestions as to meeting this new and difficult problem. Secretary Folsom introduced me to the heads of the various branches of the Educational Division of the Department. I was delighted to find in that group men who as professional educators had come to about the same conclusion that I, an amateur, had arrived at.

It would seem to me that three types of courses should be carried out in our high schools—all in the same building and with the students intermingled in their activities and in all those classes which are common to the three types.

The most difficult course would be the preparation for entrance into college. It should not be necessary later for these pupils to take remedial courses in any basic high school subject. Let us relieve colleges of this burden and the students of this necessity. On such basic things as spelling, reading, and writing, therefore, high stand-

ards should be maintained and achievements objectively marked.

This requirement applies with even more force to mathematics and science as well as to progress in a language or languages offered as a college entrance requirement. If the students find such treatment severe, they should be reminded that they have chosen of their own free will to meet severe requirements. No Vermonter should seek to enter a school of higher education, whether it be Lyndon, California, or Harvard, if he is sloppily prepared.

Another type of education would be vocational training. If we are to be honest with the pupil we must train him rigorously, examine him objectively and report to his parents honestly on the technical subjects of the vocation which he is studying. It may be so arranged that he can slide through high school easily in these subjects but that is not being honest with him. When he tries to practice his vocation in real life, he will meet with hard facts instead of easy treatment. Therefore, he must pass the same standards of scholarship in his vocational studies as does the college preparatory student in his entrance requirements.

Most certainly in business courses, particularly as relates to stenography for instance, good spelling is a major requirement. I think that most employers of newly trained graduates in this field from our high schools will agree in wondering whether spelling is a major requirement. Perhaps the pupil comes to high school without having learned what should have been taught in grade school. Perhaps he should there have been subjected to the requirements of the old-fashioned spelling bee.

The third type of education presents this problem. What shall we do with the students who are neither going to college nor wish to be trained for a vocation? Various names for this course might be suggested. Perhaps the title of "Citizenship" course should be given to it.

The thing we must not do is to attach any stigma of inferiority to the pupils, whether in naming the course or in the treatment of the students taking it. They should be prepared for citizenship in the greatest country in the world, which has responsibilities heavier than any nation has ever encountered before. The social studies which are such a large element in modern education will apply particularly to these pupils. We must be sure that such studies ground them firmly in the history and the ideals of their country. We must be sure that they have some understanding of the way in which all the citizens of the country, all the places of the country and all the occupations of the country, work together to produce the highest standard of living the world has known. It is not necessary that they accept the idea that our system is a perfect one. It will never be perfect until equality of opportunity becomes a fact rather than an ideal. It is a fact that we are constantly getting closer to that ideal, but the facts should be known and realized.

There will be much in this citizenship course which will also be taught in the vocational and college preparatory courses. In these subjects the three groups should be all mixed together. They should be all mixed together in the social and extracurricular activities of the school. There must be no social or class distinctions of any sort, for not all of those who complete the college preparatory course will be able to go on to college.

I myself am a living witness of the fact that a full and satisfying life may be led by one who does not go beyond the high school. The possibilities of this must be made plain and must somehow become instinctive in the thoughts of the teachers, the students, and the parents.

Our valid objective is the training of our young people to be citizens of a great country now exercising the leadership of the

Western World. This country is faced with the hostile leadership of a government bent on power for its own sake, which denies the existence of the soul of men and ruthlessly tramples upon his personality.

This is the challenge to America which its young people must understand. They and the great body of citizens must be prepared to take the responsibility which this challenge evokes if American institutions are to survive. Challenge and response—that is what we face.

Vermont has a great opportunity. The eternal vigilance of its citizens will preserve the basic values in our school system which have been leaking out through the cracks in many of our sister States. The responsible citizens and the appointed and elected officials of our State can have the vision of the new national opportunities and responsibilities toward which we are being driven. Let us be worthy of the leadership which is ours for the grasping.

**Testimony by Hon. Herman E. Talmadge,  
of Georgia, With Reference to Constitutional Rights**

**EXTENSION OF REMARKS**

OF

**HON. RICHARD B. RUSSELL**

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

*Monday, February 18, 1957*

Mr. RUSSELL. Mr. President, on Saturday, February 16, 1957, my distinguished colleague [Mr. TALMADGE] testified with reference to so-called civil-rights legislation. I am sure that there will be a great deal of interest in his very able analysis, and for that reason I ask unanimous consent that his testimony may be printed in the RECORD.

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

Mr. Chairman and members of the subcommittee, I appear before you today to express my views on the need for protecting the civil rights of the citizens of the United States.

Our Nation has grown great and stands today as the world's foremost bastion of individual freedom because of our jealous regard for our civil rights and our diligence in providing for the free exercise of them by all citizens.

History teaches us that people lose their civil rights because of governmental action. It was because of that fact of life that our Founding Fathers deemed it wise to enumerate in the Bill of Rights of our Constitution the inalienable rights of free men and to insure their perpetuity by prohibiting governmental interference with the enjoyment of them.

Every civil right which we as citizens of the United States cherish is set forth and guaranteed in that Bill of Rights. They are:

Freedom of religion.  
Freedom of speech.  
Freedom of press.  
Freedom of assembly.  
Freedom of petition.  
Freedom to keep and bear arms.  
Freedom from the quartering of troops in homes.  
Security of persons, houses, papers, and personal effects.  
Freedom from unreasonable searches and seizures.  
Protection from unfounded warrants.  
Freedom from trial without indictment.

Freedom from double jeopardy.  
Freedom from self-incrimination.  
Protection from deprivation of life, liberty, and property without due process of law.  
Guaranty of compensation for property taken for public use.  
The right to a speedy, public trial by an impartial jury.  
The right to be tried in the State and district of the alleged offense.  
The right to know the charges made against one.  
The right to confront one's accusers.  
The right to have assistance of counsel.  
The right to seek damages in court.  
The right to jury determination in civil cases exceeding \$20.  
The full protection of common law.  
Protection against excessive bail.  
Protection against excessive fines.  
Protection against cruel and unusual punishment.  
And the enjoyment of all other rights not prohibited by the Constitution.

These guarantees are stated clearly and unequivocably in languages which can readily be understood by any person with a fourth-grade education.

They are express prohibitions with no exceptions, no qualifications, and no loopholes.

They are as finite in their provisions as are the Ten Commandments and well can be likened unto them—the commandments constituting the "thou-shalt-nots" for men living under God and the Bill of Rights constituting the "thou-shalt-nots" for a nation living under God.

The Bill of Rights is all inclusive in its guarantees. It employs the word "person" as distinguished from the word "citizen" in setting forth the civil rights to be enjoyed by those living in this Nation.

The Bill of Rights is emphatic in assuring that there shall be no legislative infringement of the liberties it enumerates. It declares that Congress shall make no law circumscribing any of the guarantees it sets forth.

Section 2 of article III of the Constitution is specific in establishing the manner of recourse for any person denied any of these civil rights. It vests in the Federal judiciary the power to hear and determine all cases in law and equity arising under this Constitution.

Therefore, gentlemen of this subcommittee, I submit to you that legislation on the subject of civil rights not only is unnecessary but also would be duplicative of and perhaps in direct conflict with the Constitution of the United States and the Bill of Rights.

I further submit to you that any person—regardless of his race, color, creed, previous condition of servitude, or place of residence—is fully protected in the enjoyment of his civil rights and has available to him immediate remedies in the event those rights are circumscribed or violated in any degree.

To those who insist that the enactment of new laws and the establishment of new procedures are necessary to the protection of civil rights in this country, I would like to ask these questions:

What rights would you protect which already are not guaranteed by the Constitution and the Bill of Rights? Are new rights to be created? If so, what rights?

Why is it necessary to create a commission to do what State and Federal courts already are empowered to do? Is it because the courts have failed? If so, in what way?

What procedures or recourses for redress in cases of civil-rights violations would you substitute in lieu of those already established by the Constitution and the Bill of Rights?

Why do you feel that the constitutional guarantees and processes under which this Nation has achieved the greatness, prosperity, and liberty it enjoys today are not adequate to meet the needs of present and future generations?

It is my view, Mr. Chairman, that the protection of the civil rights of our citizenry lies not in the enactment of a welter of confusing, contradictory, and possibly unconstitutional laws but rather in a strict adherence to the constitutional guarantees, processes, and prohibitions which already are the law of the land and which, without question, are adequate to meet every requirement of those who are concerned about protecting the rights of the American people.

As a strict and undeviating constitutional fundamentalist who believes the Constitution of the United States means word for word what it says, I am greatly concerned about the effect upon our constitutional civil rights which enactment of the proposed legislation under consideration by this subcommittee would have.

There are, I believe, some 17 so-called civil-rights bills before this subcommittee. They represent, in varying degrees the four-point program offered by the administration. And, in the interest of time and clarity, I should like to address myself generally to those four proposals and to point out for the consideration of this subcommittee the grave constitutional pitfalls they present.

Fraught with greatest danger to constitutional guarantees and processes is the proposal for the creation of a Commission on Civil Rights with unlimited authority to delve into the affairs of any person, firm, group, or agency under the guise of investigating developments deemed by its six members to constitute a denial of equal protection of the laws under the Constitution. Armed with full and unrestricted power of subpoena and citation for contempt, the Commission would be an absolute power unto itself, answerable only to the consciences of the individual members. No right of appeal is provided and our citizens would be deprived of this fundamental right.

On 24 hours' notice this Commission could summon anyone from any part of the United States to any place it might designate to defend himself against charges of which he was totally ignorant prior to receipt of the subpoena. It could compel him to bring with him all personal and business records which the Commission might desire to inspect. Furthermore, he would be required to comply at his own expense and failure to do so in any particular would make him subject to fine, imprisonment, or both for contempt.

Under the broad, loose and ill-defined powers it would possess, the Commission could summon a minister to explain one of his sermons; an editor, one of his editorials; a political candidate, one of his speeches; a Government official, one of his official acts; a group or organization, a petition it might be circulating.

It is hard to conceive of an instance in the pursuit of its investigations in which the Commission would not violate at least one of the very civil rights it would be created to protect.

To make my point crystal clear, let me cite a hypothetical case.

We will assume these facts:

A Miss Wong, a Chinese-American of the Buddhist faith, was discharged from her job in San Francisco as personal secretary to John Smith, president of the Smith Bubble Gum Co., because of her inability to spell correctly.

Mr. Smith replaced her with a Mr. O'Reilly, an Irish Catholic and a member of Mr. Smith's own faith.

Miss Wong filed a civil suit seeking \$100,000 damages, claiming she was unable to obtain employment elsewhere as the result of Mr. Smith's refusal to give her a good recommendation. At the same time she wrote to the Commission on Civil Rights and charged that the real reason she was fired was because Mr. Smith was prejudiced against women in general and Chinese Buddhist women in particular.

Notwithstanding the fact that the case already was a matter of litigation, the Commission voted to investigate it under its authority to "investigate allegations in writing . . . that certain persons in the United States . . . are being subjected to unwarranted economic pressures by reason of their sex, color, race, religion or national origin."

At 9 a. m. on Monday the Commission issued a subpoena ordering Mr. Smith to appear before a closed hearing of the Commission in Washington, D. C., at 9 a. m. on Tuesday and to bring with him all records and correspondence concerning Miss Wong's employment and dismissal.

Mr. Smith, already under court order to appear in court in San Francisco with the same records at the same hour, advised the Commission he would be unable to appear at the designated time. He, in turn, was advised if he did not appear he would be cited for contempt.

Mr. Smith then appealed to the judge who, being up for reelection and vitally concerned about the Chinese-American vote, said Miss Wong's attorney would not agree to a postponement and advised Mr. Smith that failure to appear at the designated time also would result in his being cited for contempt.

To resolve the dilemma, Mr. Smith's attorney negotiated a hurried out-of-court settlement which cost Mr. Smith \$25,000 and a letter of recommendation. Miss Wong agreed to withdraw her complaint to the Commission.

The Commission, meeting the following day, decided against dropping the case and renewed its subpoena to Mr. Smith and issued another for Miss Wong—both being ordered to appear the following day. It asked the American Committee for the Protection of Chinese-Americans to assist and advise it in the inquiry; an organization, which, as you might suspect, was not impartial in its viewpoint.

After 3 weeks of hearings and 6 transcontinental round trips by Mr. Smith's subordinates to produce subsequently subpoenaed records, the Commission took the case under advisement.

Six months later the Commission issued its report. While it did agree that Miss Wong really could not spell very well, it concluded nonetheless that Chinese-American minorities must be protected against unwarranted economic pressures. It recommended that such be accomplished through the enactment of legislation requiring every company engaged in interstate commerce to hire Chinese workers in the same percentage as the Chinese population of the city in which its home office is located.

News accounts of the report resulted in the picketing of Mr. Smith's plant and the boycotting of his products by militant minority groups—all because Miss Wong could not spell very well.

Mr. Smith, who estimated the entire episode cost him half a million dollars in personal expenses and lost business, sold his plant, and retired an embittered and disillusioned man.

An extreme case? I think not.

I am confident that anyone with any imagination at all can visualize similar circumstances in his own hometown.

Anyone who ever has held public office—and I am sure you gentlemen will agree—can imagine investigations just as ludicrous as my hypothetical example which might result from inquiries into some of the many fancied, exaggerated and deliberately untruthful wrongs which are often the subject of correspondence to public officials. Reflect on your mail about civil-service jobs and you will have some idea of the fancied wrongs that will be involved.

It is quite easy to see how such a Commission, through its investigations, could deprive a man of his rights of freedom of speech, security of papers and personal effects, freedom

from unreasonable searches and seizures, protection from unfounded warrants, freedom from double jeopardy, freedom from self-incrimination, freedom from deprivation of property without due process of law, the right to a speedy, public trial by an impartial jury, the right to be tried in the State and district of the alleged offense, the right to know the charges made against him, the right to seek damages in court, the right to confront his accusers, the full protection of common law and the other unspecified, but nevertheless, inalienable rights such as respect for the dignity and integrity of a free man living in a free country.

Furthermore, and if for no other reason I would be opposed to it on this ground, it would have as its basis the complete reversal of the fundamental tenet of American jurisprudence that every man is presumed to be innocent until proved guilty.

I do not believe such a Commission could stand the test of the Constitution; that is, if such test be applied according to a strict interpretation of the Constitution rather than according to some preselected modern authority.

However, even though it conceivably could be upheld on the basis of such extra-level authority as the United Nations Charter, I cannot bring myself to believe that the members of this subcommittee or of this Congress would vote to so jeopardize the inherent constitutional civil rights of their constituents. It represents a threat to the civil rights of every citizen of every State and Territory of this Nation.

In operation the effect of such a Commission would be the exact opposite of protecting civil rights. To the contrary it would, through attempts to police the thoughts and actions of private citizens, serve to deny them the full and unfettered enjoyment of the rights which are their constitutional birthright.

Briefly, I would like to make these points about the other three administration proposals:

1. The creation of a special Civil Rights Division in the Department of Justice under the direction of an additional Assistant Attorney General would provide no protection of civil rights not already presently afforded by the Constitution. It would mean a further expansion of the Federal bureaucracy and the hiring at public expense of a small army of lawyers and investigators to harass and intimidate the officials and governments of our States, counties, cities, and other political subdivisions and public institutions.

(Parenthetically, I would like to point out in this regard that the Attorney General already makes such investigations without specific authority—as the people of my State know from actual experience—and what he apparently wants is an *ex post facto* law legalizing what he already is doing.)

2. The threefold proposal to strengthen civil-rights statutes is one which would be hilarious if it were not so serious in its implications.

The requested authorization of the Attorney General to seek injunctions to restrain persons who "are about to engage in any acts or practices which would give rise to a cause of action" is ridiculous on its face; that is, unless it also is to be accompanied with an authorization to hire mindreaders to advise the Attorney General when and where such acts are being contemplated. Such flies in the face of all basic legal doctrine and the repeated rulings of our Federal courts that injunctive relief cannot be afforded in speculative instances.

An adjunct of that authorization would be to allow the Attorney General to file injunctive proceedings and civil suits for private individuals whom he considers to have been deprived of their civil rights whether those individuals desire to go into court or not. Not only does such a proposal presuppose

the existence of an Attorney General with the wisdom of Solomon but also it anticipates making him a glorified nationwide public prosecutor and protector and the de facto legal guardian of 166 million Americans.

The most alarming of all the aspects of this proposal is that to empower the Attorney General to initiate his lawsuits "without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law." Enactment of that proposal, gentlemen, would be the death knell for State and local self-government in this country and apparently indicates that the Department of Justice no longer considers the 10th amendment an integral part of the Constitution of the United States.

3. The proposal to protect the right to vote by providing for injunctive proceedings initiated by the Attorney General against any individual who may be thought to be interfering with the right of another individual to vote is totally without constitutional authority. The Supreme Court has held repeatedly that the 14th and 15th amendments can be implemented only with respect to State action and only then in cases where the franchise is denied due to unlawful discrimination on account of race, color, or previous condition of servitude. Regulation and protection of the franchise except in these instances is a constitutional prerogative of the States. To make it otherwise clearly would require a constitutional amendment.

Gentlemen of the subcommittee, I have attempted to be factual and specific in the presentation of my view that the legislation which you have under consideration threatens to destroy the civil rights of the American people.

While I am aware of the partisan, political motivations of these proposals, I have tried to discuss them from a national rather than a sectional viewpoint. I can see in these bills a grave threat to the civil rights of all Americans whether they live in Chicago or Atlanta, Oregon or Maine. And I feel it incumbent upon me, as a Senator of the United States, to speak out in warning of the potential consequences of such legislation.

I would be less than realistic if I did not admit to myself and to you that these measures are aimed at the peculiar problems of my State and region. And I would be the last to deny that those problems exist though, in all fairness, I must hasten to add that they are not problems of our own creation.

In a nation as large as ours, it is possible to find examples of injustice anywhere—from the Indians of the southwest to the Eskimos of Alaska. Civil rights are violated in the middle west and the east just as often as they are in the south and on the west coast.

But the mere fact that injustices do occur and civil rights are sometimes violated cannot by any stretch of the imagination be said to be justification for the destruction of constitutional government and the abrogation of constitutional guarantees. State and Federal courts are now available and no one has said they are not handling their jobs.

Just as a farmer would not burn down his barn to get rid of the rats, so would no thinking American wish to jeopardize his heritage of constitutional freedom in search of a quick cure for human failings which have plagued mankind since Eve bit the apple in the Garden of Eden.

To those who might disagree with my viewpoint I would point to the example of Samson.

It is true that by pulling down the temple he destroyed his enemies.

But it likewise is true that in the process he also destroyed himself.