debate were sufficiently prolonged to enable the American public to become fully informed as to the merits or demerits of the proposed legislation and to transmit their sentiments to their representatives in the Senate. In the very nature of things there is not as much opportunity for this formulation of informed and considered public opinion in connection with the passage of legislation in the House of Representatives, but this opportunity should by all means be preserved in the Senate.

MINORITY OF SENATORS MAY ACTUALLY REPRESENT MAJORITY OF CITIZENS

A minority of Senators may actually be representative of a large majority of American citizens and of American territory. For example, there are 10 States having a combined total of only 20 United States Senators, and yet these 10 States have a combined population constituting a substantial majority of all the citizens of the United States of America, and also a majority of territory. Even as it stands now, the rule is fraught with some danger of unduly stifling debate; but this danger certainly should not be increased, as it would be, by a weakening modification of the rule by the pending resolutions.

PRESENT RULE HAS NOT KILLED PERMANENTLY ANY MERITORIOUS LEGISLATION

Of all the legislation that has failed of passage at one time or another in the United States Senate, because of unlimited debate, very few measures have failed of ultimate enactment. In fact, the few that have failed permanently were those that were of such a vicious type, fraught with such genuine peril to our American system of government, that they fully deserved the defeat they experienced.

SENATE EXPECTED TO BE MORE DELIBERATE THAN THE HOUSE

In view of the important differences in size, basis of representation, terms of office, times of election, prerogatives and functions, the Senate was designed and intended to operate quite differently from the House. It is not unreasonable to say that the Senate was intentionally created of such size and type as to make sure that many things hastily approved by the House would not receive the approval of the Senate.

Elected entirely every 2 years, the House is fresh from the people and, quite naturally, reflects the current popular sentiment of the people at the moment. But the Senate, elected by thirds over a period of 6 years, represents a much broader span of public opinion. Consequently, from the very beginning of our Government, the Senate has been expected to be more deliberate than the House; ordinarily to concur in House action but just as properly to refuse concurrence when any sizeable segment of the Senate has reasonable doubt of the long range wisdom of House action.

MORE DELIBERATE SENATE ACTS AS BULWARK AGAINST EXECUTIVE DOMINATION

While the House and the Senate are of equal dignity, there are many important functions performed solely by the Senate; for example, the confirmation of executive appointments and ratification of international treaties. If limitation of debate could be brought about by less than the concurring vote now required, it is conceivable that the Senate might not be able to discharge its important functions as intelligently as it should, and as it now does.

The smaller size, staggered changes of personnel and representation on the basis of individual States rather than population, all combine to show that the Senate was consciously designed to act also as a safeguard against Executive domination. Otherwise, why is it that the Senate, rather than the House, must approve or reject important official appointments made by the President? Obviously because—ordinarily although not always—the majority of the House is more apt to be of the same political party or governmental persuasion as the President. Thus, ordinarily, the House is more likely to go along with Presidential policy. The Senate, however, being more removed from the popular pressures and changing passions of the day, is more apt to apply its own deliberate judgment. And whenever necessary, in the interests of constitutional government, the Senate is expected to act as a deterrent and checkmate against hasty action—regardless of whether that action originates in the House or in the Senate.

It has been true in the past, and may well be so in the future, that it is a minority of both parties in the Senate that must be counted upon as the last bulwark against improper, harmful legislation. And this bulwark should not be destroyed or weakened, regardless of how high and noble the motives of the proponents may be.

HISTORY WARNS OF DANGER OF BARE MAJORITIES

With no reflection upon anyone, let us remember that most of the foreign tyrants of the past have acquired absolute and despotic power on the temporary but surging wave of popular sentiment of the day, allegedly to promote social welfare and so-called civil rights, etc. Few indeed would have succeeded in their autocratic seizures if their countries had been blessed with a legislative body with the courage, power, and deliberative character of the United States Senate. In the few instances where there was indeed a legislative body at all comparable to our Senate, the first step of the tyrant and his cohorts was to suspend or repeal all rules which permitted anything less than an absolute majority to oppose him. Of course, it may be said that such a thing could never happen here. Well, that same thing was said, and believed, in every country before it succumbed to the tyranny of a dictator.

WHY WEAKEN MINORITY IN THE SENATE TO STRENGTHEN MINORITY OUTSIDE?

It is a strange and paradoxical thing that many of the leading proponents of cloture, who seek to make it possible to stifle the voice of substantial minorities in the United States Senate, appear to be doing so principally in the hope of thereby bringing about the passage of pending legislation, allegedly designed to protect miscellaneous minorities of people here and there in the United States outside the Senate. It would seem that Senators should be at least equally zealous in protecting the rights of their fellow Members of what has well been described as the most august deliberative body in the world as they are in seeking to set up a vast bureaucracy of Federal inquisitors and prosecutors to ferret out and punish fancied grievances of a comparatively few individuals.

RULE XXII HAS PROVEN ITS VALUE TO PUBLIC WELFARE AND SHOULD NOT BE WEAKENED

Rule XXII has had considerably more than a century of useful life and it would not be for the best interest of the United States and its people, or of our American form of government, to emasculate or otherwise weaken this rule.

The modification and weakening of the rule would bring about far greater bitterness and resentment than whatever may be occasionally aroused by the operation of the rule as it now stands.

SENATE

TUESDAY, JULY 2, 1957

The Senate met at 11 o'clock a. m.

Rev. Robert Theron Browne, associate minister, First Methodist Church, Houston, Tex., offered the following prayer:

Eternal Father, give us grateful hearts for this moment when a nation prays. May we beg to offer our thanks simply, and without pretense, for the high calling that unites us in the cause of freedom.

At the approach of the sacred day upon which that liberty was conceived, prepare in us a clean heart, O God, that we may by Thy help receive so great an inheritance with high resolve that it shall never be lost.

May all that is done in this Chamber cause all our country to hear a resounding note of freedom.

By Thy grace, may our ideals concerning justice fall into a more sober perspective, and may we discover that we have been led by Thy hand through difficult hours of discussion.

We pray in Thy holy name, for Thou art the power and the glory. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Monday, July 1, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 1, 1957, the President had approved and signed the act (S. 768) to designate the east 14th Street highway bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes; and

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida;

H. R. 2170. An act to authorize the Secretary of the Interior to consummate desirable land exchanges;

H. R. 3071. An act to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska;

H. R. 3358. An act to supplement the land grant provisions of the Alaska Mental Health Enabling Act;

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 4115. An act to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5953. An act to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada;

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid;

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island;

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes;

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes;

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois;

H. R. 8053. An act to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; and

H. R. 8195. An act to facilitate the payment of Government checks, and for other purposes.

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

H. Con. Res. 135. Concurrent resolution to print as a House document the publication Guide to Subversive Organizations and Publications and to provide for the printing of additional copies; and

H. Con. Res. 136. Concurrent resolution to print as a House document volumes I and II of the publication Soviet Total War and to provide for the printing of additional copies.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; to the Committee on Interstate and Foreign Commerce.

H. R. 2170. An act to authorize the Secretary of the Interior to consummate desirable land exchanges;

H. R. 3071. An act to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska;

H. R. 3358. An act to supplement the land-grant provisions of the Alaska Mental Health Enabling Act;

H. R. 4115. An act to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; and

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; to the Committee on Interior and Insular Affairs.

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid; and

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries; to the Committee on Armed Services.

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954; to the Committee on the Judiciary.

H. R. 5953. An act to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island; and

H. R. 8053. An act to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; to the Committee on Labor and Public Welfare.

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof; and

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois; to the Committee on Government Operations.

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the calendar.

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes; and

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTIONS REFERRED

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

H. Con. Res. 135. Concurrent resolution to print as a House document the publication Guide to Subversive Organizations and Publications and to provide for the printing of additional copies.

"House Concurrent Resolution 135

"Resolved by the House of Representatives (the Senate concurring), That the publication entitled 'Guide to Subversive Organizations and Publications' prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 60,000 additional copies of said document, of which 40,000 copies shall be for the use of said committee and 20,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days after which time the unused balance shall revert to the Committee on Un-American Activities."

H. Con. Res. 136. Concurrent resolution to print as a House document volumes I and II of the publication Soviet Total War and to provide for the printing of additional copies.

"House Concurrent Resolution 136

"Resolved by the House of Representatives (the Senate concurring), That volumes I and II of the publication entitled 'Soviet Total War' prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 5,000 additional copies each of volumes I and II for the use of said committee."

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittee were authorized to meet during the session of the Senate today:

The Committee on Interior and Insular Affairs.

The Committee on Foreign Relations.

The subcommittee considering changes in rule XXII of the Committee on Rules and Administration.

TRANSACTION OF ROUTINE BUSINESS

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

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

AUTHORIZATION FOR DISPOSAL OF CERTAIN UNCOMPLETED VESSELS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize the disposal of certain uncompleted vessels, which, with the accompanying paper, was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

The petition of Roger Revelle, of La Jolla, Calif., praying for the enactment of legislation to construct a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

A resolution adopted by the Northwest Texas Annual Conference of the Methodist Church, at Amarillo, Tex., favoring the enactment of legislation to prohibit the advertising of alcoholic beverages in interstate

commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. FLANDERS:

A joint resolution of the Legislature of the State of Vermont; to the Committee on Armed Services:

"Joint resolution relating to trial of United States military forces abroad

"Whereas the members of our Armed Forces serving abroad, their civilian components, and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is difficult for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it difficult for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes: Now, therefore, be it

"Resolved by the senate and house of representatives, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components, and dependents of each ,of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"Resolved, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"Resolved, That the general assembly express its belief that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil and respectfully urge the President of the United States, by negotiation, and the Senate and House of Representatives of the United States by legislation directing such negotiation, to immediately seek a modification of all existing agreements with foreign nations so that the United States may regain criminal jurisdiction over its Armed Forces; and be it further

"Resolved, That the secretary of state send a copy of this resolution to Hon. GEORGE D. AIKEN, Hon. RALPH E. FLANDERS, and Hon. WINSTON L. PROUTY."

RESOLUTION OF FLORIDA STATE LEGISLATURE

Mr. HOLLAND. Mr. President, on behalf of myself and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, House Memorial 1579 of the Florida Legislature, regular session 1957, memorializing and requesting the Congress of the United States to take the necessary action to have the Department of the Interior cooperate and aid in preventing forest-fire hazards in Wakulla County, Fla., in which the Apalachicola National Forest is located.

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

House Memorial 1579

Memorial to Congress of the United States of America requesting aid and cooperation from the United States Department of the Interior to prevent forest-fire hazards in Wakulla County, Fla., in the national forest located therein

Whereas the year 1956 was one of the driest in the history of Florida, resulting in a drop of the natural water table and in Wakulla County, Fla., Lost Creek and the Sopchoppy River have become extremely low; and

Whereas there are thousands of acres of forest land, including the Apalachicola National Forest located in this area, which are now in a very bad position due to the fall of these rivers and if fire broke out in this area it would cause great damage to the forest and threaten life; and

Whereas the best solution, it appears, is to construct a series of spillway dams across these rivers to back up the waters of these rivers and raise the natural water table and assure water for fighting forest fires as well as maintaining natural fire breaks and reducing the hazard; and

Whereas the Apalachicola National Forest being involved, makes it necessary to consult the United States Government before such a cooperative plan can be worked out: Now, therefore, be it

Resolved by the Legislature of the State of Florida—

SECTION 1. The Congress of the United States of America is memorialized and requested to take the necessary action to have the Department of the Interior cooperate and aid in this forest-fire prevention measure.

SEC. 2. A copy of this memorial shall be sent by the secretary of state of the State of Florida to: (1) the Honorable BOB SIKES, Congressman from Florida, (2) the Honorable SPESSARD HOLLAND, Senator from Florida, (3) the Honorable GEORGE A. SMATHERS, Senator from Florida, (4) United States Secretary of the Interior.

Filed in office, secretary of state, June 20, 1957.

RESOLUTION IN SUPPORT OF INCREASED POSTAGE RATES

Mr. WILEY. Mr. President, I have received a resolution adopted by the Wisconsin Rural Letter Carriers' Association, favoring an increase in postage rates.

As we know, the House Post Office and Civil Service Committee has reported out a bill, H. R. 5836, for increased rates on first-, second-, and third-class mail, as well as on books.

While the Senate is awaiting action by the House on this revenue legislation, I would invite the attention of my colleagues, as well as the House members, to this grassroots "voice of support" for increased rates.

We will want, of course, to take a fair, openminded look at these proposals. As we recognize, there is a real need to modernize our postage rates in relation to today's actual increased costs of operation by the Post Office Department. Naturally, we will also want to give consideration to the effects that increased rates would have on specific groups of "mail users."

I feel there need be no basic inconsistency between the needs of the public, to avoid a huge postal deficit, and the needs of specific segments of private enterprise which rely heavily on fair mail rates for service purposes. These two basic interests can be and must be reconciled.

So that the sentiments of the fine Wisconsin Rural Letter Carriers Association may be considered, I request unanimous consent to have the resolution printed in the RECORD.

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

WISCONSIN RURAL LETTER CARRIERS' ASSOCIATION,
Bowler, Wis., June 26, 1957.

DEAR MR. WILEY: The resolution listed below was passed at our annual State convention just completed, at Green Bay, and as per the same the secretary has been instructed to send a copy of said resolution to each of you.

No. 10. Whereas the Post Office Department has operated in a deficit and the Postmaster General has repeatedly asked for a postage rate increase, be it resolved that the Wisconsin Rural Letter Carriers' Association go on record as favoring an increase in rates, and that a copy of this resolution be sent to the Wisconsin Senators and Congressmen.

We do hope that some sort of an increase bill can be passed soon, to put postage rates on a 1957 basis.

Many thanks for anything you can do on this.

Respectfully yours,

MELVIN LEMKE,
State Secretary, Wisconsin RLCA.

RESOLUTIONS OF DAIRYLAND POWER COOPERATIVE, LA CROSSE, WIS.

Mr. WILEY. Mr. President, I have just received a series of resolutions adopted at a membership meeting of the vast Dairyland Power Cooperative, of La Crosse, Wis.

The first resolution of the Dairyland Power Co-op expresses the deep interest in the maintenance of stable and fair REA interest rates.

As we know, the REA—over the years—has helped tremendously in the development of rural America.

The REA lines have brought electricity to our farms, giving our rural folks light, electricity, and power—and thus access to the comforts and conveniences of modern living enjoyed by their city cousins.

The maintenance of this service—at fair and reasonable rates, of course, is of great importance to all of agriculture. As we are all aware, the farmer is still not receiving a proportionate share of the national income.

Consequently, I think it is highly important to take a careful look at any legislation—such as the proposals to increase REA interest rates—which might, in turn, result in an even greater strain on farm income.

The second resolution by this fine co-op recognizes the need for pushing ahead with our atomic program, a matter for which I for one have previously definitely voted.

The prospect of low-cost power through early development of atomic powerplants brightens the future, not only of agriculture, but the whole country—and the world.

Consequently, I am glad to have heard the "voice" of the Dairyland Power Co-op, as it expresses its interest in the Federal Government assuming a vital role in the atomic development program.

The third resolution expresses the approval and endorsement by Dairyland Power Cooperative's board of directors of the legislation for Federal construction of a high dam at Hells Canyon.

As a cosponsor of S. 555—which fortunately has just passed the Senate—of course, I am glad to have this approval of the Senate action.

Moreover, I invite the attention of the Members of the House, and especially of the Irrigation Subcommittee of the House Interstate Committee, as it takes up consideration of Hells Canyon today, to this resolution.

Because the Dairyland Power Cooperative, along with others in the cooperative movement, speaks strongly in behalf of rural Wisconsin and America, I believe these resolutions deserve the utmost consideration.

I ask unanimous consent to have these resolutions printed in the RECORD.

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

RESOLUTIONS ADOPTED AT THE MEMBERSHIP MEETING OF THE DAIRYLAND POWER COOPERATIVE HELD JUNE 5, 1957, AT LA CROSSE, WIS.

STABLE AND FAIR REA INTEREST RATES

Resolved, That the delegates to the Dairyland Power Cooperative assembled in its annual meeting approve and endorse the remarks and position stated by President John E. Olson in his report to the members, relating to interest rates, as follows:

"Another controversy shaping up is over REA interest rates. You are all familiar with this issue. When the REA program was established, interest rates were legislated which would provide that they equal the average cost of money to the Government on long-term borrowings. In 1944, because of the red tape involved in establishing each new advance of REA loan funds at a different rate of interest, the Pace Act was passed pegging future interest rates at 2 percent. This 2-percent rate was established based upon a long-term average rate of interest cost to the Government. The Pace Act was a revision of the REA Act which recognized the 8 years of REA experience and was calculated to project the REA program into the future on a long-range basis. In addition to establishing a permanent 2-percent interest rate, the Pace Act changed the amortization period from 25 to 35 years. At the moment of the adoption of the Pace Act money was costing the Government considerably less than 2 percent, and on the average has been less than 2 percent since then. As a matter of fact, the Government has made a profit of $47 million on REA loans as of the end of 1956.

"However, during the past 3 years as a result of the hard-money policy of the national administration, interest rates have temporarily, at least, increased above 2 percent. Judging from history, it is doubtful that such hard-money policy will be permanent. At any rate, the temporary effects of such political expediencies are not a proper justification for upsetting the long-range REA program.

"As you might expect, the hue and cry was immediately set up by those wishing to embarrass REA, that interest rates should be increased. We recognize that loans at 2 percent today are causing withdrawals from that $47 million profit made by the Government on previous REA loans. But we must recognize, too, that REA loans are and must be long-term loans. There may be withdrawals, and there may be increases over the years in the profit made by the Government on a permanent 2-percent interest rate on REA loans. However, we supported the Pace Act in recognition of this fact of life, and we fully expect that the Congress will recognize that in the long run the 2-percent rate is a valid one in protecting the interest of all taxpayers.

"Where does this hue and cry come from? Certainly not from those interested in the welfare of our rural citizens. Certainly it does not come from those who have seen and appreciate the transformation that cooperative rural electrification has brought to rural America. Certainly not from the average taxpayer who recognizes that programs, such as the REA program, are building the economic power of millions more Americans to help them contribute toward the cost of government.

"Each and every member cooperative and Dairyland has a great stake in the outcome of this issue. Two percent interest on principal over a 35-year period amounts to a very large interest bill. For the calendar years of 1955 and 1956, for instance, Dairyland's expense for interest amounted to more than 13 percent of total operating expenses."

ATOMIC ENERGY

Whereas the dedicated purpose of Dairyland Power Cooperative to improve the standard of living of rural people will be advanced and nurtured by the early development of low-cost fuel through the use of atomic energy, and

Whereas the Federal Government has already invested $16 billion in the development of the use of atomic energy, and is in the most advantageous position to immediately proceed with the final development of atomic energy in the generation of electricity on a basis that will make such processes freely available to all types of organizations generating electricity on a fair and equal basis, regardless of size or financial ability of such organizations, and

Whereas it is our judgment that it is the responsibility of Congress to carry on a positive action program for the research, development and production of electricity from atomic fuel under direct government mandate and under legislation authorizing sufficient funds to build and operate a number of variable sized generating stations throughout the United States and to continue their operation until the desired competitive price status of the energy produced has been attained: Now, therefore, be it

Resolved, That the Dairyland Power Cooperative go on record urging Congress to enact into law Senate bill 151 and H. R. 2154, which would permit and enable the government to face up to its responsibility to the people of making finally available processes for the generation of electricity from atomic energy.

DEVELOPMENT OF HELLS CANYON ON THE SNAKE RIVER

Resolved, That the delegates to the Dairyland Power Cooperative assembled in its annual meeting approve and endorse the resolution of the board of directors relating to Hells Canyon adopted at its meeting of April 18, 1957, as follows:

Whereas the Congress of the United States will act at its present session on authorizing legislation to construct a high dam at Hells Canyon on the Snake River; and

Whereas the proper legislative test to apply to any project like the proposed high Hells Canyon Dam is whether it will provide for the fullest proper use of natural resources and whether private interests are willing and able to do the job as well as can be done by Federal development; and

Whereas the Federal Power Commission has granted a license to Idaho Power Co. for construction of small, low dams as an alternative to a single high Federal dam despite the findings of its hearing examiner, after a year of hearings, that the best development in the public interest would be a single high dam such as proposed in Hells Canyon legislation; and

Whereas we heartily concur with the examiner that a high dam providing 2,880,000 more acre-feet of storage for flood control, that would provide almost 40 percent more power; that would permit ultimate sale of the power at less than half the cost compared to projects authorized by the Federal Power Commission, is clearly a superior project in the public interest, particularly because it would be part of a long term integrated development of the Snake River; and

Whereas the examiner's reason for recommending approval of a Federal Power Commission license for private development was only because he personally didn't think Congress would authorize promptly the Federal development; and

Whereas Wisconsin, Minnesota, Illinois, and Iowa farmers, as well as farmers in 11 other Midwestern States would realize a saving of approximately $8.40 per ton in their purchase of plant food as a result of a major development of the phosphate resources of this area which would utilize the low-cost power from a Federal dam, but could not practically utilize higher cost power and lesser available capacity from private development; and

Whereas in 1957, 16 farmer-owned cooperative organizations serving the plant food needs of 2 million farmer-patrons in 15 Midwest States have already started development of the phosphate resources of this area but find the cost of concentrating superphosphates at the plant cost $2.10 per ton more for each additional mill in kilowatt hour cost and the difference between cost of power available from Federal development average 3 mills compared to 7 mills from private development; and

Whereas low cost power would increase the percentage of estimated phosphate deposits feasible for development by more than 300 percent, and such differentials in both price and available supply may often determine whether or not a farmer can afford to follow good soil conservation practices; and

Whereas Idaho Power Co. already has applications pending for rapid tax writeoffs on 2 of its proposed 3 small dams which at 6 percent over 50 years would yield a total subsidy at the expense of taxpayers of more than $325 million or roughly the cost of the Federal high dam, with the further expectation that a similar subsidy will be applied for if it should build the third dam it proposes; and

Whereas the private development represents partial, piecemeal and less than maximum integration of the potential of our great American water resources at ultimately much greater cost to the taxpayers of the Nation; and

Whereas this stretch of the Snake River represents the greatest remaining potential dam site in the Nation: Now, therefore, be it

Resolved, That we, the members of the board of directors of Dairyland Power Cooperative, which serves more than 90,000 rural families with their wholesale electric power needs in the States of Wisconsin, Iowa, Minnesota, and Illinois, do hereby strongly urge that our representatives in the Senate of the United States Congress, and our Representatives in the House of Representatives in our United States Congress, do

actively support enabling and authorizing legislation to provide for the construction of the high Federal dam at Hells Canyon under auspices of the United States and that construction be authorized with the least possible delay.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 4830. An act to authorize revision of the tribal roll of the eastern band of Cherokee Indians, North Carolina, and for other purposes (Rept. No. 570).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 977. A bill to suspend and to modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project (Rept. No. 574).

By Mr. LONG, from the Committee on Finance, with amendments:

S. 2080. A bill relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases (Rept. No. 571).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

S. 1869. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes (Rept. No. 575).

INCREASED EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 152) authorizing an increase in expenditures for the Committee on Foreign Relations, which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 85th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

PAYMENT TO GOVERNMENT OF DENMARK

Mr. GREEN. Mr. President, from the Committee on Foreign Relations, I report an original bill to authorize a payment to the Government of Denmark, and I submit a report (No. 572) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2448) to authorize a payment to the Government of Denmark was read twice by its title and placed on the calendar.

CONTINUANCE OF EFFECTIVENESS OF MISSING PERSONS ACT

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I report an original bill to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958, and I submit a report (No. 573) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2449) to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958, was read twice by its title and placed on the calendar.

BILLS INTRODUCED

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

By Mr. POTTER:

S. 2436. A bill to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 387); to the Committee on Finance.

S. 2437. A bill for the relief of Douglas Keddy; to the Committee on the Judiciary.

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

By Mr. CLARK (by request):

S. 2438. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. SMITH of New Jersey:

S. 2439. A bill for the relief of Evangelia Margarita Novak; and

S. 2440. A bill for the relief of Siegbert Haja; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2441. A bill to amend the act of March 4, 1933, to extend by 10 years the period prescribed for determining the rates of toll to be charged for use of the bridge across the Missouri River near Rulo, Nebr.; to the Committee on Public Works.

By Mr. HILL:

S. 2442. A bill for the relief of William S. Sherrill; to the Committee on Armed Services.

By Mr. YOUNG:

S. 2443. A bill to permit certain veterans to waive entitlement to insurance benefits under title II of the Social Security Act in order to preserve their rights to receive disability pensions under laws administered by the Veterans' Administration; to the Committee on Finance.

By Mr. AIKEN:

S. 2444. A bill to authorize cooperative associations of producers to bargain with purchasers singly or in groups and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CASE of South Dakota:

S. 2445. A bill to extend for 2 months the time during which annual assessment work on mining claims held by location may be made; and

S. 2446. A bill to authorize the partition or sale of inherited interests in allotted Indian lands in South Dakota, to provide for an interim trust patent, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 2447. A bill to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, and fungicides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources following spraying and to provide basic data on the various chemical controls so that forests, croplands, and marshes can be sprayed with minimum losses of fish and wildlife; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

S. 2448. A bill to authorize a payment to the Government of Denmark; placed on the calendar.

(See the remarks of Mr. GREEN when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. RUSSELL:

S. 2449. A bill to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; placed on the calendar.

(See the remarks of Mr. RUSSELL when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. JACKSON:

S. 2450. A bill for the relief of Luther Joe Bracey (Choi Myung Dai);

S. 2451. A bill for the relief of Berta Irene Heurung (Hahn Myo Soon); and

S. 2452. A bill for the relief of Lou Jean Clark (Whang Marion); to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2453. A bill for the relief of Emile Zaidan; to the Committee on the Judiciary.

RESOLUTIONS

The following resolutions were reported or submitted, and referred as indicated:

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 152) authorizing an increase in expenditures for the Committee on Foreign Relations, which was referred to the Committee on Rules and Administration.

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

Mr. KENNEDY submitted a resolution (S. Res. 153) to express Senate opinion relative to the establishment of independence of Algeria, which was referred to the Committee on Foreign Relations.

(See resolution printed in full when submitted by Mr. KENNEDY, which appears under a separate heading.)

AMENDMENT OF HIGHWAY REVENUE ACT OF 1956

Mr. POTTER. Mr. President, I introduce a bill to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956.

The bill would, if enacted, make it reasonably clear that funds in the highway trust fund shall not be used for the purpose of enforcing the Bacon-Davis provisions of the Highway Revenue Act. The reason for my introducing the bill is not that I am opposed to the Bacon-Davis provisions, because the contrary is true. I supported the Bacon-Davis provisions and they should be carried out; but they should be carried out by direct appropriation rather than by dipping into the highway trust fund for that purpose.

If we allowed the Department of Labor to dip its hands into the highway trust fund to carry out the provisions of the Davis-Bacon Act, we would be giving the Department of the Treasury, and other Government agencies which may have some dealings with the Interstate Highway System, the same privilege. Therefore, I sincerely hope the bill will receive favorable action, so that next year there will be no doubt that the Congress will be saying, "We have confidence in the highway trust fund."

I send the bill to the desk and ask that it be appropriately referred.

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

The bill (S. 2436) to amend subsection (f) (1) of section 209 of the Highway

Revenue Act of 1956 (70 Stat. 387), introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Finance.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER—AMENDMENTS

Mr. CLARK (for himself, Mr. LAUSCHE, and Mr. NEUBERGER) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF SOCIAL SECURITY ACT, RELATING TO RETROACTIVITY OF CERTAIN APPLICATIONS—AMENDMENT

Mr. POTTER. Mr. President, I submit an amendment which I intend to propose to the bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

When social security coverage was extended on a volunteer local option basis to municipal employees, policemen, and firemen positions which were covered by State or a local retirement system were, at the insistence of national groups representing policemen and firemen, specifically excluded by law from social security coverage. Since the 1954 amendments, special legislation has been enacted which modifies this original exclusion to allow social security coverage for policemen and firemen of the States of North Carolina, South Carolina, Florida, Oregon, and South Dakota.

The purpose of my amendment is to include the State of Michigan among those States in which social security coverage for policemen and firemen is allowed.

The exclusion of all police and fire positions works a very definite hardship on firemen and policemen in some of our smaller cities and villages where local retirement systems are deemed inadequate. Generally firemen and policemen are the only ones in municipalities who are excluded from social security coverage.

My amendment would not only remove the bar to the coverage of individuals in police and fire positions in the State of Michigan, but would permit optional treatment of police positions, fire positions, or a combination of these positions, as a separate retirement system for referendum purposes. With the opportunity for separate referendums by these groups of employees, it appears that the interests of policemen and firemen are adequately protected, and at the same time opportunity is given for social security coverage, if desired.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

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. YARBOROUGH:

Address delivered by him to the Texas Press Association State convention, San Antonio, Tex., June 29, 1957.

By Mr. REVERCOMB:

Address delivered by him before State convention of Veterans of Foreign Wars, at Clarksburg, W. Va., June 21, 1957.

By Mr. CASE of New Jersey:

Address delivered by Senator JAVITS at Colgate University conference on American foreign policy, Hamilton, N. Y., July 1, 1957.

By Mr. DOUGLAS:

Radio dialog entitled "Labor Answers Your Questions," program No. 9, entitled "Labor's New Broom," between A. J. Hayes, Senator Douglas, and Senator Morse.

By Mr. KUCHEL:

Letter dated May 31, 1957, addressed to him by Hon. Herbert Brownell, Jr., Attorney General of the United States, relative to Senate bill 83, the administration's civil-rights program.

NOTICE OF HEARING ON S. 420, TO PROVIDE FOR THE APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. JOHNSTON of South Carolina. Mr. President, on behalf of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 10, 1957, at 10: 30 a. m., in 424 Senate Office Building, on S. 420, to provide for the appointment of additional circuit and district judges, and for other purposes. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Utah [Mr. WATKINS], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NONFERROUS METAL PRICES

Mr. MANSFIELD. Mr. President, in today's issue of the Wall Street Journal, I notice an item having to do with nonferrous metal prices. The article reads as follows:

Nonferrous metal prices continued under pressure. Zinc was reduced a half cent a pound to 10 cents, East St. Louis. This represented a 3½-cent drop since May 6 and was the lowest level reached in more than 3 years. In London, spot copper receded to a 4-year low at 26.96 cents a pound. Weakness in London was followed by a half cent drop in the domestic price for custom smelter copper, which fell to 28½ cents.

Mr. President, I think the attention of the Congress should be called to the fact that the mining industry in the United States is in a very serious condition at the present time. Within the past several days the American Smelting and Refining Co. has closed three zinc mines in the Western States. This morning we find that zinc has reached its lowest price in 3 years, and that the price of copper is at a 4-year low—well below 30 cents.

I hope the House Ways and Means Committee and the Senate Finance Committee will take cognizance of these facts, because if some action is not taken to impose a tariff or excise tax on the imports of metals I am sure the American metal-mining industry will be in a most difficult situation. I make these remarks at this time to indicate that something will have to be done if the American mining industry is to be saved.

I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article concerning the drop in the prices of metals, as published in the Wall Street Journal of July 2, 1957.

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

ZINC PRICE CUT IN UNITED STATES—COPPER OFF HERE, ABROAD—DOMESTIC ZINC HITS 10 CENTS A POUND; LONDON COPPER FALLS TO LOW SINCE 1953—RHODESIAN QUOTATION LOWER

The price of zinc dropped in this country yesterday and copper's price fell here and abroad.

The domestic price for zinc was reduced a half a cent a pound to 10 cents, East St. Louis, the lowest in more than 3 years; the price for Rhodesian copper was cut 1¼ cents a pound; copper's quotation on the London Metal Exchange hit its lowest point in almost 4 years; and custom smelter copper was lowered a half cent a pound.

The zinc price cut was started by a leading custom smelter. Other custom firms and producers of the metal did not follow immediately. It was indicated, however, that similar action would be taken shortly.

The last change in zinc's price was a half-cent cut, June 19, to 10½ cents a pound. The metal has dropped 3½ cents since May 6 from the 13½-cent quotation that had held since early January 1956.

The new 10-cent price tag is the lowest zinc has been quoted since March 26, 1954, when it was 9¾ cents.

Zinc's price break stems from world overproduction, sharply curtailed demand, and reduced Government purchases of zinc through its domestic buying program and its barter deals for foreign-origin zinc and lead in return for surplus agricultural products.

Trade sources report the Government under its latest monthly purchase program took about the same tonnages of zinc and lead as it did under May purchases, when it stepped up buying over the low rate of earlier months this year. Miners of these metals, however, said the amounts accepted still fell far short of absorbing surpluses.

THE FISCAL SITUATION

Mr. BUSH. Mr. President, from the press of last evening I observe that some of our friends on the other side of the aisle describe themselves as being shocked at the manner in which the newspapers have attributed political motives to the inquiry before the Senate Finance Committee. I venture to say, Mr. President, that they are no more shocked than are millions of people who are the savers of this country, and who for the first time in a long, long while are

getting some recognition of a favorable nature.

I hold in my hand an editorial dealing to some extent with this problem. It is entitled "Dollars and Sense," and was published in the Washington Post of June 29. The editorial begins with the following:

After all the recent nonsense from some of the more politically minded members of the Byrd committee, the sober report on inflation of the congressional Joint Economic Subcommittee is refreshing indeed.

Then the editorial proceeds to deal with that subject in a very interesting fashion.

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

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

[From the Washington Post of June 29, 1957]

DOLLARS AND SENSE

After all the recent nonsense from some of the more politically minded members of the Byrd committee, the sober report on inflation of the congressional Joint Economic Subcommittee is refreshing indeed. In general, if not in detail, it supports the so-called tight-money policies which the administration has adopted in an effort, not altogether successful, to curb inflation. It puts the big budget problem in useful perspective by observing that most of the cuts Congress has made in the 1958 estimates will not produce real savings. It notes, indeed, that merely continuing present programs * * * may well result in rising levels of Federal spending over the next several years.

The report also points out, however, that the economy's growth seems likely to be sustained in the foreseeable future so that even existing Federal tax rates will produce about $3 billion more each year. The problem is to see that Federal spending, if it must rise, goes up at a slower pace. And the politically (and technically) difficult problem before Congress is to apply surpluses in proper proportion between tax adjustments and debt reduction so that saving is encouraged and inflation further dampened.

Spending reductions of one to two billion dollars—even if real and not merely apparent as has been the case in the recent budget-trimming exercises—would not suffice to allow a tax cut, or to ease materially the overall inflationary tendencies of the economy. If there is to be any hope of a tax cut in 1958—and the subcommittee certainly says nothing to suggest that one will be possible—it lies in economy efforts that are concerned with something more than mere elimination of waste and inefficiency, the subcommittee believes.

It declares close review of the substance of present programs, prospects for their future expansion or contraction, and their contributions to the Nation's economic progress "compared with private uses of the resources they command" will be necessary to effect major reductions in Federal expenditures. We have quoted what we regard as the key part of this statement. So long as the budget is balanced, spending reductions below that level will not necessarily ease inflationary pressures if the reductions are passed on in tax cuts. For if the money thus preserved for the private sector of the economy were used merely to augment the demand for goods and services that are in short supply, and if the budget cuts were in items such as slum clearance, school construction, or other programs that may contribute to economic growth and stability (even indirectly), the net effect of such cuts could add to inflationary pressures.

Here is a useful place for Senator BYRD's Finance Committee to begin if it wishes to get on with a serious study. Let it try to make a qualitative appraisal of the various kinds of Federal and private spending with respect to the end results on economic growth and savings. Let it endeavor to see whether a sort of handbook for real Federal economizing might be developed that would enable Congress to discriminate more wisely in its effort to draw the purse strings tighter.

Such a study could get into the difficult subject which the President dealt with, in somewhat superficial fashion, before the conference of governors: The return to the States of more responsibilities and of the taxes to meet them. Some Government programs no doubt are cheaper if carried out centrally, others might be less expensive if done at the State level. Similarly, private organizations might take over some Federal aspects of redevelopment, for example, and do it cheaper, or it might cost more. All of this is pretty much unexplored territory, but the rewards of investigating it might be vastly greater than continuing blind thrusts at big Federal spending per se.

THE EASY-MONEY FALLACY

Mr. BUSH. Mr. President, on yesterday there was published in the daily CONGRESSIONAL RECORD an article dealing with economic matters, from the current issue of the Guaranty Survey, a monthly publication of the Guaranty Trust Co., of New York. The article is entitled "The Easy-Money Fallacy." It is one of the most concise and effective articles in connection with the question of interest rates and monetary policy I have ever read. I hope Senators and others who read the CONGRESSIONAL RECORD will have an opportunity to refer to the article, which, as I have said, was published in yesterday's daily RECORD, where it was inserted by Representative RAY, of New York.

Mr. President——

The VICE PRESIDENT. The Senator from Connecticut.

HOW FARMERS MAKE HAY

Mr. BUSH. Mr. President, I hold in my hand a brief article entitled, "How Farmers Make Hay," which was published in Fortune magazine of July 1957. The burden of the article is that some of the REA cooperatives are in very fine financial condition, and that what they are doing with their surplus funds is to invest them in Government bonds at 3¼ percent. In other words, they are borrowing money from the Treasury at 2 percent, and then are lending it back to Uncle Sam at 3¼ percent. The article sets forth the fallacy of that kind of operation. I ask unanimous consent that the article be printed at this point in the RECORD, as a part of my remarks.

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

HOW FARMERS MAKE HAY

Any city slicker who would like a short course in the art of thimblerigging the United States Government is hereby advised to spend a little time down on the farm. One intriguing avenue into the United States Treasury has been uncovered by the House Appropriations Committee, which found that some farmers whose crops had failed in 1956 were being solaced by the Government, not once, but twice. First, these farmers were recompensed under the Federal crop insurance program. And second, they collected money under the soil-bank program—for not harvesting their crops. (They were able to do this only in 1956, because the act specified that for this first year of the soil-bank program any farmer could be eligible for payments if he did not harvest his crops. In the future, only nonplanters will be eligible.)

A more durable, and yet more devious, method of separating the Treasury from its folding money was described to the House of Representatives a few weeks ago, by an urban legislator named FRANK J. BECKER. Congressman BECKER, a New York Republican, was complaining about a bill that would increase by $179 million the amount the Rural Electrification Administration could borrow from the Treasury. Like several other Federal agencies (e. g., the Small Business Administration), REA borrows from the Treasury at a fixed rate—in this case only 2 percent. The money it borrows is used to finance rural cooperatives that supply electricity to farmers.

What incensed Congressman BECKER was his discovery that the great majority of the cooperatives are today in fine financial shape, and in many cases have good-sized reserves that are being invested in long-term Government bonds. In other words, the REA cooperatives borrow from the Treasury at 2 percent and lend money back to it at 3.25 percent—the current rate on long-term issues. For an operation that is not much different from arbitrage, this is a handsome differential, and its natural that the REA, and rural legislators, are all in favor of the status quo. Under the status quo, it appears, there is no way to make rich cooperatives, the ones with reserves, lend directly to the needy cooperatives. The latter must go to the REA, which in turn goes to the Treasury, for the 2-percent money.

Last month the administration made an effort to take the Treasury off this hook by sending Congress a bill that would have the Treasury charge interest rates in line with its own borrowing costs. But rural legislators, as well as spokesmen for other special interests, are likely to give this bill a hard time. Perhaps the best way for the Government to handle its relations with farmers would be to look into a suggestion made, half seriously, by Congressman HOWARD SMITH of Virginia. Several months ago he proposed the complete liquidation of the Agriculture Department, including, presumably, the REA. Then, SMITH suggested, the Department's money—over $5 million spent in fiscal 1957—could be distributed directly to United States farmers. With the overhead cut down, the payments could be larger. And the farmers would not have to do so much finagling for their money.

COMMISSION ON REVISION OF COMPENSATION SYSTEM FOR CIVILIAN SALARIED EMPLOYEES—ADDITIONAL COSPONSOR OF BILL

Mr. MORTON. Mr. President, on June 18 the junior Senator from Pennsylvania [Mr. CLARK] introduced, on behalf of himself and the junior Senator from Minnesota [Mr. HUMPHREY], a bill (S. 2317) to establish a commission to study and revise the present compensation system for civilian employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes. The bill would carry out the three major recommendations on compensation for civilian employees, as made by the Cordiner committee. The junior Senator from Pennsylvania has very graciously

permitted me to become a cosponsor of the bill; and I ask unanimous consent that my name be listed as a cosponsor.

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

COMPENSATION FOR CIVILIAN EMPLOYEES

Mr. MORTON. Mr. President, I am delighted to associate myself with the sponsorship of Senate bill 2317.

The Cordiner committee was established by Defense Secretary Wilson to advise him on the adjustments that might be needed in the present provisions for compensating officer, enlisted, and civilian personnel in order to attract and retain the competent professional, technical, managerial, and combat personnel required by our defense activities. Volume II of the committee's report deals with civilian personnel. It is to this portion of the report that Senate bill 2317 is directed.

In my opinion, the Cordiner committee's greatest contributions regarding the compensation system for our Federal employees were—

First. Outlining the principles of a modern system of compensation, and

Second. Pointing out the way in which those principles can be put into effect.

To quote the committee's report—

Any sound, modern compensation must embody the following principles. It must—

1. Adjust to market rates by particular skills.
2. React to changes in the general economy.
3. Maintain internal alinement.
4. Provide flexibility to accommodate individual worth.
5. Provide flexibility to meet unusual environment and work situations.

These are the principles upon which a successful compensation system today is based. Mr. Cordiner, president of General Electric, and his committee composed of leading industrialists and public members are thoroughly familiar with the application of these principles in non-Government activities. They feel the principles can, and must be, applied in the compensation system for Federal white-collar employees. So do I.

The committee recognized the complexity of the problem, and pointed out a practical means of arriving at a satisfactory and lasting solution. It proposed that a commission be established to overhaul the Classification Act and to report its recommendations to the Congress and the President. This commission would be composed of legislative branch, executive branch, and public members. This membership provides representation from Congress which must act upon its recommendations, representatives from the executive branch which must administer the system, and representatives from the public which these Federal employees serve, and which must foot the bill.

Section 1 of S. 2317 establishes this proposed commission. It is this section of the bill in which I have particular interest. I recognize the importance of the other two sections of the bill, however, I believe the Senate Post Office and Civil Service Committee, of which I am a member, will come to grips with the problems of immediate pay adjustments and more top level positions through other pending legislative proposals.

Mr. President, compensation for Federal employees is a matter which is above partisan politics. I believe the Congress should, and will, treat it that way by enacting section 1 of S. 2317 authorizing the establishment of a commission to study the pay of our civilian employees on an overall basis and from a long-range viewpoint. The pending pay bills are stopgap measures, at best. A more permanent solution must be found, and I am convinced S. 2317 provides the best possible approach to that end.

FEDERAL AID FOR SCHOOL CONSTRUCTION

Mr. BUTLER. Mr. President, some weeks ago, in anticipation of the consideration by the Senate of proposed legislation authorizing the use of Federal funds for school construction, I asked the governors of the 48 States to share with me any comments or opinions they might have on this highly controversial issue. Twenty-seven governors very graciously responded, and of these, twelve expressed unequivocal opposition to Federal aid for school construction; two were opposed with qualification. Six favored without qualification; five favored with qualification. Two governors responded with no comment.

I have made a digest of the responses from these governors, which in all probability will be of significant interest to the Members of the Senate and the House of Representatives alike. I therefore ask unanimous consent, Mr. President, that the results of this survey be printed in the body of the RECORD at this point.

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

FEDERAL AID FOR SCHOOL CONSTRUCTION—RESULTS OF POLL OF GOVERNORS OF THE 48 STATES CONDUCTED BY SENATOR JOHN MARSHALL BUTLER (REPUBLICAN OF MARYLAND)—DIGEST OF 27 REPLIES

THOSE IN OPPOSITION

California, Gov. Goodwin J. Knight:

"I am firmly of the belief that the States and their political subdivisions should make full effort to finance and control their own systems of public education, and that we should look to the Federal Government for aid in school construction only to the extent that States and their local school jurisdictions are economically unable to provide adequate school facilities.

"In my opinion, we should be very careful to avoid establishing any form of Federal financial aid to our school system which would bring with it Federal control of education."

Delaware, Gov. J. Caleb Boggs: "From a purely State point of view I believe that Delaware could well do without Federal aid for school construction and meet its own problem successfully as it has been doing. Our State always comes out very poorly due to the criteria used in determination of Federal allocations."

Florida;[1] Gov. LeRoy Collins:

"Public education is one of those fields which I regard as a primary responsibility of State and local governments. My concern has been not so much with the Federal Government entering this field but what I regard as the failure of many State and local governments to provide adequately for public schools and, thereby, abandoning responsibilities which properly are theirs.

"We in Florida are determined that we shall meet our responsibilities in the field of public education, and we are devising methods which will make this possible.

"Should a new Federal assistance program be developed by the Congress, doubtless Florida will accept the advantages offered along with our sister States. As a State, however, we prefer for the Federal Government to help us to help ourselves. We can finance our schools and our school building program when we can go into the market for loans that are perfectly sound and find a lender who will buy our securities for a reasonable rate of interest."

Georgia, Gov. Marvin Griffin: "I am unalterably opposed to any Federal invasion, encroachment or infringement of the fundamental right and obligation of the individual States to provide, supervise and control the education of their children."

Illinois, Gov. William G. Stratton: "I can speak only for Illinois. I think in view of what has been done in this State that there's absolutely no necessity for Federal aid. It is possible that in other States a need exists. But it is my feeling, particularly about classrooms, that there have been ideal or wishful estimates. I think the original figures sent out from Washington 2 or 3 years ago were, from a practical standpoint, exaggerated."

Indiana, Gov. Harold W. Handley:

"Hoosiers feel that they can build better schools for less money. * * * Moreover, they resent and fear any intrusion by the Federal Government, both because it is unduly expensive and roundabout, and also because it would result in curtailment of complete local control. * * *

"This opposition also has been manifest by the Indiana Legislature regarding participation in a Federal library program. The majority of members of both political parties in both houses have consistently voted for home rule."

Iowa,[1] Gov. Herschel C. Loveless: "In view of the present status of legislation on this matter, I do not feel that I could make any comment which would cover all eventualities. It is quite clear in my own mind that there are some provisions which have been at least discussed, which would make such aid unacceptable."

Montana, Gov. J. Hugo Aronson: "Montana has no proven need for Federal aid for school construction. Nineteen hundred and fifty-seven legislature made no provision for State matching funds should Federal legislation pass Montana people show every indication of building necessary buildings."

Nebraska, Gov. Victor E. Anderson: "I would like to state that there does not seem to be any critical need in Nebraska for this program, nor am I aware of any classroom shortage in this area. Generally, the people of Nebraska are opposed to Federal aid to education in any form."

South Carolina, Gov. George B. Timmerman, Jr.: "We in South Carolina are opposed to Federal aid for education. It is folly to think that Federal aid will not mean additional taxation.

"It is inconceivable that the Federal Government would cut its vast expenditures for national defense, foreign air, public welfare assistance, and debt service which is cannot cut, in order to return money to the States for local school purposes."

South Dakota, Gov. Joe Foss: "Please be advised that South Dakota, as in other States, is confronted with the problem of fast-expanding school enrollments and lack of funds. However, I believe our communities

[1] Opposed with qualification.

[1] Opposed with qualification.

are doing a good job of keeping pace with the school construction needs. * * *

"I believe our citizens realize that classroom space must be made available to our growing school population, and I am confident the challenge will be met."

Texas, Gov. Price Daniel: "As a member of the United States Senate, I oppose general Federal aid for education and school construction because I think this is a responsibility the States and local governments can and should bear. Operation of our public schools is a last bulwark of local self-government. Dependence on Federal money would result ultimately in Federal controls."

Virginia, Gov. Thos. B. Stanley:

"There is need of some additional classroom facilities in Virginia but these needs can be met by the resources of our own localities and there is no basis whatsoever for Federal intervention in this field. Experience has shown that 'Federal aid' is a misnomer in that an excessive percentage of revenue is dissipated in administration and, in addition, control, and restrictions are attached to the expenditure of the money which are unnecessary and ofttimes objectionable.

"My judgment is that Federal aid would not be a service to public education but a hindrance, and would result in unnecessary additional cost to the taxpayers of the respective States."

Wyoming, Gov. Milward L. Simpson:

"If there ever was a clear mandate against Federal aid to schools, this is it. We do not need any more Federal aid to education. It invites Federal control and Federal control is the death knell to local control of our public-school system. Many see magic in the words, 'Federal aid.' It is an alluring phrase, actually intended to give the impression that big brother 'Uncle Sam' is saving the educational systems of the poor, beleagured, helpless little States. Federal aid actually means that we raise our taxes to send our money to Washington; then raise some more taxes to match the amount we have already sent to Washington in order to get back the amount we originally sent, less of course, an additional 40-percent cost of administering Federal controls.

"We have met and will continue to meet our obligations to our schools. Education of our youth is not only a responsibility. It is a sacred trust."

THOSE IN FAVOR

Arizona, Gov. Ernest W. McFarland: The Arizona White House Conference on Education recommends: "The principle of Federal aid to education is approved by specific vote of the conference members."

Kentucky, Gov. Albert B. Chandler: "Kentucky would certainly participate in a Federal program for schoolhouse construction and we do not fear Federal interference with our school system * * * the time has come for the Congress to act instead of finding excuses for failing to do its plain duty for the boys and girls of America."

Louisiana,[2] Gov. Earl K. Long: "Any Federal aid that might be provided should be absolutely free of Federal control or any phase of Federal administration. This matter should be left to the States and local school systems."

Michigan, Gov. G. Mennen Williams: "In short, we feel that Federal aid to education is of such vital necessity that we are desirous of seeing a start made as quickly as possible. We quite agree with the philosophy behind Senator PATRICK V. MCNAMARA'S bill; i. e., that we should start immediately and then perhaps iron out the formula controversy at a later date."

New Hampshire,[2] Gov. Lane Dwinell: "I believe New Hampshire should accept Federal aid for construction purposes only, provided such aid does not involve Federal interference with educational policies at State or local levels."

New York,[2] Gov. Averell Harriman: "Of the bills presently being considered by the House Committee on Education and Labor on the subject of Federal aid to education, it is my view that H. R. 1, introduced by Congressman KELLEY, is in several respects superior to the administration bill, H. R. 3986. * * * The Kelley bill is also preferable in permitting matching of Federal funds by funds expended by the school districts themselves. * * * Any Federal-aid bill should, of course, provide that control of education should remain with the States."

North Carolina,[2] Gov. Luther H. Hodges: "The need for school construction in North Carolina is genuine. We believe that a Federal-aid program for school construction would be a constructive investment in the lives and the future of our children. At the same time, we believe strongly that the operation and control of our schools and our school policies should rest at the local and State levels."

Pennsylvania, Gov. George M. Leader: "It would certainly be to our advantage to participate in any assistance program enacted by the 85th Congress."

Rhode Island, Gov. Dennis J. Roberts: "Although Rhode Island under the present method of distribution of funds contained in H. R. 1, amended will receive the smallest amount per school age child of any State, we feel that this legislation is vital if we are to continue to be able to house our school children adequately."

Washington, Gov. Albert D. Rosellini: "I wish to express the view of this State's administration that we are in favor of Federal aid to carry out a program of adequate classroom facilities for public schools."

West Virginia,[2] Gov. Cecil H. Underwood: "West Virginia school buildings needs are many. While I have been rather vitally opposed to Federal grants-in-aid to the operating school program, I support aid to building construction."

ACKNOWLEDGMENTS, NO POSITION

Maryland, Gov. Theodore R. McKeldin.
New Jersey, Gov. Robert B. Meyner.

How States would fare under administration's school construction bill

	Federal allotment	Estimated tax-payments	Net gain or loss	For every dollar of taxes paid, this much school money
States in opposition:				
California	$14,180,000	$29,280,000	−$15,100,000	$0.48
Delaware	381,000	1,750,000	−1,369,000	.22
Florida [1]	6,309,000	5,531,000	+778,000	1.14
Georgia	11,926,000	3,937,000	+7,989,000	3.03
Illinois	11,125,000	23,499,000	−12,374,000	.47
Indiana	8,021,000	7,156,000	+865,000	1.12
Iowa [1]	5,813,000	3,937,000	+1,876,000	1.48
Montana	1,405,000	937,000	+468,000	1.50
Nebraska	2,856,000	2,625,000	+231,000	1.09
South Carolina	8,727,000	1,812,000	+6,915,000	4.82
South Dakota	1,881,000	719,000	+1,162,000	2.62
Texas	19,842,000	13,437,000	+6,405,000	1.48
Virginia [1]	9,275,000	4,500,000	+4,775,000	2.06
Wyoming	674,000	469,000	+205,000	1.44
States in favor:				
Arizona	2,524,000	1,281,000	+1,243,000	1.97
Kentucky	8,917,000	2,937,000	+5,980,000	3.04
Louisiana [2]	9,204,000	3,344,000	+5,860,000	2.75
Michigan	12,102,000	16,843,000	−4,741,000	.72
New Hamshire [2]	1,074,000	937,000	+137,000	1.15
New York [2]	15,765,000	48,122,000	−32,357,000	.33
North Carolina [2]	14,615,000	4,125,000	+10,490,000	3.54
Pennsylvania	18,803,000	22,499,000	−3,696,000	.84
Rhode Island	886,000	1,656,000	−770,000	.54
Washington	4,298,000	4,781,000	−183,000	.99
West Virginia [2]	6,699,000	1,937,000	+4,762,000	3.46

[1] Opposed with qualification.
[2] Favored with qualification.

TAX JUSTICE FOR THE SELF-EMPLOYED

Mr. WILEY. Mr. President, I was pleased to note two items in today's mails point up an important issue of legislation which the Senate and House face, and to which I have repeatedly referred.

It is the issue of helping self-employed Americans to provide for their own retirement in later years by permitting them, in effect, to build up a nest egg on which tax rates are deferred.

This is commonly known as the Jenkins-Keogh legislation, in honor of the two distinguished Members of the House of Representatives Ways and Means Committee who have worked long and hard and well for this objective.

ARTICLE IN WISCONSIN MEDICAL SOCIETY FORUM

The first item which I noted was a fine article in the current June issue of the Medical Forum, published by the Wisconsin Medical Society in Madison. It was written on this topic by the Honorable F. Joseph Donohue, former Commissioner of the District of Columbia here, and now national chairman of the American Thrift Assembly.

This is the assembly of 21 national organizations of the self-employed—doctors, lawyers, accountants, and others—who have for the first time banded together to seek tax justice in this respect.

Simultaneously, I received a copy of an open letter to the distinguished chairman of the Senate Banking Committee, our colleague from Arkansas, Mr. FULBRIGHT. This open letter was written by Mr. Lucius S. Smith, secretary of the American Thrift Assembly.

Both of these messages point up the need for the Jenkins-Keogh bill.

INSURANCE PROVISION IN 1957 BILL

I am glad to say that this bill has been constantly improved so as to answer any

[2] Favored with qualification.

[2] Favored with qualification.

[2] Favored with qualification.

previous obections to it. As Mr. Donohue noted in his article:

One of the biggest improvements in the 1957 bill is that you are permitted to invest in life insurance. You could let your present life policies constitute your retirement plan. Or you could buy new insurance for this purpose.

INVESTMENT AND DEFLATIONARY EFFECTS

In other words, the self-employed will be provided a sound variety of modus operandi to look after themselves in later years, rather than relying on Uncle Sam.

Likewise, the bill would have the effect of increasing the pool of capital available for sound long-time investment in our expanding economy. Thus, too, it would decrease present inflationary pressures which arise from the fact that the self-employed feel they might as well spend their present earnings which Uncle Sam will get otherwise, in high tax rates.

HOPED FOR AGREEMENT BY TREASURY

It is my earnest hope that the Secretary of the Treasury-designate, Robert Anderson, and his associates, will now take a sympathetic and understanding view of this legislation in the interest of fair tax treatment of these self-employed.

President Eisenhower has long since endorsed the principle of this legislation.

Of course, we realistically concede that with America's budget situation still admittedly very tight, even the deferral of tax revenue, such as this legislation proposes, becames a matter of deep significance to the Treasury.

Nevertheless, I hope that our budgetary situation will be such that our colleagues on the Ways and Means Committee will see their way clear toward sympathetically reappraising this legislation and sending it to the full House of Representatives for action so that we in the Senate, in turn, can take it up.

I ask unanimous consent that the text of both items to which I have referred be printed at this point in the body of the RECORD.

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

YOUR HELP IS NEEDED—THE JENKINS KEOGH FIGHT CAN BE WON

(By F. Joseph Donohue, chairman of the association's committee on retirement benefits and national chairman of the American Thrift Assembly, Inc.)

While President Eisenhower was speaking at his press conference April 3, Under Secretary of the Treasury W. Randolph Burgess told the Senate Finance Committee the budget could be substantially cut and taxes could be reduced next year. Burgess said the budget could be cut by two or three billion dollars.

Speaker of the House SAM RAYBURN, commenting on the President's tax statement, said, "We're going to make some reviews. Whether we will act or not this year. I don't know. If there is a tax cut, Congress will make it—and it's a Democratic Congress."

These statements coming at the time when the combined voices of self-employed citizens all through the United States are mounting a demand for enactment of the long-overdue Jenkins-Keogh bill, hold out the hope that the principle of tax deferment for individual retirement savings now can be realized.

This is the considered opinion of those of us who are working for the American Thrift Assembly on behalf of fair tax legislation that will give the self-employed the opportunity to save a small part of their own money for their own retirement—for family and old age—before taxes take most of what they earn. The American Thrift Assembly was incorporated early in 1957 in the District of Columbia to pool the leadership of a number of national associations whose members work for themselves and thus are ineligible, under present tax laws, to set up individual retirement programs similar to tax-sheltered pension plans available to those who work for others.

The spokesmen include the following officers of American Thrift Assembly, Inc.: John C. Williamson, a realtor, vice chairman; Morris B. Harriton, a certified public accountant, treasurer; Lucius B. Smith III, a public relations consultant, secretary; Ralph E. Becker, a lawyer, counsel; and the following members of the board of directors: Floyd W. Pillars, oral surgeon; William M. Black, managing partner of a leading firm of certified public accountants; Leon Chatelain, Jr., architect; David B. Allman, president-elect of the American Medical Association; Lester H. Sugarman, doctor of optometry; William J. Barnes, a patent lawyer; Brig. Gen. W. O. Kester; H. Walter Graves, realtor; George H. Frates, druggist; Carl R. Staiger, tax accountant; Neva B. Talley, lawyer; John C. Davis, executive director of National Small Businessmen's Association; and R. C. Vogt, a professional engineer.

GROUPS LISTED

Altogether, we represent and speak for the following associations: American Association of Medical Clinics, American Bar Association, American College of Radiology, American Dental Association, American Institute of Accountants, American Institute of Architects, American Medical Association, American Optometric Association, American Patent Law Association, American Society of Composers, Authors and Publishers, American Veterinary Medical Association, Artist's Managers Guild, Authors League, Maritime Law Association of the United States, National Association Real Estate Boards, National Association of Retail Druggists, National Association of Women Lawyers, National Funeral Director Association, National Small Businessmen's Association, National Society of Professional Engineers, National Society of Public Accountants, National Association of Tax Accountants, and more than 1,500 regional, State, and local associations and societies.

Of course, it ought to be pointed out that there are observers who continue to doubt that we can push the Jenkins-Keogh bill through Congress this year. They point out: (1) The administration continues to be reluctant about the bill. While it is true that President Eisenhower has given verbal support to the idea of tax equity for the self-employed, he apparently has been reluctant to oppose Secretary Humphrey's considered judgment that the bill, if enacted, would cost the Government an estimated one hundred to two hundred million dollars a year in revenue. (2) The bill is unpopular with many politically powerful elements. From the start it has been called a rich man's bill and the label has stuck, even though the major beneficiaries would actually be millions of small-business men and their families.

HOPES HIGH

Despite such admitted handicaps, optimism is running high at 1025 Connecticut Avenue, Washington, D. C., where ATA is leaving no stone unturned in its all-out campaign to win support.

Most lawyers now are generally familiar with the provisions of H. R. 9 and 10, as introduced in the House this session. Briefly, the Jenkins-Keogh bill would permit any person who has self-employment income to put part of his earnings before taxes into a retirement fund. Maximum permissible deduction: 10 percent of your annual net earnings from self-employment, up to a limit of $5,000. Total amount you could deduct over your lifetime: $100,000. If you are an older lawyer, with less time to accumulate a retirement fund, the bill would allow you to set aside more than the prescribed 10 percent a year. You have a wide choice of investments. For example, you can arrange your own retirement plan or you can join one arranged by a bar association. Any such plan would have to be administered by a bank or insurance company, which would invest your savings in securities, the earnings of which would not be taxed, but would be reinvested for you automatically.

One of the biggest improvements in the 1957 bill is that you are permitted to invest in life insurance. You could let your present life policies constitute your retirement plan. Or you could buy new insurance for this purpose.

Few lawyers realize how much of a tax advantage employed persons now enjoy over self-employed in the matter of retirement savings. A financial editor of the New York Times recently pointed out the difference by means of the following comparison:

Suppose a 40-year-old married man with 2 children wants a retirement plan that will let him retire at 65 on about 36 percent of his present $10,000 income. To guarantee him that much retirement income for life, an insurance company has to charge a $1,600 annual premium for the next 25 years.

If the man is employed, the actual cost of such a plan to his employer (who can deduct such annual premiums before paying taxes) totals only about $19,000 over the 25 years. If a man is self-employed, he can't deduct his annual premiums before taxes; so he has to earn $2,050 in order to have $1,600 of after-tax money for his premium. His actual cost for the 25 years will total more than $51,000.

The difference between the two totals is a whopping $32,000. That is how much a self-employed man is penalized if he earns $10,000 a year. If he earns more, the inequity becomes even greater. For example, a salaried person whose income is $25,000, would find the above program would cost his employer a total of $48,000. Its cost to a self-employed man with the same income, $152,000, is more than the typical self-employed man could hope to get back in retirement benefits. For, at 65, he would have a life expectancy of 15 years, and if he lived just that long he would get retirement benefits totaling only $135,000.

This is the sort of inequity the Jenkins-Keogh bill is designed to correct.

Will tax deferment for self-employed savings cause the Treasury Department to lose money? Estimates vary, but it seems unlikely that tax deferrals would exceed $100 million in revenue in the first year. Actually, it seems reasonable to believe that the Treasury ought to back the Jenkins-Keogh on its merits, for three reasons: (1) Its deflationary impact. Long-term savings on the order suggested by $100 million in taxes would reduce inflationary pressures. (2) New capital for sources of production. The volume of these savings (invested in trust, insurance, bonds, etc.) would increase the supply of investment capital, hence productivity—thus creating new tax revenues. (3) Tax paid on withdrawals. Income taxes ultimately are paid when savings are taken down at retirement age.

AMERICAN THRIFT ASSEMBLY
FOR 10 MILLION SELF-EMPLOYED,
Washington, D. C., June 27, 1957.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, Senate Office Building, Washington, D. C.

DEAR SENATOR FULBRIGHT: Thank you for yours of June 18 asking for an explanation of our position on H. R. 9 and 10.

Today there are approximately 15 million Americans whose total annual compensation includes valuable fringe benefits on which a good part of the income tax they normally would have to pay is deferred. There are 10 million Americans who pay the full tax load each year on all of their earnings. What accounts for this separate treatment by the Internal Revenue Service—many people, including high Government officials, call it discrimination—of two major cross sections of the gainfully employed public?

The answer boils down to this: In 1942 the Congress supplemented the Social Security Act to encourage corporations and their employees to set up pension funds under preferential tax treatment. President Dwight D. Eisenhower described that amendment in his campaign for election in 1952: "When this legislation was being considered, self-employed citizens were evidently forgotten."

The explanation is as simple as that. Apparently by oversight, our present income-tax law discriminates against the man or woman who works for himself or herself in favor of the employee who is given a tax-free retirement plan by his employer. The self-employed, being his own boss, cannot be his own employee. So when it comes to setting up a private pension plan, the factor of self-reliance—once prized heavily in America as a cardinal virtue—weighs increasingly against nearly 10 million citizens ranging from accountants and farmers to tractor salesmen and undertakers who find it virtually impossible in these high-cost, shrinking-dollar days to save up the kind of money after taxes it takes to fund even a meager retirement plan.

When H. R. 9 and H. R. 10 come before the Committee on Ways and Means, we hope they will act to report this legislation to the House of Representatives for full consideration and that the House will approve the bill and send it on to the Senate. In one form or another, the legislation proposed in these bills has been before the committee a long time now. In all candor, the issue ought to be accorded a full and open test, once and for all.

This seems especially true in view of the fact that the vast majority of the House has expressed itself in recent months as favorable to these measures.

The Department of the Treasury, of course, continues to oppose this legislation for fear someone may open the door to tax reduction. But to what degree should Treasury's officials sway the judgment of the Nation's lawmakers in terminating the inequity that inspired these bills?

What weight should be assigned an obviously pro forma objection when it is understood the Treasury can assume no less rigid a posture in the present climate?

After all, H. R. 9 and H. R. 10 do not reduce taxes. We have here a proposal for deferment of a very little amount of tax revenue—for what purpose? To save for old age. The current reductions in appropriations will more than provide the margin within which Treasury can absorb the very modest temporary deferral of revenues contemplated in this legislation. And these bills provide for rapid and orderly recoupment of the taxes deferred.

The fact is, the administration has shot the ground from under any serious consideration of Treasury's pro forma opposition with three statements:

1. In 1952, President Eisenhower said: "I think something ought to be done to help (the self-employed) to help themselves by allowing a reasonable tax deduction for money put aside by them for their own savings. * * * If I am elected, I will favor legislation along these lines."

2. In 1955, the Treasury Department testified: "Tax relief seems most clearly indicated for self-employed individuals who do not have even potential tax benefits under existing law in providing themselves with retirement income. * * * It is the Treasury Department's view that the net effect of the present law is to give substantial potential tax advantages to employees who are covered by qualified pension plans over self-employed individuals. * * * When general tax relief is possible * * * the Department would be sympathetic to a limited form of special allowances to self-employed individuals."

3. On April 3, 1957, Under Secretary of the Treasury W. Randolph Burgess told the Senate Finance Committee the budget could be cut substantially and taxes reduced next year.

According to the Treasury Department's own statements, it clearly is time for the Committee and Ways and Means to call up H. R. 9 and H. R. 10 for full consideration by the 85th Congress.

There no longer can be any doubt that the self-employed are looking to the 85th Congress to eliminate the discrimination in the tax-on-total-compensation that gives benefits to one class of Americans—the corporate employee—to the disadvantage of an entire cross-section of fellow citizens.

The fact that the volume of savings that will ensue will function as a needed brake on inflation, and the fact that taxes are not cut but deferred in an orderly and self-reliant program for old age integrity, merit serious consideration now.

Sincerely,

LUCIUS S. SMITH III,
Secretary, American Thrift Assembly.

ANALYSIS OF EISENHOWER ADMINISTRATION

Mr. FULBRIGHT. Mr. President, as so often happens, Mr. Walter Lippmann has described clearly and succinctly what it is that afflicts this administration—unreadiness and indecision. Coming from any other source, this analysis of President Eisenhower's administration might be called partisan. Coming from Mr. Lippmann, it is an objective, penetrating study based upon decades of observation and a profound understanding of human affairs, especially governmental affairs of this country.

Mr. President, I ask unanimous consent that the article from this morning's Washington Post and Times Herald may be printed in the RECORD at this point.

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

[From the Washington Post and Times Herald of July 2, 1957]

UNREADINESS AND INDECISION

(By Walter Lippmann)

There is a remarkable resemblance between General Eisenhower's handling of the disarmament negotiations and his handling of the budget. In both cases, that is to say, he has launched a proposal and embarked on a course, not having made up his mind about just where he wished to go. The deliberation, the weighing of alternatives, the hard work of making a firm decision, would in an orderly and rational conduct of Government have preceded the presentation of the budget and the sending of Mr. Stassen to London to negotiate with Mr. Zorin.

But in the case of the budget, it took nearly 2 months before it was reasonably clear whether the Chief Executive was for or against the executive budget. Only after much confusion and controversy did the President begin to make clear where he stood. In the case of disarmament, it has now transpired that he started the diplomatic exchanges with no real agreement within his own official family, with no adequate understanding with our allies, and with his own mind still fluid. During the past few weeks, with Mr. Stassen abroad in London to speak for him, the President has acted the part, not of a statesman who has a policy but of a puzzled man who is thinking out loud.

No doubt the problems of disarmament are extraordinarily complicated. They are fraught with uncertainty and with risk, and there is an awful responsibility on one who, like the President, must make the final decisions. But there is no reason why he had to enter into the negotiations or why he had to send Mr. Stassen to face Mr. Zorin, until he knew for certain whether he was in favor of reaching the kind of agreement that might conceivably be possible. He should have waited until he was ready. There was no use talking with the Russians if the President himself had not yet thought through his policy, no use if high officials in Washington were convinced that they must nullify what Mr. Stassen was supposed to do.

In the field of diplomacy, this has been like committing unprepared troops to a great battle, while the generals have not yet arranged for their supplies or ceased to argue with one another about the objectives of the battle. This is the way to demoralize an army and during the past week there has been a very considerable demoralization in Washington. The greatest doubt has been raised as to whether the President wants an agreement, or whether he could now persuade the Senate to ratify an agreement.

Mr. Gromyko is wrong in saying, as he did last week, that the United States is using the disarmament talks as a screen concealing its striving to continue and intensify the arms race. The truth is that the United States is not really using the disarmament talks at all because the President and his administration have a policy to which some are opposed, and about which the rest are not convinced.

Unless the President can find some way to clarify and then to make firm the American position, we shall find ourselves with a treaty that the President does not really want, or with one that the Senate will reject. In either event, we shall bring down upon ourselves the onus of blocking the path to a limitation of armaments.

I have heard it said that this will not happen because if and when Mr. Stassen really starts to negotiate about the details with Mr. Zorin, he will find the Soviet Union is quite unwilling to reach a good agreement about inspection and control. That may well be true if the negotiations are genuine. But if we remain in our present position, where the probabilities are against the ratification of a disarmament agreement, the Soviet Union can go very far in its offers without running the risk of having to make good on them.

We had better assume that the Russians do want an agreement, and that they are prepared to pay a considerable, though not an enormous, price for it. We had better assume, too, that we shall have ourselves to clear up the confusion in our own position, and that we must not count upon the unreasonableness of the Russians to save us from the consequences of our uncertainty and indecision.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is the morning hour concluded?

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

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of William W. Boyd, to be postmaster at Sherrodsville, Ohio; Franklin B. Spriggs, to be postmaster at Arnold, Md.; Edith M. Casey, to be postmaster at New Caney, Tex.; Wesley D. Banks, to be postmaster at St. Matthews, S. C.; Jackson T. Potter, to be postmaster at Winnabow, N. C.; Blaine E. Moyer, to be postmaster at Kreamer, Pa.; Ted M. Anderson, to be postmaster at Batesville, Ark.; and Evelyn R. Howard, to be postmaster at Montmorenci, Ind., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Neil H. Jacoby, of California, to be the representative on the Economic and Social Council of the United Nations, vice John C. Baker;

Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Luxembourg;

W. Randolph Burgess, of Maryland, to be the permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins; and

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary to Ceylon.

THE AUSTRIAN BONDS AGREEMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive H, the Austrian bonds agreement.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the agreement, Executive H (85th Cong., 1st sess.), between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956, which was read the second time, as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF AUSTRIA REGARDING CERTAIN BONDS OF AUSTRIAN ISSUE DENOMINATED IN DOLLARS

Whereas there are outstanding several issues of bearer bonds of Austrian debtors (both public and private) denominated in American dollars which are payable in the United States and for which there are corporate trustees, fiscal agents, or paying agents in the United States (which bonds are herein called "Austrian dollar bonds"); and

Whereas a certain number of these bonds were acquired by or on behalf of the issuers for eventual retirement, or immediately before or during World War II were acquired by or on behalf of the German Reich (Deutsches Reich), the Reichsbank, the Konversion Kasso fuer Deutsche Auslandsschulden, or the Deutsche Golddiskontbank, which bonds were not reintroduced into circulation by or on behalf of the issuer, the Government of Germany, or one of its said agencies; and

Whereas the bonds in question were never canceled in any way or presented for cancellation on the official records of the trustees, fiscal agents, or paying agents, and therefore appear on their face to be valid obligations and are carried on such records as still outstanding; and

Whereas many of these bonds were stolen or disappeared in Germany or Austria during the hostilities of World War II or immediately thereafter; and

Whereas some or all of the various bonds described above may have fallen unlawfully into the hands of persons who will seek to negotiate them or to make claim against the debtors, trustees, fiscal agents, or paying agents, or otherwise profit from their illegal acquisition; and

Whereas any payment on those bonds which are now held unlawfully would necessarily reduce the amount of foreign exchange or other funds available to make payments to legitimate holders, a large number of whom are nationals of the United States; and

Whereas any payment on those bonds which are now unlawfully held after having been acquired for eventual retirement, and which no longer represent valid and proper obligations of the issuer, would also be inequitable to the Austrian debtors; and

Whereas the free and open trading in the United States of all Austrian dollar bonds is impeded by the uncertainties arising from the situation described above; and

Whereas pursuant to Austrian Law No. 22 of December 16, 1953, the Government of Austria on various dates in 1954, commencing on February 1, published in the "Amtsblatt zur Wiener Zeitung" lists of numbers of the Austrian dollar bonds as recited in annex A of this agreement; and

Whereas Austrian Law No. 22 provided in effect that bonds of the type described in the second recital shall be deemed extinguished provided that such publication is made, but that holders thereof deeming themselves aggrieved shall have the right to present their claims to the Austrian courts within prescribed periods upon the expiration of which their claims would be barred; and

Whereas it is the desire of the contracting parties that all holders of Austrian dollar bonds who deem themselves aggrieved by the Austrian legislation referred to above shall have an adequate opportunity, in addition to that already provided by law, to present their claims before an appropriate and convenient tribunal; and

Whereas for the reasons set forth above it is desirable that reasonable periods of limitation be provided for the assertion of such claims, upon the expiration of which the bonds listed in annex A shall no longer be enforceable; and

Whereas it is desirable to establish a proper basis and appropriate procedures for accomplishing the foregoing objectives;

Now, therefore, the United States of America and the Republic of Austria have agreed as follows:

ARTICLE I

1. The two Governments hereby establish jointly a Tribunal for Austrian Dollar Bonds, hereinafter referred to as the Tribunal.

2. The Tribunal shall consist of two members and a Chairman. One member shall be appointed by the Government of the United States, the other member by the Government of Austria, and the Chairman (a citizen of the United States) by agreement between the two Governments.

ARTICLE II

1. Holders of any bonds listed in annex A who claim such bonds were improperly declared invalid may submit them, for a determination of their rights to valid bonds, to the Tribunal within 18 months from the first publication of the notice prescribed in article XII of this agreement or such further time as may be provided pursuant to article XV. A holder who submits a bond to the Tribunal shall submit therewith evidence to establish that such bond meets the requirements of paragraph 2 (a) or 2 (b) of this article.

2. If, upon consideration, all of the pertinent evidence submitted by the holder or otherwise received by the Tribunal with respect to any bond submitted to it pursuant to paragraph 1, the Tribunal is satisfied either—

(a) that, on January 1, 1945, the bond was located outside the borders of Austria and Germany as they existed on December 31, 1937, or

(b) that the bond was acquired by the holder prior to January 1, 1945, or in a chain of lawful acquisitions traced back to the owner of such bond on January 1, 1945, provided that the bond had not been acquired by or on behalf of the issuer or by the Government of Germany or one of its agencies, referred to in the second paragraph of the preamble, unless such bond was reintroduced into circulation prior to May 8, 1945, by or on behalf of the issue, the Government of Germany or one of its aforementioned agencies,

the Tribunal shall make a finding to that effect and shall certify the holder of such bond to be entitled to a valid bond of the same issue and denomination bearing a serial number not appearing in the list contained in annex A hereof and having attached thereto coupons of the same payment dates as those submitted to the holder. A copy of such certificate shall forthwith be furnished to the bondholder and the issuer. Upon such certification, the issuer shall, within such time and in such manner as the Tribunal may determine, cause such valid bond to be delivered to the Tribunal in exchange for the bond submitted to the Tribunal, and the Tribunal shall deliver such valid bond to the holder.

3. If, upon consideration of the evidence before it, the Tribunal is not satisfied that the requirements of paragraph 2 (a) or 2 (b) have been met, it shall make a finding to that effect and notify all parties in writing of such finding and the reasons therefor. The Tribunal shall thereupon promptly return the bond to its holder.

ARTICLE III

All decisions and findings of the Tribunal shall be by joint action of its two members if they are in agreement. If they are not in agreement, they shall refer the matter to the Chairman, whose decision or finding in such

case shall constitute the decision or finding of the Tribunal.

ARTICLE IV

The seat of the Tribunal shall be in New York City in the State of New York. The Tribunal shall maintain an office at which there shall be a duly appointed agent of the members and the Chairman for service of process in the cases referred to in article VIII. The Tribunal may, in view of exceptional circumstances, hold sessions elsewhere.

ARTICLE V

The Tribunal shall adopt reasonable regulations and procedures for the determination of cases with regard to bonds submitted to it.

ARTICLE VI

1. The Tribunal shall promptly notify the parties in interest whenever a bond listed in annex A has been submitted for a determination of the holder's rights. The issuer shall be given an opportunity to be heard and to present evidence.

2. For the determination of the issues referred to in article II the Tribunal may make such investigation as it considers necessary to ascertain the facts. If such an investigation is made, the Tribunal shall reduce the results thereof to writing which shall constitute part of the record. Both parties shall be given a reasonable opportunity to rebut any evidence resulting from such investigation.

3. The Tribunal before making any finding under paragraphs 2 or 3 of article II shall notify the parties in writing of its proposed finding and the evidence upon which it is based and give them reasonable opportunity to submit additional evidence.

4. The Tribunal shall not be bound by technical rules of evidence and shall accept any evidence submitted to it which it deems to have probative value regarding the situations described in paragraph 2 of article II. In particular, and without limiting the generality of the foregoing, the Tribunal may accept bank statements, statements of security brokers or dealers, and affidavits. Witnesses before the Tribunal may be sworn.

5. The Tribunal may request additional evidence beyond that submitted to it.

6. The Tribunal may hold hearings on its own motion and it shall hold hearings at the request of any party in interest.

ARTICLE VII

1. An invalidation decree by an Austrian court with respect to any bond shall be considered by the Tribunal:

(a) in the case of a holder claiming under paragraph 2 (a) of article II, as evidence, that such bond was inside Austria or Germany on January 1, 1945;

(b) in the case of a holder claiming under paragraph 2 (b) of article II, as evidence, that such bond was acquired by or on behalf of the issuer, or by the Government of Germany or one of its agencies before January 1, 1945, and was not reintroduced into circulation prior to May 8, 1945, by or on behalf of the issuer, the Government of Germany or one of the aforementioned agencies.

2. In the absence of other evidence such invalidation decree shall be controlling. If, however, other evidence is submitted or received, the decree shall be given only the weight which the circumstances surrounding its entry justify in the Tribunal's judgment.

ARTICLE VIII

The members of the Tribunal are authorized and bound not to claim any immunity from service of process issuing from any United States district court in proceedings brought to any holder of a bond listed in annex A to determine whether the requirements of article II have been met. Such proceedings must be brought within 4 months after a registered letter giving notice of the determination of the Tribunal has been mailed to the claimant at the last address furnished by him to the Tribunal. The Tribunal shall notify the issuer of the pendency of such action by registered mail. The members of the Tribunal, including the chairman, will comply with any judgment, order or decree that such court may issue in such proceedings. A certificate issued by the Tribunal pursuant to any such judgment, order or decree shall have the same effect as a certificate issued pursuant to paragraph 2 of article II.

ARTICLE IX

All rights of enforcement of the bonds listed in annex A shall be barred:

(a) if submitted to the Tribunal, 18 months after final determination of the Tribunal under article II or after final decision by the court in proceedings referred to in article VIII, or

(b) eighteen months after the first publication of the notice prescribed in article XII, or

(c) eighteen months after the original maturity date of the bond,

whichever is later, unless such time is extended by the two governments in accordance with article XV.

ARTICLE X

All holders of bonds submitted to the Tribunal in accordance with article II shall be informed of the provisions of articles II, IV, VI, VII, VIII, and IX.

ARTICLE XI

1. Former holders of any bond listed in annex A or their successors in interest as determined by the present Austrian restitution laws may apply to the Restitution Commission at the Landesgericht for Civil Matters at Vienna for a decree against the bond debtor to the effect that they were deprived of their bond within the meaning of the Austrian restitution laws. This application and a second application for the issuance of a valid bond as provided in paragraph 3 of this article shall be filed jointly and no later than 18 months from the first publication of the notice prescribed in article XII of this agreement or such further time as may be provided pursuant to article XV.

2. In determining whether the applicant was deprived of his bond within the meaning of the Austrian restitution laws it shall be immaterial whether the act of deprivation took place in or outside Austria.

3. If the Restitution Commission finds that the applicant was deprived of his bond within the meaning of the Austrian restitution laws it shall certify this fact in its decree and, pursuant to the second application, it shall adjudge the bond issuer liable to issue to the applicant within 90 days from the date of the decree a valid bond which shall bear a different serial number and which shall be equivalent in every respect to the bond of which the applicant has been deprived; the second application shall be denied, however, to the extent that payments were made by the bond debtor in accordance with regulations in force at the time and accepted by the creditor.

4. Neither the issuance of bonds of the Reichsanleihe 1938, series II, by way of exchange in accordance with the offer of indemnification of the German Reich Government made to owners of Austrian bonds, of October 25, 1938, nor the issuance between March 8, 1938, and April 8, 1945, of reichsmark bonds by Austrian corporate or municipal debtors in exchange for dollar bonds will, for the purposes of this article, be considered as having deprived the former owner of his bonds within the meaning of the Austrian restitution laws unless the exchange was brought about by direct duress against the former owner.

ARTICLE XII

1. In order to assure that holders of bonds listed in annex A, as well as former holders of such bonds and their successors in interest, are given timely and adequate notification of such action as is required of them to secure a determination of their rights under this agreement, the Government of Austria shall cause publication of an appropriate notice. The notice shall state the name of the issuer and trustee or fiscal agent and a description of the issue of each of the bond issues referred to in annex A. The notice shall also recite that certain bonds of the issues so listed have been invalidated by decrees of Austrian courts in proceedings duly brought for that purpose, or by statutory law of Austria. It shall state from whom information may be obtained regarding the specific serial numbers of the bonds so invalidated and it shall set forth the procedure whereby holders of such bonds and former holders or their successors may have their rights determined and, in appropriate cases, receive valid bonds, and it shall state the time limit within which claimants must act. The exact contents of the notice and its size and form shall be subject to approval by the Government of the United States prior to its publication pursuant to paragraph 2 of this article.

2. Publication of the notice shall begin simultaneously within 1 month from the entry into force of this agreement in at least 15 newspapers or financial journals in the United States and in 5 newspapers or financial journals in Europe. The selection of these newspapers and financial journals shall be subject to the approval of the Government of the United States. Publication of the notice shall be made on 3 different dates, within a period of 90 days.

3. The notice shall be published again on 3 different dates in 3 newspapers or financial journals having a general circulation in the United States, the last publication to be not later than 1 month before the expiration of the 18-month period prescribed in article II, paragraph 1, and article XI, paragraph 1.

ARTICLE XIII

1. The Government of Austria agrees to pay the entire cost of implementing the procedure prescribed by this agreement for the determination of the rights of holders of bonds listed in annex A including, in particular (but without limiting the generality of this provision):

(a) the costs of giving notice as required by article XII, including the costs of printing and widespread distribution of the lists of bonds involved;

(b) the compensation of the members of the Tribunal and of its Chairman, as agreed upon between the two Governments;

(c) office rent, salaries of employees, and other necessary expenses of the tribunal.

2. The Government of Austria agrees to pay to any holder of a bond listed in annex A who is found as a result of proceedings referred to in article II or article VIII to be entitled to a valid bond an allowance for legal and other expenses in the amount of 10 percent of the face amount of the bond.

3. The Government of Austria agrees that it will make available for transfer the dollar exchange necessary to effectuate the payments of its obligations under this article as they become due.

4. The Government of Austria agrees that, upon request of any interested person to the Austrian Embassy, Washington, D. C., or the Austrian Consulate General, New York, N. Y., information regarding bonds listed in annex A, including the specific serial numbers, will be made available.

ARTICLE XIV

1. The term "bond" or "bonds" in this agreement shall be deemed to include the

appurtenant coupon or coupons of such "bond" or "bonds."

2. The term "party in interest" in this agreement shall be deemed to include the issuer of bonds involved, any trustee, any paying or fiscal agent with respect to such bonds, and any party who either holds a bond listed in annex A or who may be liable on such bond.

ARTICLE XV

The Government of Austria agrees that if appropriate representation is made by the Government of the United States that the operation of this agreement appears likely to impose undue hardships upon the United States or its nationals, or nationals of other countries, or otherwise proves to be impracticable or unworkable, the Government of Austria will take action to eliminate such hardships or make the program practicable or workable. In particular, and without limiting the generality of the foregoing, the 18-month period for the filing of claims described in article II, paragraph 1, and in article XI, paragraph 1, shall be extended if the Government of the United States so requests before the end of the 18-month period.

ARTICLE XVI

1. The present agreement shall be ratified and the instruments of ratification shall be exchanged at Vienna as soon as possible.

2. The agreement shall enter into force on the date of the exchange of ratifications.

In witness whereof, the undersigned representatives duly authorized thereto by their respective Governments have signed this agreement.

Done at Washington, in duplicate, in the English and German language, both texts being equally authentic, this 21st day of November 1956.

For the United States of America:
[SEAL] HERBERT HOOVER, Jr.
For the Republic of Austria:
[SEAL] LEOPOLD FIGL.

* * * * *

PROTOCOL

At the time of the signing of the agreement between the United States of America and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, the undersigned plenipotentiaries, duly authorized thereto by their respective Governments, have agreed on the following interpretations of the aforesaid agreement:

1. The agencies of the Government of the German Reich mentioned in article II, paragraph 2, item (b) and in article VII, paragraph 1, item (b) are in particular considered to be the agencies mentioned in the second paragraph of the preamble.

2. The Federal Republic of Germany is to be considered a party in interest in the meaning of article VI, paragraph 1, if and insofar it has assumed obligations under the agreement on German external debts, signed at London February 27, 1953, to effect payments due in respect of bonds which are presented.

3. The issuance of bonds of the Reichsanleihe 1938, series II, by way of exchange in accordance with the offer of indemnification of the German Reich Government made to owners of Austrian bonds, of October 25, 1938, will not, for the purposes of article XI, be considered expropriation within the meaning of the Austrian restitution laws, unless the exchange was brought about by direct duress against the former owner.

4. The measures reserved by article XV, except the extension of the deadline provided by the second sentence, require the consent of the German Federal Government insofar as such measures affect obligations of the Federal Republic of Germany.

This protocol shall constitute an integral part of the agreement to which it relates and shall be ratified together with that agreement.

In witness whereof, the undersigned representatives duly authorized thereto by their respective Governments have signed this protocol.

Done at Washington, in duplicate, in the English and German language, both texts being equally authentic, this 21st day of November, 1956.

For the United States of America:
[SEAL] HERBERT HOOVER, Jr.
For the Republic of Austria:
[SEAL] LEOPOLD FIGL.

Mr. MANSFIELD. Mr. President, for the information of Members of the Senate I wish to say that at the conclusion of the remarks of the chairman of the Committee on Foreign Relations [Mr. GREEN], and any other remarks pertinent to the treaty, I intend to suggest the absence of a quorum.

Mr. GREEN obtained the floor.

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

Mr. GREEN. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, on the resolution of ratification I ask for yeas and nays.

The yeas and nays were ordered.

Mr. GREEN. Mr. President, the agreement now before the Senate between the United States and Austria, which was signed on November 25, 1956, creates a procedure under which the holders of certain dollar bonds issued by the Government of Austria prior to the Second World War may establish the validity of their bonds.

The problem dealt with in this agreement arises from the fact that a great many bonds which had been acquired by the issuing authority for eventual retirement were looted by Soviet military forces after the occupation of Austria. In consequence of such seizures, quantities of these bonds are believed to have come into the hands of individuals who might seek either to negotiate them or to claim payment from the issuing authorities. By the terms of the bond indentures, these retired bonds could only be canceled by the trustees or paying agents in the United States. This procedure was rendered impracticable by the disruption of transportation facilities during the war. Since they could not be canceled as paid in Austria, they appear, on their face, as valid securities. From this arose the possibility that the issuing authority might be compelled to make a double payment on the bonds.

To protect itself against this contingency, the Austrian Government published the numbers of the looted bonds, declaring them to be invalid under Austrian law No. 22 of December 15, 1953. Pending a solution of the problem, no payments are being made by the issuers to any holders of bonds, including those owned by residents of the United States.

The pending agreement permits bondholders who believe their securities to have been erroneously included on the lists published by Austria an opportunity to present their claims within a reasonable period of time to an American-Austrian tribunal sitting in New York City. Should the tribunal find against the bondholder he may have the question considered by a United States district court. In the event of a decision by that court favorable to the bondholder, he will be given valid bonds in exchange for those erroneously listed.

This agreement is similar in purpose with that concluded by the United States with the Federal Republic of Germany in 1953, to which the Senate gave its approval on July 13, 1953—volume 4, United States Treaties and Other Agreements, page 797.

The entire cost of implementing the procedure under the pending agreement will be defrayed by the Austrian Government—article XIII. Legal expenses of holders whose bonds are validated will be reimbursed on the basis of 10 percent of the face value of the bonds.

United States business circles which are most directly concerned with the agreement have warmly endorsed it. It also has the support of the Securities and Exchange Commission and the Bondholders Protective Council.

Mr. President, it is important not only for the American bondholder, but for Austrian credit in the international community, that Austria be in a position to resume payment on obligations on which she has been in default. The Austrian bonds agreement will permit a normalizing of transactions in Austrian securities, and thereby contribute to the economic stabilization of that country.

I therefore urge the Members of the Senate to give their approval to the pending treaty.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

If there be no objection, the treaty will be considered as having passed through its several parliamentary stages up to the point of consideration of the resolution of ratification, which will be read.

The resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, 85th Congress, 1st session, the agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the ratification of the treaty? On this question the yeas and nays have been ordered, and the clerk 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 Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON],

the Senator from Michigan [Mr. McNAMARA], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I also announce, if present and voting, all of the Senators listed above would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Iowa [Mr. MARTIN] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], the Senator from Nevada [Mr. MALONE], the Senator from Iowa [Mr. MARTIN], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The yeas and nays resulted—yeas 78, nays 0, as follows:

YEAS—78

Aiken	Fulbright	Mundt
Allott	Goldwater	Murray
Barrett	Gore	Neuberger
Beall	Green	Pastore
Bennett	Hayden	Payne
Bible	Hickenlooper	Potter
Bricker	Hill	Purtell
Bush	Holland	Revercomb
Butler	Hruska	Robertson
Byrd	Humphrey	Russell
Capehart	Jackson	Saltonstall
Carlson	Javits	Scott
Carroll	Johnston, S. C.	Smathers
Case, N. J.	Kefauver	Smith, Maine
Case, S. Dak.	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Mansfield	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	Morse	Yarborough
Frear	Morton	Young

NOT VOTING—17

Anderson	Ives	McNamara
Bridges	Jenner	Monroney
Chavez	Johnson, Tex.	Neely
Church	Langer	O'Mahoney
Eastland	Malone	Schoeppel
Hennings	Martin, Iowa	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the adoption of the resolution of ratification.

The PRESIDING OFFICER. Without objection, the President will be notified.

NOMINATIONS

Mr. MANSFIELD. Mr. President, since the Senate is in executive session, I ask that it proceed to the consideration of the nominations on the Executive Calendar.

The PRESIDING OFFICER. The nominations on the calendar will be stated.

DEPARTMENT OF THE TREASURY

The Chief Clerk read the nomination of Robert Bernerd Anderson, of New York, to be Secretary of the Treasury.

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

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in Customs Collection District No. 41, with headquarters at Cleveland, Ohio.

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

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.

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

Mr. MANSFIELD. Mr. President, I ask that the President be notified forthwith of the confirmation of these nominations.

The PRESIDING OFFICER. The President will be immediately notified of the nominations this day confirmed.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

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

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business will not come before the Senate until 1 o'clock.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 551, H. R. 7665, the Department of Defense appropriation bill.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. DOUGLAS. Mr. President, I should like to make two technical changes on page 4 of my amendment designated "7-1-57-C" to the Defense Department appropriation bill. The changes are as follows:

In line 4, after the words "supporting of," insert "2 or more."

In line 10, after the words "supporting of," insert "additional."

I ask unanimous consent that the amendment as modified be printed at this point in the RECORD.

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

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000".

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000".

On page 8, line 21, strike out $217,000,000" and insert in lieu thereof "$197,000,000".

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000".

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000".

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000".

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000".

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000".

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000".

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000".

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000".

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000".

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000".

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000".

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000".

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000".

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000".

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000".

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000".

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000".

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000".

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000".

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000".

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000".

On page 22, line 16, strike out "$1,246,500,000" and insert in lieu thereof "$1,146,500,000".

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000".

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000".

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000".

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000".

On page 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of 2 or more combat units of the Army utilizing nonnuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of additional combat units of the Marine Corps utilizing nonnuclear firepower; $75,000,000."

CIVIL RIGHTS

Mr. RUSSELL. Mr. President, for the first time since I have been a Member of the Senate, I respectfully request that I be not interrupted in the course of my prepared discussion. I shall be happy to yield to any Senator who wishes to discuss any phase of my remarks when I have finished.

In the course of the discussion of the so-called civil-rights bill when it was sent directly to the calendar I touched upon the propaganda campaign to deceive the American people as to the true purposes and effect of that measure. I charged that an effort was being made to sail this bill through the Senate under the false colors of a moderate bill to assure and protect the voting rights of American citizens, while obscuring the larger purposes of the bill.

I said then, Mr. President, and I reassert now that the bill is cunningly designed to vest in the Attorney General unprecedented power to bring to bear the whole might of the Federal Government, including the Armed Forces if necessary, to force a commingling of white and Negro children in the State-supported public schools of the South.

Indeed, Mr. President, the unusual powers of this bill could be utilized to force the white people of the South at the point of a Federal bayonet to conform to almost any conceivable edict directed at the destruction of any of the local customs, laws, or practices separating the races in order to enforce a commingling of the races throughout the social order of the South.

This campaign of misrepresentation took shape even before the Senate took the unusual action of placing the bill directly on the calendar without committee consideration.

Proponents of the bill prepared the way for that action by speeches in which they consistently referred to it as a measure to assure the right to vote. The press, the radio, and television consistently parroted this propaganda line.

On the day following Senate action, I took occasion to listen to a number of radio and television broadcasts purporting to describe the bill and discuss the Senate action of bypassing the committee. Everyone that I heard referred to it as only a "moderate bill to assure voting rights for all citizens."

The great organs of the national press chorused this flagrant misrepresentation of the true character of the bill. As a sample, let me read extracts from an editorial carried by the New York Herald Tribune on Thursday, June 20, discussing the action taken in the Senate:

As Mr. Eisenhower said again at his news conference yesterday, the desired bill is moderate. Certainly there should be no alarm about a proposal for insuring the constitutionally guaranteed right of every qualified citizen to participate in national elections. But this is precisely what the southern legislators do not want, and they are resisting it with all their skills of obstruction.

Most of them, of course, are not quite so blunt as to contend that the Negro has no business voting. Yet, as every one knows, there is an effective system of discrimination and intimidation in large parts of the South which keeps the Negro from exercising his electoral privilege, and since this exists contrary to the Constitution, it seems only logical that this undemocratic denial should be stopped. The only way to do it is to establish practical means of enforcement. What the Administration proposes is injunctive relief by the courts in all violations or threats of violation of this most basic of all civil rights.

Why this should be so objectionable is hard to understand except on the ground that the South, or at least its constituted leadership, is congenitally opposed to the proposition that all citizens are entitled to equal rights.

It is noteworthy that this supposedly respectable publication carried the conspiracy of silence as to the true purposes of the bill over to its news columns. It did not mention in the news the fact that it was charged repeatedly on the floor of the Senate that the proponents of the bill were talking about voting rights, while thinking about integrating schools, and that one of the most eminent lawyers supporting the bill had admitted on the floor of the Senate that the Attorney General could apply this measure to an enforced commingling of the races in the public schools.

The eminent New York Times in its discussion of the Senate action concluded its editorial with the following description of the bill:

But quite apart from these political currents, there is a basic morality in this matter. It lies in the fact that the civil rights bill as passed by the House is, as President Eisenhower said, a "moderate, decent" measure, directed not against the South, but to freedom of the ballot for all Americans.

Newsweek, which styles itself as the magazine of news significance, limited its description of the bill to this statement:

Under the administration's civil-rights bill, the Attorney General would be given the power to seek an injunction in a Federal court against anyone who interfered with anyone else's right to vote. Those who violated the injunction would face charges of contempt of court.

Mr. President, I have always considered the Christian Science Monitor to be the most objective of our great national newspapers. But even the Monitor cautiously participated in the campaign in its editorial dealing with the Senate action by describing the bill as "a plan to permit the Attorney General to obtain injunctions to prevent such things as denial of voting rights to Negroes."

These are samples of the misrepresentation of the scope and extent of the sweeping powers of this bill that came to my attention in the course of my daily reading. They are fair samples of the movement designed to inflame public sentiment in the rest of the Nation against the white people of the South and their representatives in the Congress, in order to force passage of the bill before the people generally understand all of its terms.

In my opinion, Mr. President, this campaign of deception as to what this bill proposes to accomplish constitutes an abuse of the constitutional guaranty of freedom of the press. It is as great an abuse of that constitutional right as abuses being practiced to deny to any segment of our population the constitutional right to exercise the franchise.

It is a much more widespread abuse, for in this country today there are very fied under State law to vote find that right improperly limited or circumscribed. I can speak of personal knowledge of the condition in my own State. Within recent months, at a primary in our capital city, a Negro citizen was reelected over a single white opponent to serve in an important office, by a city-wide primary vote, in a southern city where the colored population constitutes only about 30 percent of the total.

There is a very simple reason, Mr. President, for this studied misrepresentation of the sweeping powers to punish the South, as proposed by this bill. Let me say in passing that in all of its implications it is as much of an actual force bill as the measures proposed by Sumner and Stevens in reconstruction days in their avowed drive "to put black heels on white necks." The powers are there, even though more cunningly contrived than the forthright legislation aimed at the South in the tragic era of reconstruction.

The simple reason for confining the description to a voting bill is that the American people generally are opposed to any denial of the right of ballot to any qualified citizen. It is easy to array them in support of a bill represented as confined to this purpose.

The more sweeping powers which this bill gives to the Attorney General, to exercise his will, are obscured because in this country outside the South there are millions of people who would not approve of another reconstruction at bayonet point of a peaceful and patriotic South.

There are many people in every State of the Union, including thousands who do not favor the social order which exists in the Southern States, who would not approve the use of their tax money to throw the whole might of the Federal Government, including the military forces, behind a force law designed to compel the intermingling of the races in the public schools and in all public places of entertainment in the Southern States.

There are many Americans everywhere who would look askance at denying the white people of the South the ordinary rights guaranteed all Americans everywhere, as is proposed in this cunningly contrived bill.

There are many Americans who know that constitutional guaranties cannot be denied to the white South without endangering the loss of those guaranties by all the people of this Nation.

There are others who do not believe in indicting and convicting the whole people of a great section of this land on the charge, unsupported by evidence,

that all of them would forswear themselves as jurors.

Now, Mr. President, I shall undertake to examine some aspects of this measure, so glibly advertised as a moderate bill to assure the right to vote. I shall undertake to do so in language which the layman can understand. I shall cite sections of the code, in order that my brethren of the bar may have the opportunity to study what I believe to be the most classic example of cunning draftsmanship ever presented to the American Congress.

Mr. President, let us go first to the one part of the bill which does deal with voting rights. It is appropriate that the part of this drastic bill which deals solely with voting rights should be part IV of a 4-part bill. Weighed against the important and far-reaching effect of the other provisions of the bill, it is meet and proper that the voting provision should be the last part of the bill, even though it is the only one that has been emphasized in the presentation of this wickedly designed measure to the American people.

Mr. President, I ask unanimous consent that part IV of the proposed law may be printed in the CONGRESSIONAL RECORD at this point.

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

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

Mr. RUSSELL. Mr. President, part IV undoubtedly deals with voting rights. I shall not at this time discuss the full effect of this language. At an appropriate time I shall undertake to show that there are already on the statutes of the United States any number of laws to assure the right to vote, including criminal statutes which punish by fine and imprisonment any person who interferes with that right.

Leaving part IV, the voting part, I shall now proceed to that section of the bill which clearly stamps it as a force bill of unprecedented powers aimed at the white South. I shall demonstrate by explaining part III of the bill that the talk about voting rights is a smokescreen to obscure the unlimited grant of powers to the Attorney General of the United States to govern by injunction and Federal bayonet. This section of the bill strikes at our whole theory of a government of law and proposes to create a government of men. It grants to one man or to men sweeping powers to deny individual rights by wholesale and to jail and imprison peaceful American citizens according to the whim or caprice of the man or men exercising the power.

The heart of this bill is found in part III. Part III is the most cunningly devised and contrived piece of legislation I have ever seen. It is the ultimate in the technique of legislative draftsmanship to obscure purpose while creating and conferring power. By a process of amending one statute or existing law by reference and taking this statute or law and incorporating it, by reference to a number, into another law, without anywhere spelling out the total effect of the proposed law in express terms, it cunningly obscures its real scope and purpose.

When I was engaged in the active practice of law I thought I was a fair lawyer, but it has taken me a great deal of study to comprehend thoroughly the full magnitude of the objectives of the drafters of this part of the bill.

I understand it completely now. I unhesitatingly assert that part III of the bill was deliberately drawn to enable the use of the military forces to destroy the system of separation of the races in the Southern States at the point of a bayonet, if it should be found necessary to take this step.

I assert that this bill vests in one man, the Attorney General of the United States, greater powers over the American people than any other man, including any President elected by the people, has ever possessed.

This part of the bill is a potential instrument of tyranny and persecution. It can be used to jail and imprison American citizens and to deny them elemental rights inherent to all our people if it accords with the political inclinations of any Attorney General who possesses the confidence of the President.

Let us now proceed to consider the provisions of this bill and then discuss the ways by which it may be applied. Part III of the bill seeks to amend existing law known as section 1980 of the Revised Statutes—title 42, United States Code, section 1985. The existing law which is amended by reference has three paragraphs. The pertinent paragraph to this discussion is the third.

Mr. President, at this juncture I ask unanimous consent that part III of the proposed legislation be printed in the RECORD at this point.

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

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read "§ 1343. Civil rights and elective franchise."

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph, as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

Mr. RUSSELL. Mr. President, any lawyer who is interested in all the legal ramifications will be interested in reading all of the present section 1985 of title 42 of the United States Code. It is one of the old reconstruction laws. Its criminal counterpart was declared unconstitutional by the Supreme Court decision, stating that the law was enacted by an impassioned Congress operating on the theory that the Southern States were conquered provinces.

To explain more easily what this bill seeks, I now read the pertinent part of the already existing law which the bill seeks to amend. I shall omit, and the asterisks will indicate the omission of any redundant or immaterial language which is likely to confuse the explanation. This is the existing law which part III seeks to amend:

SUBSEC. 3. If two or more persons in any State * * * conspire * * * for the purpose of depriving either directly or indirectly any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the law * * * in any case of conspiracy set forth in this section if one or more persons engaged therein do or cause to be done any act in furtherance of the object of such conspiracy whereby another is * * * deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such * * * deprivation against any one or more of the conspirators.

It will be seen that this section of existing law, which the bill seeks to amend, establishes the right of any individual

citizen injured under the terms of the statute to sue other individuals for damages in the courts.

Let me point out that there are a number of criminal laws or statutes which deal with any interferences with the rights of any citizen and make subject to criminal prosecution anyone who interferes with those rights.

Mr. President, I ask unanimous consent to have incorporated in the RECORD two illustrations of existing statutes which deal with crimes in this category which are made liable to suits for damages in the law which I have read. They are found in title 18, sections 241 and 242 of the code, and I ask that they be printed in the RECORD without my reading them.

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

Title 18, United States Code, section 241:

CONSPIRACY AGAINST RIGHTS OF CITIZENS

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined not more than $5,000 or imprisoned not more than 10 years, or both (June 25, 1948, ch. 645, sec. 1, 62 Stat. 696).

Title 18, United States Code, section 242:

DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or district to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both (June 25, 1948, ch. 645, sec. 1, 62 Stat. 696).

Mr. RUSSELL. Mr. President, the Attorney General of the United States does not ordinarily participate in civil suits for damages between individual citizens of the United States. His primary duty is to enforce the penal or criminal laws passed by the Congress. In studying this matter, I was greatly puzzled by the fact that this proposed new law, which gave the Attorney General the power to sue, in the name of the United States, at the expense of the American taxpayer, in civil actions should have been included in and made a part of the old law defining a tort action or a suit for damages when there were so many criminal statutes available.

I of course apprehended that the bill would be far-reaching in its effects. This bill would authorize the Attorney General to bring suits whether the aggrieved party wished him to sue or not. It has always been the duty of the Attorney General to prosecute for criminal violations whether the aggrieved party desired a prosecution to be entered or not, but it is unusual for him to seek powers under a damage suit law when there were so many other clearer statutes, including criminal statutes, available for use in seeking civil injunctions if that should be a necessary or proper proceeding.

I knew that under the clever wording of this section injunction suits could result in the jailing of American citizens for an indeterminate period without the benefit of jury trial. I soon found that the proposed act struck down all Federal and State administrative or other remedies that must ordinarily be pursued by private citizens.

But it was difficult to dig out the purpose of the draftsman in using this particular law, which defines not a crime, but a cause of action or case for damages as the base for this far-reaching bill.

Mr. President, I now undertake to show that the real purpose of this bill is to enforce judicial law dealing with separation of the races in the Southern States. Let me explain that judicial law is law that is written by the courts rather than by the Congress.

We have had an unusual spate of judicial law recently. The present Supreme Court is writing more judicial law than the Congress is making through the ordinary process of legislation.

I shall resist the temptation to deal with some of the recent excursions of the Supreme Court into the legislative field which we had heretofore considered as reserved to the Congress.

For the purposes of this exposé, I must say that we can expect the present occupants of the marble building constructed to house a Supreme Court of the United States to go to any requested length to make the white people of the Southern States conform to their psychologically inspired and supported decisions as to what the social order of the South should be.

With this I return to the subtle cunning of the draftsman of this act in seeking to use a law authorizing a suit for damages between individual Americans as a vehicle to vest these vast powers in the Attorney General. I assert, Mr. President, that this bill was specifically drawn in this peculiar fashion so as to authorize the use of the military forces of the United States against the white people of the South to compel them, if necessary at bayonet point, to do away with any separation of the races in any phase of public life. To prove that assertion to any fair-minded man, I shall now read the provisions of section 1993 of title 42 of the United States Code, as follows:

Title 42, United States Code, section 1993:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983, and 1985–1994 of this title (Revised Statutes, sec. 1989).

Mark well, Mr. President, that section 1985, the old reconstruction law creating the right to sue for damages, is specifically mentioned in this authorization of the use of military forces, whereas it is not mentioned in any of the other statutes describing a crime or any civil action that might lie in a case of this kind. None of these other statutes on which the Attorney General would ordinarily rely are mentioned in this section of the code, providing for the use of military forces. The devious purpose in undertaking to have the Congress legislate by reference and cross reference, and by numbers of references to sections of the code, was to tie this whole proposition into a law authorizing the use of troops to integrate southern schools, and not for the purpose of assuring the right of any citizen of this country to vote.

I might point out that the voting section of the code is not tied in with the use of military forces, whereas that section which will be utilized to force the mixing of the races in the schools and in the public places of amusement is tied in with the statute authorizing the use of military forces.

Mr. President, if the Supreme Court so determines—and who can doubt their intent—that the separate hotels, eating places, and places of amusement for the two races in the South constitute a denial of equal privileges and immunities under the old law, this great power can be applied throughout the South.

I say, Mr. President, that no one, certainly, would doubt that the Supreme Court would make that holding, particularly in view of their holding in the Stephen Girard will case. Girard had left a will leaving money for the education of white orphan children, but the Court, in effect exhuming a man who had been dead for more than 100 years, went so far in that case as to say that because the trustees happened to be city trustees in Philadelphia that provision of the will not binding, without regard to his intent. Mr. Girard could not will his money as he wanted to, but it was necessary to admit Negro children to this private school because the trustees happened to be city officials in the city of Philadelphia.

All the public eating places, the swimming pools, and the hotels which operate in the Southern States hold licenses from either the State or the municipality. That gives the court a much firmer base for such a ruling than they had in the Girard case.

Under this bill, if the Attorney General should contend that separate eating places, places of amusement, and the like in the South, licensed by State or municipal law, constituted a denial of equal privileges and immunities, he could move in with all the vast powers of this bill, even if the person denied accommodation or admission did not request him to do so and was opposed to his taking that action. The white people who operated the places of amusement could be jailed without benefit of jury trial and kept in jail until they either rotted or until they conformed to the edict to integrate their places of business. There is no limit on

the punishment for contempt. A person convicted of contempt of court stays in jail until he purges himself of the contempt.

If a group of white people were to gather in front of the restaurant or theater or other place of amusement after its operators had been jailed, and there protested and resisted the commingling of the races in such places, the Attorney General could invoke the use of the military and naval forces of the United States to subdue, suppress, arrest, and jail every person who so gathered to protest and resist the commingling of races on the ground that they were guilty of conspiracy. That could be done if this bill should ever be enacted into law in its present form.

I have already said that the widely advertised voting section of the bill is not even remotely tied in with the use of military forces. The school enforcement section is. That affords a measure of the true importance of the voting right clause, as compared to the power sought to integrate the schools and destroy the separate system for the races on which the social order of the Southern States is built.

Who can doubt for a moment that some Attorney General, yielding to the demands of such organizations as the NAACP and the ADA, who have been most zealous in pushing this proposal, would move into the South to compel the communities to integrate white and Negro children in the schools?

If that were done, town meetings would be held, of the white citizens of those communities. They have already taxed or obligated themselves for bond issues to establish separate and equal schools for the children of the two races, as the law specifically provided for nearly 100 years.

At the outset of such a meeting the Attorney General and the courts might recognize the right of the participating citizens to peaceable assemblage, and to petition for the redress of grievances. However, it is certain that there would be many at the meeting who would advocate closing the schools rather than commingling their children.

What would happen then? If certain citizens should vote to close the schools, would they not all become subject to the conspiracy statute, and liable to being gathered up and jailed for violating the Attorney General's writ?

This purported moderate bill would give to the Attorney General the authority to apply these vast powers in the community, on his own volition and indiscriminately, even, as I have said, if all the people of both races residing in the community should oppose the use of Federal power and military might.

Part III is the heart, soul, and body of this so-called moderate measure. I assert that any fair-minded lawer who studies the cross references must conclude that it could result in placing many southern communities under martial law if they should fail to submit to what they regard as the destruction of their society at the time and in the manner demanded by whoever might be acting as Attorney General of the United States.

If this be a moderate bill, just what would be embraced within a drastic bill? I suppose some persons would regard it as a proper law to require all southern white people opposed to forcible race mixing to wear a tag, to declare all those tagged to be wild animals, and prescribe a year-round open season on such persons, with an annual bag limit of 24 white males and 12 white females.

I shall not elaborate at this time upon the policy which the bill proposes to establish, of saddling the American taxpayer with lawyers' fees and costs of litigation in innumerable cases between individual citizens.

Neither shall I deal today with the ingenious method employed in the proposed legislation to abolish the right of trial by jury.

I shall not dwell on the fact that the bill is a gratuitous insult to the integrity of every white southern citizen. Without exception, it indicts and convicts them all on the unsupported charge that southern jurors will not do their duty, but will forswear themselves in any case in which the rights of a Negro citizen are involved. Such indictment and conviction are without evidence to support them.

I should also like to note that this charge is most vigorously and frequently voiced by citizens who represent areas where there has admittedly been, within recent years, a complete breakdown of the processes of law and order. It has come from communities which have seen periods of domination by gangsters and racketeers, communities which have passed through the experience of having all their mediums of law enforcement and their public officials subservient to gang leaders.

What I say now is in no sense a threat. I speak in a spirit of great sadness. If Congress is driven to pass this bill in its present form, it will cause unspeakable confusion, bitterness, and bloodshed in a great section of our common country. If it is proposed to move into the South in this fashion, the concentration camps may as well be prepared now, because there will not be enough jails to hold the people of the South who will oppose the use of raw Federal power forcibly to commingle white and Negro children in the same schools and places of public entertainment.

I suppose that we may now expect to be told that President Eisenhower believes in moderation, and that he would not use the provisions of this bill to send the military forces into the Southern States to compel southern white people to conform to the views of the present Supreme Court and of other sections of the United States as to their social order, which, by custom and State law, has always required separate schools, eating places, swimming pools, hotels, and the like, for the two races.

I would be less than frank if I did not say that I doubt very much whether the full implications of the bill have ever been explained to President Eisenhower. I base that statement on my analysis of his answers to questions at press conferences relating to this measure. At first he apparently did not know that it would abolish the right of trial by jury. Someone must have referred him to a comment President Taft had made with respect to contempt of court. He used that comment in another press conference. Let me say in passing that I doubt whether any lawyer would insist on a jury trial for a contempt which was committed in the presence of the court.

Without regard to what may be contended as to the uses to which the bill, if enacted, might be put, this is supposed to be a government of law and not a government of men. Jefferson said:

> In questions of power, let no more be said of confidence in man.

Any idea of legislating and passing permanent statutes on the basis of the statement of intentions of any man, however great, fair, and just, who may happen to occupy the White House is wholly contrary to our entire system of government. I repeat that if this bill is used to the utmost, neither Sumner nor Stevens, in the persecution of the South in the 12 tragic years of reconstruction, ever cooked up any such devil's broth as is proposed in this misnamed civil-rights bill.

I make this statement today because I know that if any statement is made after a motion is made to proceed to the consideration of the bill, it will be clouded by cries of "Southern filibuster," which will ring throughout the land from the moment the motion is made.

Several years ago I was asked, with respect to a prolonged discussion on a certain bill, whether or not it constituted a filibuster. I think I coined the expression that it was "a lengthy educational campaign."

So far as this bill is concerned, in view of the campaign of misrepresentation which has been waged, it seems highly probable that we shall be largely confined to the CONGRESSIONAL RECORD as our medium to attempt to disseminate the truth about the measure. The circulation of the CONGRESSIONAL RECORD is limited, and we shall require a long time to get the facts across to the country. I hope that our colleagues will not be intolerant of us as we seek to discharge our duty to the American people of our States who have honored us by sending us here, even as the people of other States have honored other Senators.

I say to all the other Members of this body: If there should ever be presented here a bill which proposed to deal so harshly with the people of their States as this bill would deal with the people of my State, if they did not fight it to the very death, they would be unworthy of the people who sent them here.

If it is ever proposed to use the military forces of this Nation to compel the people represented by other Senators to conform their lives and social order to the views of the rest of the country, those Senators need not be afraid of the word filibuster or of attempting to exercise all their rights under the rules. I hope that no one who lives outside the South will ever be faced with the experience that lies before us. However, if there should ever be presented a measure which would deal so harshly with the people of other parts of our country as this bill deals with the people of the

South, and at the time I am a Member of the Senate, I hope Providence will give me the strength and the courage to stand by their side, even if the great majority of the people of my State should happen to favor a measure so unfair.

Mr. President, there are millions of God-fearing, law-abiding citizens in the Southern States who believe as strongly in their right to send their children to schools attended by children of their own race, as the victims of destroyed Lidice or the Hungarians who fell in the streets of Budapest believed in the rights for which they died.

The social order of the South, with the separation of the races in the South, was accepted and protected by the laws of the land for nearly a hundred years. It is the only system the present generation has ever known. It was overturned in the twinkling of an eye, not by an act of Congress, after debate and explanation, but by action of the Supreme Court in striking down long-established law.

Mr. President, it is a monstrous proposal to establish the power to bring the military forces of the United States to bear against the white South, to compel them to change at once a way of life long supported by law and the only one under which our people have ever lived.

It is a tragic fact that the misrepresentation of the South and the southern people should have assumed such proportions in this country. Nowhere in our history has any minority group in this country—with the possible exception of the persecution of the Mormons in the 19th century—been subject to a campaign which compares to that being waged against the white people of the South today.

We have become mere pawns in a game of power politics. Other minority groups have apparently convinced the leaders of both political parties that the presidential election of 1960 will go to the political party willing to go the furthest in the drive to humiliate and punish the white South.

I say, Mr. President, that the white people of the Southern States deserve better at the hands of their fellow Americans of all races than to be subjected to the treatment which will inevitably follow if the bill is enacted in its present form.

Since Appomattox, this country has engaged in four wars in which the sons of the South have sealed the compact of reunion with their blood. Nearly every conceivable charge has been brought against us except that we are a cowardly people. I thank God I have not heard that charge. I would not resort to invidious comparisons, but I refer the Senate to the list of those who have won the Congressional Medal of Honor, the Distinguished Service Cross, and all the other decorations which are given for bravery in action—yes; and to the casualty lists—for evidence that the South has done her part in the armed services of the United States when our common country has been threatened.

Mr. President, politicians may be stampeded into supporting proposed legislation of this type. Pressures may be brought to bear that can compel those who control radio and television to distort and misrepresent. But, Mr. President, I have an abiding faith in the sense of fairness of all the American people when they know the facts. Before the outrage possible in this bill is inflicted upon a helpless people, I shall demand an amendment which will submit this issue to the American people in a national referendum.

It may be said that there may not be any precedent for such action, but there is certainly no worthy precedent for the disasters that the enactment of this bill in its present form are certain to bring.

I concede that it will be difficult to get the facts about this bill to all the American people under present conditions, but we will undertake to do it by word of mouth, if we must, and if that is the only way available to us.

If they understand it, the American people will reject this proposition overwhelmingly at the polls in any fair plebiscite. Pressure groups cannot work both sides of the street where the whole people are involved, as they can when they deal in terms of the number of votes they can deliver in given wards, counties, and States to the holders of public office.

This is not a partisan question. It is not one to be decided in terms of who will be elected to Congress, or governor of a State, or even President of all these United States. It is a problem that goes to the peace and tranquillity of our whole land.

The South was finally freed of the bayonet rule of reconstruction days through the efforts of northern men. There was less bitterness and hate between the soldiers than between the civilians in the War Between the States. Northerners who had been subjected to the waving of the bloody shirt came South in the forces of occupation. They found the truth about the South, and their hearts were touched with compassion at the treatment accorded their late enemies during the reconstruction era. It was really the veterans of the war and those who served in the forces who occupied the South for 12 years who finally broke the chains forged for the South by Sumner and Stevens.

I am not afraid to have this issue submitted to the people of the North and West in a clearcut and fairly presented plebiscite. I shall appeal to my colleagues at the proper time to let the whole people of this country pass upon this question before millions of white people in the South are subjected to the outrageous and un-American treatment contemplated by this bill.

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

Mr. RUSSELL. I yield.

Mr. STENNIS. Mr. President, first I wish to commend highly the Senator from Georgia for his very fine analysis of this complicated and far-reaching bill. I certainly agree with him that it was put together by a man who is well versed in the law and who is very, very clever. The arrangement of the sections exposes the very drastic and far-reaching terms in the bill, as contrasted with the wide publicity going forth throughout the land that it is a moderate bill, drawn honestly by men of good will.

About 2 months ago I heard a Member of the Senate, a very conservative man, not from the South, honestly tell a nationwide television audience that this was a very moderate bill. I am certain that when he reads the Senator's speech, he will change his mind, because his mind is open on other points the Senator from Georgia has raised.

I wish to comment especially upon what the Senator said with reference to the schools. The facts he has related and the conclusions he has drawn are most unfortunately true concerning the problem relating to our schools. I heard a distinguished Member of the Senate last evening, on a national television program, advocate Federal aid for public schools, and in the same breath very honestly state that he was backing the civil-rights bill about which the Senator from Georgia has spoken. With a great understanding of his sincerity, I thought it was tragic that our colleague did not realize that he was supporting a bill which would destroy the public schools in the South.

As the Senator from Georgia has pointed out, the social order and the habits of the people of the South—the only ones we know—are so embedded in their life, that to attempt to disrupt and change them through the medium of their schools, or in any other way, will destroy the instrumentalities of service to the people, rather than accomplish a desirable result.

So, with great appreciation and a thankful heart, I commend the Senator for his very clear way of bringing out this point in language that, as he said, a man on the street can and will understand. I believe the Senator's speech will be a landmark, a turning point, in connection with this very much agitated but greatly misunderstood national problem.

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

Mr. RUSSELL. I yield.

Mr. ERVIN. I compliment the able and distinguished Senator from Georgia for pointing out in such a direct manner the fallacy which is being perpetrated upon the American people in reference to the so-called civil-rights bill, namely, that it is merely a voting rights bill. As the Senator from Georgia has so well demonstrated the bill covers every conceivable field of civil rights, including that of the integration of the schools.

I ask the Senator from Georgia if part III does not amend title 42, section 1985, subsection 3, which provides, among other things, that the Attorney General may bring suits under the bill in connection with any conspiracy, either consummated or nonconsummated, to deprive any person of the equal protection of the laws under the 14th amendment.

Mr. RUSSELL. I am not so much concerned about the equal protection to which the Senator refers as I am about the language that seeks to assure equal immunities and privileges. That is the language that will be used to strike down any semblance of separation of races in

public places, including places of entertainment, restaurants, hotels, and swimming pools, throughout the South, wherever the license is obtained from a municipality or a State.

Mr. ERVIN. I call the attention of the Senator from Georgia and of the Senate as a whole to the provision with reference to the equal protection of the laws clause. We are told daily by editorials, by columnists, by radio, and by television, that the bill is nothing except a simple voting rights bill. The extreme coverage of the one clause about equal protection of the laws is very well illustrated by the latest general treatise upon American law. I hold in my hand volume 16A of Corpus Juris Secundum.

I point out to the Senator from Georgia, to the Senate as a whole, and, if it is possible to do so, to the press and other communications media throughout the country, that this general treatise discusses in general terms what would be covered by one simple clause of the bill. It takes from page 296 through page 536 of this volume of this general treatise of the law merely to state in a general way the subjects concerning which the Attorney General would be empowered to litigate at the taxpayers' expense under one little clause of one of the statutes which the bill seeks to amend. In other words, 240 pages of small type are required merely to set forth in a most cursory fashion the hundreds of topics of the law which, under the bill, the Attorney General would have power to litigate at the expense of the taxpayers.

As I have said before, the bill would place in the hands of the Attorney General powers which would be appropriate, perhaps, for a commissar of justice in a totalitarian state, but which are wholly unfit for the chief law officer of a Republic which boasts that it is a government of laws rather than a government of man.

I thank the Senator from Georgia.

Mr. RUSSELL. I thank the distinguished Senator from North Carolina for his observations. I have been tremendously impressed by his knowledge of this subject. I consider the minority views which he filed when the bill was reported by the subcommittee of the Committee on the Judiciary to be the finest document of its kind I have seen during my tenure in the Senate. It is completely unanswerable.

Mr. ERVIN. I thank the able and distinguished Senator from Georgia for his generous remarks concerning the minority views.

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

Mr. RUSSELL. I yield.

Mr. HOLLAND. I thank the distinguished Senator from Georgia. I should like to comment briefly, if I may, on two aspects of the able and splendid presentation which has just been made by the distinguished Senator from Georgia, and to congratulate him warmly upon his speech.

The first comment is with reference to the fact that, search as one might, it is almost impossible to find in the pages of the metropolitan press of the North and East any recognition at all of the fact that anything except voting rights and the proclaimed protection of voting rights is embraced within the bill.

I have scanned daily the pages of the New York Times and the New York Herald Tribune and have not found in the editorial comments of those two newspapers anything to indicate or give warning to the readers that anything more than voting rights and their protection is involved in the so-called civil-rights bill. But I did find one brief and fair news dispatch by a correspondent who, I think, is one of the most eminent assigned to Washington, namely, Mr. William S. White, of the New York Times.

In a special dispatch to the New York Times, Mr. White was fair enough, in stating the news, to give a story on the bill which I should like to read into the RECORD, because it is "the voice of one crying in the wilderness," so far as the reportorial staffs and the editorial staffs of these two great newspapers are concerned, insofar as the Senator from Florida has been able to discover from scanning them. This is what Mr. White said:

> The bill approved by the House would empower the Department of Justice to obtain injunctions from Federal judges against violations or threatened violations of civil rights—such as the right to vote or the right to attend a racially integrated school.
>
> Those refusing to obey such injunctions could be fined or imprisoned by the judge for contempt of court without a jury trial.

I hope the Senator from Georgia will not feel it is inappropriate for me to call attention to this one distinguished aberration from the rule of nonreporting which seems to have been so fully followed by most of the reporters and most of the editorialists in the two papers mentioned, and in general in the great and powerful newspapers of the North and the East.

Since Mr. White was frank enough to say, "Those refusing to obey such injunctions could be fined or imprisoned by the judge for contempt of court without a jury trial," and since just prior to that he had specially mentioned "the right to attend a racially integrated school," as one of the rights affected, I think it is appropriate to say, and I hope the press of this great area, the most populated area of the Nation, will be fair enough to cover it, that, in the opinion of many who have studied this question most carefully, there is just one perfectly legal, perfectly constitutional remedy which is available in the event the fight is carried far enough to force attendance at integrated schools. That last-ditch remedy is the abandonment by a State of the public-school system. I have not approved that particular step, drastic as it is.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that Calendar No. 551, House bill 7665, making appropriations for the Department of Defense, for the fiscal year ending June 30, 1958, and for other purposes, be made the pending business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, the point I am trying to make clear—a point well known to the distinguished Senator from Georgia [Mr. RUSSELL]—is that there is a perfect constitutional remedy against enforced public-school integration, drastic though that remedy may be, which is the abandonment of the public-school system. The point is, further, that various sovereign States of the area of the Nation that is so gravely affected by this problem have, through their legislatures, and in some instances by means of almost unanimous votes, taken that step, and have provided, in a perfectly constitutional, perfectly legal way, that if this bill is pushed upon them—that is to say, the bill which would integrate their schools—they will abandon their public-school systems.

I wonder whether the distinguished Senator from Georgia feels that sufficient prominence has been given to the fact that great sovereign States, thus clothed with a perfect constitutional remedy, have clearly pointed to the fact that that is the course they will follow, if they are forced to do so, in this great battle.

Mr. RUSSELL. Mr. President, my State happens to be one of those which have adopted in their constitutions provisions prohibiting the use of any State funds for a racially integrated school. But even if that provision were not in the constitution of my State, there would be very few communities in my State where a public school which was integrated would be permitted to operate.

I may say that on the day, I believe, when the Supreme Court handed down its decision, I stated then that that decision could well result in the destruction of the system of public education in many of the States. There is no question in my mind that throughout the South there are vast areas where the people would overwhelmingly prefer to have no public schools at all, rather than have integrated schools.

Mr. HOLLAND. Does the Senator from Georgia have in his mind any doubt at all as to the complete constitutionality of that course of action, if it were adopted by a State?

Mr. RUSSELL. Of course there is no doubt in my mind about its constitutionality; but in view of the great hue and cry to make the people of the South conform, there might be set up some military government or rule of martial law which would attempt to enforce such a system. However, I do not think such an attempt would contribute anything to the cause of public education.

Mr. HOLLAND. I have never felt that the present lack of sympathy and lack of understanding would ever go that far.

Mr. RUSSELL. The Senator from Florida has more confidence in the situation than I have. I have no doubt that if this bill in its present shape is enacted into law, it will be so utilized.

Mr. HOLLAND. My feeling is that, regardless of what may be planned by some in Government, the people of the United States would never permit anything so drastic to be done.

Mr. RUSSELL. That is why I state that I insist that this question be submitted to a referendum of all the American people.

Mr. HOLLAND. I think the Senator from Georgia is very wise in his demand in this matter.

The next thing I wish to ask the Senator from Georgia is this: In the event the public schools are abandoned—as I think they can be abandoned, without question—then, because of that fact, those who have sufficient means will be able to send their children to private schools. But other people of both colors—those who do not have sufficient means—will be forced to accept some inferior form of education, or none at all, for their children. Can the distinguished Senator from Georgia think of anything in the world which would be more disruptive of unity in the country and would be more calculated to create class consciousness and class strife than to have the children of parents who were able to provide them with a private-school education more or less the only group of children to be given any substantial educational opportunities?

Mr. RUSSELL. Of course, I agree with the Senator from Florida in making that statement. The saddest aspect of this entire matter has been the fact that this decision has, almost overnight, destroyed the vast reservoir of understanding and good will which had been patiently built up between the people of the two races in the South, who emerged from a state of two races, one in slavery and the other free, to a state of emancipation.

We in the Southern States have passed through an experience which I sometimes doubt very much that many of our colleagues understand. Eighty years seems to be a lifetime, in the life of one man; but it is but a day in the life of a great country or in the building of great civilizations. In that period of time, no other similar races have made so much progress in being able to live together and understand each other, and in undertaking to support each other and help each other. But I say with great sadness that much of that desirable relationship, which had been patiently constructed over a long period of time, has now been stricken down; and we have almost reached a situation where the avenues of communication between those of good will in both races are practically closed.

Mr. HOLLAND. I certainly agree with the distinguished Senator from Georgia.

I should like to make a further point, if I may: Those who prate about how the proposed law will do away with the inequity in voting, overlook the fact that the greatest group of both white and colored citizens now prevented from voting is so prevented by the poll-tax laws of only five States. There is no approach whatever, in the measure now proposed, to the correction of that situation.

The Senator from Georgia knows, of course, that over a period of years the Senator from Florida, sometimes joined by as many as 11 other Senators from the South, has been trying to submit to the States an amendment to the Federal Constitution under which the requirement of the payment of a poll tax as a prerequisite for voting for Federal officials—for President, Vice President, Senators, and Representatives—would be forever prohibited. One of the blind spots—and it is a very large blind spot—that seems to be almost a disease on the part of those who are sponsoring the legislation now proposed is, it seems to me, that they fail to see that it makes no effort at all to approach the freeing from that situation of hundreds of thousands of citizens, both white and colored, in the five States where that requirement still prevails.

The State of Georgia, so ably represented, in part, by the distinguished senior Senator from Georgia, is not one of those States, because some years ago, of its own volition, it took the step which did away with the poll-tax requirement, not only in connection with voting for Federal officials, but also in connection with voting for all types of officials, down to the local level.

Does not the Senator from Georgia think that those who claim that this bill is a great potent piece of proposed legislation to protect voting rights, must have their tongues in their cheeks, when they know, and have had it called frequently to their attention, that there are those who are trying to approach the problem directly, legally, and constitutionally, and in accord, for instance, with the provisions of a recent Republican national platform, by presenting a proposed constitutional amendment on the question I have described?

Mr. RUSSELL. Mr. President, I am very happy to bear testimony, from personal knowledge, to the great diligence and the earnest efforts of the distinguished senior Senator from Florida [Mr. HOLLAND] to secure the presentation to the States of a constitutional amendment which would forever wipe out the poll tax. He has labored on that well, both in season and out of season.

Mr. HOLLAND. Mr. President, I certainly appreciate that expression by the Senator from Georgia.

I should like to ask him an additional question, if I may. Do those who sponsor this measure upon the ground that it will protect voting rights, approach the question in any such way as to give improved voting rights to those who are unable to pay their poll taxes, in the States which still require the payment of the poll tax?

Mr. RUSSELL. Mr. President, I cannot answer that question as to every community in all the States, but as for my own State I know that the percentage of the Negroes of my State who voted increased tremendously after the abolition of the poll tax, and the registration records of the State will reflect that fact.

Mr. HOLLAND. Is it not true that that remedial legislation released many, many thousands of white people to participate in voting in the State so ably represented by the distinguished Senator?

Mr. RUSSELL. I will say, in all frankness, that was true to a lesser degree, because more white people kept up with their payments and were more interested in exercising their right of suffrage; but the passage of the law undoubtedly opened up the registration rolls and brought about an increase in the number of participants in our elections.

Mr. HOLLAND. I thank the Senator. That was our experience in Florida. Participation in elections became immediately greater on the part of both white and colored people upon the enactment of our State legislation, similar to that enacted in Georgia, to which the Senator from Georgia has already referred. It has been passing strange to think that in all this effort there has been no consideration whatever given to the fact that the proposed legislation does not touch the greatest pool of nonparticipating citizens, those who do not participate in elections, that we have anywhere, namely, those who are prohibited, under present poll tax laws, from voting for their President, Vice President, Senators, and Representatives.

I thank the Senator and compliment him warmly for his splendid and scholarly speech.

Mr. THURMOND and Mr. HILL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and, if so, to whom?

Mr. RUSSELL. I yield first to the Senator from South Carolina. Then I shall yield to the Senator from Alabama.

Mr. THURMOND. I wish to commend the Senator from Georgia for the excellent address he has made, which has been a magnificent contribution to this subject. I hope every Member of the Senate will read it carefully.

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

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. HILL. As the distinguished Senator from Georgia knows, he and I have served in this body for a good many years, and we have been priviliged to hear many able addresses, and some fine constitutional arguments delivered in this body. I unhesitatingly say that I have never heard a calmer, a more judicious, a more logically and cogently reasoned, and a more masterful exposé of any bill than the distinguished Senator from Georgia has made of House bill 6127 in the address he has delivered before the Senate this morning. He has demonstrated clearly and convincingly that this bill is not, as it has been represented throughout the country to be, a moderate piece of proposed legislation, but that it is most drastic, contrary to our long-established concept of the American Federal system, and repugnant to our great basic Anglo-Saxon jurisprudence and judicial procedures for which, down through the years, men have fought and suffered in order to preserve

the individual liberties and rights of citizens.

Mr. RUSSELL. I am most grateful to the distinguished Senator for his very complimentary references. I am even more grateful for the friendship which causes the Senator to look at me through eyes of bias and therefore to overvalue my efforts, but I thank the Senator.

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

The PRESIDING OFFICER. The clerk will call the roll——

Mr. MANSFIELD. Mr. President, will the Senator withhold his request?

Mr. RUSSELL. Mr. President, I will withhold my request for a quorum until the Senator from Massachusetts is recognized, and then I shall renew my request.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield for the purpose of permitting the Senator to suggest the absence of a quorum.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills and joint resolution of the House:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee; and

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bill and joint resolutions of the House:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

ENROLLED BILLS SIGNED

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

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the Insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

STATUS OF FORCES POLICY

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield to me briefly?

Mr. KENNEDY. I yield to the Senator from New York for 3 minutes. Then I shall yield to the Senator from Illinois for 3 minutes. Then I shall yield to the Senator from Arizona in order that he may make an insertion in the RECORD. Then I must say I shall not be able to yield further.

Mr. JAVITS. I thank the Senator.

Mr. President, I ask unanimous consent that the Senator from Massachusetts shall not lose the floor during the time he is yielding to me, the Senator from Illinois, and the Senator from Arizona.

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

Mr. JAVITS. Mr. President, an effort by the United States to abrogate the Status of Forces agreements made by us with 54 friendly countries which is now threatened would be a serious reversal of our foreign policy and would seriously jeopardize our own security. This is a very vital and pertinent issue, since it will be considered by the other body of Congress shortly.

Should the United States abrogate such agreements, it would drastically reverse its Status of Forces policy by depriving foreign countries of criminal jurisdiction over military personnel, regardless of whether or not the crime was committed in the performance of official duty. I have been concerned with the impact which the Reynolds case in Formosa and the Girard case in Japan would have on public opinion and the possible demand for unrealistic and unjustifiable changes in our Status of Forces agreements.

Mr. President, we need to understand that these agreements maintain the essential objectives of our foreign policy and are but a recognition of the independence and dignity of friendly foreign nations within whose borders we station troops, not only for the added protection of such nations but equally for our own national security.

The line of distinction in jurisdiction should be kept clear, Mr. President, as between a member of the Armed Forces who is on a post or a station or on duty—he is answerable only to the United States—or being off duty in the civilian stream of a particular country—when he may be answerable for a crime to the host country provided his essential rights are safeguarded.

Mr. President, in the Girard case I feel this distinction was not maintained, but that the requirement of our treaty with Japan for negotiations on the subject where negotiations were not in order led us into a situation where public opinion in Japan was as strong for turning Girard over to the authorities there as our public opinion was against it. I have urged renegotiation of this agreement with Japan and I urge renegotiation of any similar agreement which can get us into that kind of a situation. But abrogation of these treaties would be a disservice to our foreign policy and would jeopardize our own security as well as that of the Free World. Abrogation of these treaties will not advance the cause that many well intentioned people see in such abrogation but will have just the opposite effect.

Mr. President, unusual cases should not be permitted to make bad law, and we should not strike a disastrous blow to our own status as a leading power in defense of the Free World.

Mr. President, we would be playing directly into the hands of the men in the Kremlin, whose prime article of faith is to get the United States out of these overseas bases were we to abrogate the Status of Forces Agreement. For years the men in the Kremlin have, in vain, threatened and cajoled the powers where these bases have been located, including threats of atomic bombardment, to get the United States out. It is our duty to resist this effort.

Our agreements call for the locating of troops in friendly countries, all with their consent and approval, and at their invitation. This is the very opposite of the system the Soviet Union uses in the military occupation of its satellites. How long can our arrangements last if we deny these countries jurisdiction over a

rape, a theft, or a hit-and-run auto accident committed by a United States soldier on leave? How long will their own local public opinion tolerate it?

Mr. President, if we wiped out the Status of Forces law instead of administering it with clarity and courage—which can avoid injustices or offense to United States sensibilities—we would be jeopardizing the continuance of our overseas bases. We would be playing directly into the hands of the men in the Kremlin whose prime article of faith is to get us out of such bases and who have vainly threatened and cajoled the powers where they have been located for years now—including threats of atomic bombardment. It is our duty to resist this well-nigh fatal error.

Our Status of Forces treaties and agreements with the 54 friendly countries call for locating our troops in these countries, all with their consent and approval, and at their invitation. How long can this last if we deny them jurisdiction over a rape, a theft, or a hit-and-run auto accident committed by a United States soldier on leave—how long will their own local public opinion tolerate it? Now let us look at how this jurisdiction has been used:

Since these treaties and agreements have been in effect, about 32,000 United States personnel have been charged with off-duty crimes abroad. In 23,000 of these cases, the foreign government waived their jurisdiction and the soldiers were turned over to United States authorities for discipline. About 9,000 have faced foreign courts since 1953. Of these, 305 have been sent to prison for crimes ranging from homicide and rape to manslaughter and hit-and-run accidents. Eighty-three were still in prison as of November 30, 1956. As aginst this, let us note that there were over 5,000 traffic accidents involving United States personnel in Europe alone in 1956.

What are safeguards of United States troops tried in foreign jurisdiction? When tried by local courts, United States troops have many protections: They include the right to a speedy trial, information on charges, the right to face accusers, the furnishing of interpreters, also the United States Government is on the defendant's side. It gets him a lawyer and pays the legal fees, stations United States representatives to observe the trial, and inspects conditions in the prison to which any American is sentenced.

Certainly, there is no neglect of American personnel nor turning them over wholesale to the tender mercies of any foreign court. This is again provided we can have the lines clear in terms of cases on posts or stations when on or off duty. I think it is very essential that the basic foreign policy involved be plain to all of us before there be some hasty, ill-advised action prejudicial to our foreign policy and our national security.

I thank the Senator for yielding to me.

Mr. KENNEDY. Mr. President, I yield 3 minutes to the Senator from Illinois [Mr. DOUGLAS].

THE CIVIL RIGHTS ACT OF 1957

Mr. DOUGLAS. Mr. President, I wish to thank the Senator from Massachusetts for yielding to me.

Mr. President, I think it is not necessary for me to emphasize my respect for the Senator from Georgia [Mr. RUSSELL] and my real friendship for the people of the South. The comments of the Senator from Georgia, however, do call for some immediate reply.

The Senator from Georgia very ably shifted the focus of his speech away from protection of the right to vote to the alleged horrible consequences which he declared might come from part III of the bill, H. R. 6127.

I think it is very important that we keep a proper sense of emphasis in this discussion of the proposed civil rights bill and realize that the primary purpose of those who are supporting this civil rights legislation is to throw added Federal protection around the right to vote. This is certainly one of the most fundamental of American rights. And this right is now denied over a considerable section of this country, primarily in the South, and denied not merely by the imposition of a poll tax, but by the striking of Negroes from voting registers on arbitrary grounds and the exercising of social, economic, and in some cases physical coercion against the exercise of voting rights by the Negroes.

What we are attempting to do in the civil rights bill is to give to the Attorney General and to the Department of Justice powers to bring civil actions to prevent such violations from occurring. We do this, of course, through the time-tried method of equity, the granting of injunctions by the courts if the facts support the injunctions, to restrain improper acts from being committed. That is about all there is to it.

Our primary aim is to prevent these deprivations of constitutional rights before they occur, rather than mete out punishment after the event.

So far as the argument of the Senator from Georgia against part III of the bill is concerned, may I say that no new rights are created by part III. Those rights dealt with in part III have already been granted by the Constitution and by previous acts of Congress, going back in some cases to 1871 and in other cases even prior to that.

All that is done to provide a new remedy for protecting those rights, to give to the Attorney General the power to bring suits to prevent these violations from occurring rather than to resort to criminal action after they have have occurred.

So far as the use of Federal troops by the President is concerned, a subject which the Senator from Georgia brought into the discussion with such dire warnings, that power has existed in the United States by statute since 1795, at the time of the Whisky Rebellion, and since 1870, when the Force Act was passed. But that power has never been exercised by this Government, since 1877, and we pray God it never will be exercised.

It is not the intention or thought of those advocating this civil rights legislation to be unjust to the South. We believe in national unity. We welcome all the magnificent contributions which the people of the South have made, and we hope that we may all go forward in a spirit of unity together, to remove the real abuses which exist in American life.

I thank the Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I yield a half minute to the Senator from Arizona.

ST. COLUMBAN NURSING NUNS IN KOREA

Mr. GOLDWATER. Mr. President, while it is my understanding that the Department of Defense has specifically ruled against the granting of APO privileges for commercial, benevolent, and religious organizations, my attention has been called to a situation involving the St. Columban nursing nuns in Korea, whose efforts, I believe, fully justify an exception to this policy, in order that they might receive the medical and drug supplies which they so urgently need in fulfillment of their work in caring for the sick at their hospital and leprosarium in Mokpo, Korea.

For the information of the Senate, and in order to acquaint my colleagues with the effort in which I am engaged in behalf of this deserving order, I ask unanimous consent that there be printed, at this point in my remarks, the text of a letter on this subject which I have addressed to the Secretary of Defense.

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

UNITED STATES SENATE,
Washington, D. C., June 27, 1957.

The Honorable CHARLES E. WILSON,
Secretary of Defense, Department of Defense, Washington, D. C.

DEAR MR. SECRETARY: While I am aware of the Defense Department's decision against the granting of APO privileges for commercial, benevolent, and religious organizations, I am nevertheless prompted to write to you concerning a case which I regard as extremely meritorious, and in the hope that it may be possible, in some way, to lift the ban on this privilege with respect to the St. Columban nursing nuns in Korea.

By way of background, the Most Reverend Harold W. Henry, Roman Catholic bishop of Kwangju, Korea, has set up and operates at Mokpo, Korea, a hospital and leprosarium, and at Chunchon, Korea, a dispensary, which facilities are available to people of all creeds.

In this work in Korea, Bishop Henry is assisted by 12 St. Columban nuns, 6 of whom are citizens of the United States. These nuns nurse the sick and lepers, and the bishop desires to obtain APO mailing addresses for them in order that they may receive from the United States medicines, surgical supplies, and related materials, by direct order or by gift. Bishop Henry has an APO mailing address, APO 102, San Francisco, for first-class mail only. This APO address is shared by the Sisters, but in order to receive the medical supplies which they so urgently need an extension of this privilege would have to be obtained.

Surely, in view of the nature of their medical work, these Sisters are invaluable to our country and to the entire Free World in the struggle against communism. These same Sisters gave medical care to General Doolittle's group, which first bombed Tokyo, in

their hospital at Nancheng, China. In retaliation, the Japanese destroyed all their buildings and confiscated and destroyed all their medical supplies and food. The Sisters have never asked for compensation and probably never will; but, in consideration of their sacrifice for members of the Armed Forces, the granting of this extremely minor privilege seems only just.

The Sisters of St. Columban require the use of an APO address for the receipt of critical drugs and medical supplies only. At times, with the hundreds of patients to whom they are giving courses of medication, they run short of these necessary drugs. Unavoidable delays and pilferage are experienced when shipment is via regular channels. These delays cause the stoppage of treatment for long periods of time, in some instances for months, thereby rendering ineffective previous treatments.

In view of the foregoing, I am certain that you will understand that the use of the APO privilege is a vital necessity, and I greatly hope that it will be possible for you to take the required steps to grant this privilege to these deserving Sisters.

With kindest regards, I am,

Sincerely,

BARRY GOLDWATER.

Mr. GOLDWATER. I thank the distinguished Senator from Massachusetts.

Mr. KENNEDY. I yield to the Senator from Illinois [Mr. DIRKSEN] for 1 minute.

THE CIVIL RIGHTS ACT OF 1957

Mr. DIRKSEN. Mr. President, I listened very attentively to the distinguished Senator from Georgia [Mr. RUSSELL]. Seldom in my long legislative experience have I seen within the frame of a single speech so many ghosts discovered under the same bed, but I am confident that if the civil rights bill is enacted the heavens will not be rent asunder, the waters will not part, the earth will not rock and roll, and we will go on, as we always have, and add to the course of our progress the protection and the safeguarding of the rights of citizens of the United States, because the 14th amendment to the Constitution makes all native born and naturalized citizens, and those subject to its jurisdiction, citizens not only of the State where they reside but citizens of the United States.

The civil rights bill, which will be under consideration soon, is concerned with only one thing, and that is the proper safeguarding of the citizens of our common country.

IMPERIALISM—THE ENEMY OF FREEDOM

Mr. KENNEDY. Mr. President, the most powerful single force in the world today is neither communism nor capitalism, neither the H-bomb nor the guided missile—it is man's eternal desire to be free and independent. The great enemy of that tremendous force of freedom is called, for want of a more precise term, imperialism—and today that means Soviet imperialism and, whether we like it or not, and though they are not to be equated, Western imperialism.

Thus the single most important test of American foreign policy today is how we meet the challenge of imperialism, what we do to further man's desire to be free. On this test more than any other, this Nation shall be critically judged by the uncommitted millions in Asia and Africa, and anxiously watched by the still hopeful lovers of freedom behind the Iron Curtain. If we fail to meet the challenge of either Soviet or Western imperialism, then no amount of foreign aid, no aggrandizement of armaments, no new pacts or doctrines or high-level conferences can prevent further setbacks to our course and to our security.

I am concerned today that we are failing to meet the challenge of imperialism—on both counts—and thus failing in our responsibilities to the Free World. I propose, therefore, as the Senate and the Nation prepare to commemorate the 181st anniversary of man's noblest expression against political repression, to begin a two-part series of speeches, examining America's role in the continuing struggles for independence that strain today against the forces of imperialism within both the Soviet and Western worlds. My intention is to talk not of general principles, but of specific cases—to propose not partisan criticisms but what I hope will be constructive solutions.

There are many cases of the clash between independence and imperialism in the Soviet world that demand our attention. One, above all the rest, is critically outstanding today—Poland.

The Secretary of State, in his morning news conference, speaking on this subject, suggested that, if people want to do something about the examples of colonialism, they should consider such examples as Soviet-ruled Lithuania and the satellite countries of Czechoslovakia, Poland, and others.

I agree with him. For that reason, within 2 weeks I hope to speak upon an issue which I think stands above all the others, namely, the country of Poland.

There are many cases of the clash between independence and imperialism in the Western World that demand our attention. But again, one, above all the rest, is critically outstanding today—Algeria.

I shall speak this afternoon of our failures and of our future in Algeria and North Africa—and I shall speak of Poland in a later address to this body.

I. ALGERIA, FRANCE, AND THE UNITED STATES

Mr. President, the war in Algeria confronts the United States with its most critical diplomatic impasse since the crisis in Indochina—and yet we have not only failed to meet the problem forthrightly and effectively, we have refused to even recognize that it is our problem at all. No issue poses a more difficult challenge to our foreign-policy makers—and no issue has been more woefully neglected. Though I am somewhat reluctant to undertake the kind of public review of this case which I had hoped—when I first began an intensive study of the problem 15 months ago—that the State Department might provide to the Congress and people, the Senate is, in my opinion, entitled to receive the answers to the basic questions involved in this crisis.

I am even more reluctant to appear critical of our oldest and first ally, whose assistance in our own war for independence will never be forgotten and whose role in the course of world events has traditionally been one of constructive leadership and cooperation. I do not want our policy to be anti-French any more than I want it to be anti-nationalist—and I am convinced that growing numbers of the French people, whose patience and endurance we must all salute, are coming to realize that the views expressed in this speech are, in the long run, in their own best interest.

I say nothing today that has not been said by responsible leaders of French opinion and by a growing number of the French people themselves.

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

Mr. KENNEDY. I yield to the Senator from Montana.

Mr. MANSFIELD. The distinguished Senator from Massachusetts is making a speech which, I am quite certain, will receive a great deal of earnest and deliberate consideration. It will not be an easy speech, I am sure, but I think it will be a candid speech, and I hope it will be recognized in the spirit in which it is meant.

The Senator from Massachusetts is correct when he refers to France as our oldest and first ally. We all know that of all the major nations of the world, the one major nation with which we have not gone to war is the Republic of France. We know that there were more French soldiers than American with Washington's Army at Yorktown. We know that behind the Continental Army was the fleet of Admiral de Grasse, and behind the fleet of De Grasse was the French treasury. So we are indebted to the French for a great many things which they have done to help us. We are grateful for their enduring friendship down through the decades since independence.

I have examined a copy of the Senator's speech, with respect to which I hope to make comments from time to time, if the Senator will permit. At the very beginning, let me say that the Senator from Massachusetts is to be commended for laying the cards on the table and showing the picture as he sees it, in the hope that something constructive will be the result.

Mr. KENNEDY. I appreciate what the Senator from Montana has said. The basic theme which I shall attempt to develop is that unless the French are willing to make some concessions and adjustments in their basic policy toward Algeria today—and I hope they will do so—any hope that the French will occupy in North Africa a position of any real constructive value to France will, in my judgment, disappear.

So I believe that in the true sense of the word—at least, that is my intention—this is a speech from a friend of France, in what I consider to be the best interest of France as well as the best interest of the United States and Africa.

Mr. MANSFIELD. As I have said, it is a speech which is not easy to make.

Mr. KENNEDY. The Senator from Montana and I discussed a similar problem in the case of Indochina. As of today, it is my opinion that the best intests of both the French and the United

States will be served by speaking frankly on this question.

IS ALGERIA OF CONCERN TO THE UNITED STATES?

American and French diplomats, it must be noted at the outset, have joined in saying for several years that Algeria is not even a proper subject for American foreign policy debates or world consideration—that it is wholly a matter of internal French concern, a provincial uprising, a crisis which will respond satisfactorily to local anesthesia. But whatever the original truth of these clichés may have been, the blunt facts of the matter today are that the changing face of African nationalism, and the ever-widening byproducts of the growing crisis, have made Algeria a matter of international, and consequently American, concern.

The war in Algeria, engaging more than 400,000 French soldiers, has stripped the continental forces of NATO to the bone. It has dimmed Western hopes for a European common market, and seriously compromised the liberalizing reforms of OEEC, by causing France to impose new import restrictions under a wartime economy. It has repeatedly been appealed for discussion to the United Nations, where our equivocal remarks and opposition to its consideration have damaged our leadership and prestige in that body. It has undermined our relations with Tunisia and Morocco, who naturally have a sense of common cause with the aims of Algerian leaders, and who have felt proper grievance that our economic and military base settlements have heretofore required clearance with a French Government now taking economic reprisal for their assistance to Algerian nationalism.

It has diluted the effective strength of the Eisenhower doctrine for the Middle East, and our foreign aid and information programs. It has endangered the continuation of some of our most strategic airbases, and threatened our geographical advantages over the Communist orbit. It has affected our standing in the eyes of the Free World, our leadership in the fight to keep that world free, our prestige, and our security; as well as our moral leadership in the fight against Soviet imperialism in the countries behind the Iron Curtain. It has furnished powerful ammunition to anti-Western propagandists throughout Asia and the Middle East—and will be the most troublesome item facing the October conference in Accra of the free nations of Africa, who hope, by easing the transition to independence of other African colonies, to seek common paths by which that great continent can remain alined with the West.

Finally, the war in Algeria has steadily drained the manpower, the resources, and the spirit of one of our oldest and most important allies—a nation whose strength is absolutely vital to the Free World, but who has been forced by this exhausting conflict to postpone new reforms and social services at home, to choke important new plans for economic and political development in French West Africa, the Sahara, and in a united Europe, to face a consolidated domestic Communist movement at a time when communism is in retreat elsewhere in Europe, to stifle free journalism and criticism, and to release the anger and frustrations of its people in perpetual governmental instability and in a precipitous attack on Suez.

No, Algeria is no longer a problem for the French alone—nor will it ever be again. And though their sensitivity to its consideration by this Nation or the U. N. is understandable, a full and frank discussion of an issue so critical to our interests as well as theirs ought to be valued on both sides of an Atlantic alliance that has any real meaning and solidarity.

This is not to say that there is any value in the kind of discussion which has characterized earlier United States consideration of this and similar problems—tepid encouragement and moralizations to both sides, cautious neutrality on all real issues, and a restatement of our obvious dependence upon our European friends, our obvious dedication nevertheless to the principles of self-determination, and our obvious desire not to become involved. We have deceived ourselves into believing that we have thus pleased both sides and displeased no one with this head-in-the-sands policy—when, in truth, we have earned the suspicion of all.

IS AN EARLY RESOLUTION LIKELY WITHOUT UNITED STATES ACTION?

It is time, therefore, that we came to grips with the real issues which confront us in Algeria—the issues which can no longer be avoided in the U. N. or in NATO—issues which become more and more difficult of solution, as a bitter war seemingly without end destroys, one by one, the ever fewer bridgeheads of reasonable settlement that remain. With each month the situation becomes more taut, the extremists gain more and more power on both the French and Algerian sides. The government recently invested by the French Assembly is presided over by a Premier clearly identified with a policy of no valid or workable concessions; and his cabinet, though resting on a balance of parties similar to its predecessor, has been purged of all members associated in any way with a policy of negotiation in Algeria. The French Government, regardless of the personality of its leadership, seems welded to the same rigid formulas that have governed its actions in Algeria for so long; and the only sign of hope is a more articulate concern for a settlement among independent thinkers in France, a notable example being the well-reasoned volume recently published by M. Raymond Aron entitled "The Algerian Tragedy."

M. Aron, the leading political commentator of the conservative Le Figaro, urged the constitution of an Algerian state as the best choice of evils. But the prospects for such a settlement being offered or accepted by his own government are already remote, if the record of past failures at negotiation is any indication. In February 1956 Premier Mollet, pelted with tomatoes and bricks, bent to the fury of a French mob in Algiers and replaced the prospective French Resident Minister suspected of leaning toward an early settlement. Last fall, when Mollet himself authorized French emissaries to hold cease-fire discussions with the nationalists in Rome and elsewhere, and encouraged discussion on the matter between the rebels and the Tunisian and Moroccan Governments, key Algerian rebel leaders were taken captive by the French while in air transit between Rabat and Tunis during the course of these meetings. This step, taken on the apparent initiative of the French Minister of Defense and the Resident Minister, and, in fact, without even the knowledge of the Prime Minister, Mr. Mollet, himself, not only collapsed all hopes for a cease fire, but also had the most unfavorable repercussions for France in all the uncommitted world.

After the passions of Suez had subsided, Prime Minister Bourguiba, of Tunisia, again attempted to find some common ground; and with much effort persuaded nationalist representatives to accept the principle of internationally controlled elections, subject to safeguards, if the French would abide by the results. But again M. Mollett pulled the rug out from under these efforts; and more recently even M. Bourguiba has been alienated by the French action arbitrarily cutting off economic grants to Tunisia. Another violent demonstration has recently been promised if the present uncompromising Minister Resident, Robert Lacoste, is replaced with a moderate. An extremist French organization in Algiers which pillories M. Mendes-France and moderate reform advocates is actually subsidized by Lacoste and the Government. And French policy continues to insist that neither negotiations nor elections can take place until the hostilities have ceased—a commitment, as I shall discuss further in a moment, which only renders less likely both negotiations and the termination of hostilities, just as it did in Indochina.

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

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I note that in the course of the Senator's remarks he refers to a statement made by M. Aron, who urged the constitution of an Algerian state. Can the Senator tell us whether any offers, firm or otherwise, have been made in recent years by any French Government which would seek to bring about some sort of concordat between the Republic of France and Algeria in the form of a federation, confederation, or commonwealth?

Mr. KENNEDY. The Senator from Montana knows that at the meeting of the Socialist Party during the past weekend the Socialist Party, in whose membership there are strong minority feelings, nevertheless voted to support Guy Mollet's policy, which regards Algeria as an integral part of metropolitan France, and which calls for a cease fire and a disarmament of the rebels, and then a discussion of the problem.

The party refuses to agree with M. Aron and refuses, also, to recognize the facts of life; instead, it states that Algeria is an integral part of metropolitan France and that it should not be regarded as an independent entity.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. Is it not true that some months ago, at any rate, perhaps not over a year ago, Marshal Juin himself had suggested that some sort of commonwealth or federation status should be set up in Algeria to govern its relations with France?

Mr. KENNEDY. There is no doubt that Marshal Juin, who was regarded at one time as an adamant opponent of Moroccan independence, has come to the realization that the present policy of the French Government in Algeria is bankrupt. On Monday the New York Times, in an article from Toulouse, France, in discussing the meeting of the French Socialists which was held there stated:

> Those who favored public recognition of Algeria's right to independence were in reality expressing the growing but still mostly private attitude of many Frenchmen who fear the political consequences of such a position if they were to assume it publicly.

It seems to me that public opinion in France is slowly moving toward recognition of the facts of life that Algeria is not realistically integral to France. Nevertheless, the party still follows the policy of M. Mollet, who regards Algeria as an integral part of metropolitan France.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. There is, then, a continuation of that expensive policy. Speaking of expense, the Senator from Massachusetts mentioned the fact that France has in effect denuded its NATO commitments in order to maintain itself in Algeria to the extent of 400,000 men. Before Mr. Mollet resigned, he issued a statement—I wish I had a copy of it before me—to the effect that at one time there were 700,000 men in Algeria.

Again speaking of the expense, there is the matter of taxation on the French people at home.

Even while France was in undisputed control of Morocco, Tunisia, and Algeria, she had to spend large sums of money in order to keep going the economies of those three areas. Now, of course, she has to expend a great deal more because of the Algerian situation.

In France it now costs in excess of a dollar for a gallon of gasoline. The so-called luxury and excise taxes have been increased. Other commitments have been made which are a burden on the French people because of the adventure in which France has engaged in Algeria.

I do not wish to interrupt the Senator's speech further, although there are some questions I should like to ask him with regard to what he said about France regarding Algeria as an integral part of metropolitan France.

Mr. KENNEDY. I should like to quote further from the New York Times article, in referring to the policy of the Socialist Party of Mr. Mollet:

> The longstanding French offer of a cease-fire has been maintained, and as soon as calm is restored elections would be held. A definite statute would then be negotiated with elected representatives of the people of Algeria, which is considered part of metropolitan France.

The story then goes on to state:

> Until then a provisional statute giving the Moslems a greater voice in local, regional, and, later on, territorywide affairs would be put into effect. Independence is absolutely barred.

The story continues:

> The Government depends for its existence on the support and participation of the Socialists. If they had voted decisive changes in Algerian policy, the coalition of Socialists and radicals would have collapsed, precipitating a new governmental crisis.

In other words, this refusal to face the facts of life is considered essential to maintain the present governmental structure. All through the meeting of the Socialist Party during the past few days there were strong currents of feeling that a change was necessary.

The fact of the matter is that, although the French claim, on the one hand, that Algeria is an integral part of metropolitan France, the French have never truly recognized Algerians as French citizens. If they permitted all Algerians to vote as French citizens, over one-sixth of all the representatives in the French Assembly would be from Algeria. The fact is that of approximately 625 representatives, they have allowed to Algeria a total of 30. Furthermore, they have denied the Algerians the social, political, and economic benefits that accrue to citizens who live in metropolitan France.

In 1936, when Premier Leon Blum put forth his proposals to gradually integrate Algeria and give the Algerians French citizenship and French nationality, the French citizens of Algeria revolted. A reasonable compromise, which I am certain would have been accepted by the Algerians as far back as 1936, was rejected by the French who lived in Algeria. It is that attitude which prevents any really constructive policy from being developed today.

Mr. MANSFIELD. The Senator from Massachusetts anticipated one of my questions, namely, the agreement made by France that Algeria, as an integrated part of the metropolitan area, would obtain for its citizens the rights of French citizenship. Had that agreement been followed out—I believe it was De Gaulle who, in 1947, issued the latest decree to the effect that the Algerians should be considered as full French citizens—it would, as the Senator from Massachusetts has indicated, have meant the addition of between 100 and 120 deputies to the French Parliament. If, to these were added the other deputies from overseas this would prove to be a very strong bloc. The Communist deputies, in between, could well exercise a dominant influence. It would not be beyond reason to assume that, under certain conditions, metropolitan France itself could be governed by an assembly the majority of whom were overseas deputies. Is not that correct?

Mr. KENNEDY. The Senator is correct. Moreover, the French made some concessions in 1947 which provided for the setting up of a bicameral legislature based on two electorates in Algeria.

Although the French population is considered as being a million, if they were counted strictly the number might be found to be as low as 700,000. Equal voting rights have not been given to the whole Algerian population of more than 8 million. The Blum bill provided that full citizenship should be given to a slowly growing base, beginning with those who made special contributions to the state, in the army, for example. But it was agreed in the French colony in Algeria that even this would not be acceptable. All the French mayors of Algeria banded together and offered their collective resignations and made a formal protest. Seventy-five thousand out of a total population of 8 million were given French voting rights.

On the one hand, there is the French claim that its policies protect metropolitan France. On the other hand, the French in Algeria refuse to accept the responsibility which such a point of view entails.

It is for that reason I contend that France, as a practical matter, has, through these statements, recognized Algeria as an independent entity. In my opinion, the situation should be treated in that light, and France should carry on negotiations with the Nationalists on that basis. Until that is done, obviously the situation will continue to deteriorate.

WHAT IS THE AMERICAN RECORD ON ALGERIA?

This dismal recital is of particular importance to us in the Senate, and to the Foreign Relations Subcommittee on U. N. Affairs which I have the honor to serve as chairman, because of the attitude toward the Algerian question which has been adopted throughout this period by our spokesmen in Washington, Paris, and U. N. headquarters. Instead of contributing our efforts to a cease-fire and settlement, American military equipment—particularly helicopters, purchased in this country, which the natives especially fear and hate—has been used against the rebels. Instead of recognizing that Algeria is the greatest unsolved problem of Western diplomacy in North Africa today, our special emissary to that area this year, the distinguished Vice President, failed even to mention this sensitive issue in his report.

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

Mr. KENNEDY. I yield.

Mr. CHAVEZ. I am glad that the Senator from Massachusetts is talking along the lines he is. I was somewhat annoyed when I could not go ahead with the defense appropriation bill. In that bill, which is now pending before the Senate, military aid is provided for France. I want that aid to be used for the purposes it is supposed to serve, but not for the purposes of killing Algerians in North Africa.

Mr. KENNEDY. As the Senator from New Mexico knows, because of the uprising in Algeria, the French have been forced to denude their NATO defenses and transfer nearly all of their men to Algeria, in order to maintain public order in Algeria, which represents a dissipation of NATO's strength and lessens the effectiveness of our help in building NATO strength.

Mr. CHAVEZ. I want the French to have wholehearted support in North Africa, but I do not want 1 penny of the millions of dollars appropriated in this bill to be used there in order to maintain colonialism in north Africa.

Mr. KENNEDY. I agree with the Senator.

Instead of recognizing France's refusal to bargain in good faith with nationalist leaders or to grant the reforms earlier promised, our Ambassador to the U. N., Mr. Lodge, in his statement this year as previously, and our former Ambassador to Paris, Mr. Dillon, in his statement last year apparently representing the highest administration policy, both expressed firm faith in the French Government's handling of the entire matter. I do not criticize them as individuals, because they were representing the highest administration policy.

In his statement Ambassador Dillon recalled with pride that "the United States has consistently supported France when North African subjects have been discussed in the United Nations"; and that American military equipment—particularly helicopters—had been made available for use against native groups in Algeria.

The United States—

Ambassador Dillon emphasized—

stands solemnly behind France in her search for a liberal and equitable solution of the problems in Algeria.

Our proud anticolonialist tradition, he said, does not place the Algerian problem in the same camp as Tunisia and Morocco.

Naturally the French were delighted with Ambassador Dillon's statement. Premier Mollet expressed his nation's pleasure at having the United States "at her side at this moment." Le Monde described it as "a victory of the pro-French camp in the State Department over the champions of anticolonialism and appeasement of the Arabs." But the leader of the national Algerian movement, under house arrest in France, expressed his dismay that the United States had departed from its democratic traditions to ally itself with French colonialism and to favor "the military reconquest of Algeria at the expense of the self-determination of peoples."

Similarly, when in 1955 the U. N. steering committee was asked to place the issue on the agenda of the General Assembly, and our Ambassador to the U. N. insisted that Algeria was so much an integral part of the French Republic that the matter could not properly be discussed by an international body, an Algerian spokesman commented that his people were "at a loss to understand why the United States should identify itself with a policy of colonial repression and bias contrary to American political traditions and interests."

The General Assembly, as the Senate will recall, overruled the committee's decision and placed the question of Algeria on the agenda, causing the French delegates to walk out of the Assembly, the United States again voting against discussion of the issue. Two months later, of course, the matter was dropped and the French returned. In the 1956–57 session the United States again labored to bring about a compromise resolution postponing U. N. consideration for at least a year until the French had settled the matter as they saw fit.

This is not a record to view with pride as Independence Day approaches. No matter how complex the problems posed by the Algerian issue may be, the record of the United States in this case is, as elsewhere, a retreat from the principles of independence and anticolonialism, regardless of what diplomatic niceties, legal technicalities, or even strategic considerations are offered in its defense. The record is even more dismal when put in the perspective of our consistent refusal over a period of several years to support U. N. consideration of the Tunisian and Moroccan questions.

HOW SERIOUS ARE THE OBSTACLES TO AN ALGERIAN SOLUTION?

I realize that no magic touchstone of "anticolonialism" can overcome the tremendous obstacles which must confront any early settlement giving to the Algerians the right of self-determination, and which must distinguish them from the Tunisians or Moroccans. But let us consider the long-range significance of these objections and obstacles, to determine whether our State Department should remain bound by them.

First. The first obstacle is the assertion that Algeria is legally an integral part of metropolitan France and could no more be cut loose than Texas could be severed from the United States, an argument used not only by France but by American spokesmen claiming concern over any U. N. precedent affecting our own internal affairs. But this objection has been largely defeated by the French themselves, as I shall discuss in a moment, as well as by the pace of developments which have forced Algeria to become an international issue, as I have already pointed out. I believe it will be the most important issue on the agenda of the United Nations this fall.

Second. The second hurdle is posed by the unusually large and justifiably alarmed French population in Algeria, who fear for their rights as French citizens, their property, and their lives, and who compare their situation to that of American colonists who drove back the native Indians. Their problem, in my opinion, is one deserving of special recognition in a final settlement in Algeria, but it does not reduce the necessity to move forward quickly toward such a settlement. On the contrary, the danger to their rights and safety increases the longer such a settlement—which in the end is inevitable—is postponed.

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

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I think the Senator from Massachusetts is very correct in pointing out the extremely large French population in Algeria. Am I correct in stating that many of those families go back more than four generations?

Mr. KENNEDY. The Senator is correct.

Mr. MANSFIELD. They have a vested interest, so to speak, because they have raised their children there. Some of the greatest leaders of France, both in the Assembly and in the army, and in the other branches of the government, as well, have come from Algeria. So there must be a recognition of the fact that there is an excess of 1 million French citizens, as such—although I believe many of them are Maltese, Italian, or Spanish, as well as French; but they have the right of French citizenship—who have rights there which must be considered and settled, in connection with any solution of the Algerian question.

Mr. KENNEDY. Yes; I do not believe that when the settlement is made, any French there should be driven out or should have their property expropriated. I believe their special status, as a minority, must be recognized—a minority which will become further diminished because of the steep Algerian birth rate.

Mr. MANSFIELD. Then the Senator from Massachusetts is saying that, so long as the Algerian situation remains unsettled, the danger to the rights of those people substantially increases.

Mr. KENNEDY. Yes. I do not think there is any doubt about that, after World War II, had the French proposed a federal solution, it would have been acceptable even to the more extreme Algerian nationalists. But what was acceptable then is not acceptable today; and what is acceptable today will not be acceptable 2 years from now.

Third. The next objection most frequently raised is the aid and comfort which any reasonable settlement would give to the extremists, terrorists, and sabateurs that permeate the nationalist movement, to the Communist, Egyptian, and other outside antiwestern provocateurs that have clearly achieved some success in penetrating the movement. Terrorism must be combated, not condoned, it is said; it is not right to "negotiate with murderers." Yet once again this is a problem which neither postponement nor attempted conquest can solve. The fever chart of every successful revolution—including, of course, the French—reveals a rising temperature of terrorism and counterterrorism; but this does not of itself invalidate the legitimate goals that fired the original revolution. Most political revolutions—including our own—have been buoyed by outside aid in men, weapons, and ideas. Instead of abandoning African nationalism to the antiwestern agitators and Soviet agents who hope to capture its leadership, the United States, a product of political revolution, must redouble its efforts to earn the respect and friendship of nationalist leaders.

Fourth. Finally, objection is raised to negotiating with a nationalist movement that lacks a single cohesive point of leadership, focus, and direction, as the Tunisians had with Rabib Bourguiba, or as the Moroccans certainly had after the foolish and self-defeating deposition of Sultan Ben Youssef in 1953—now Mohammed V of Morocco. The lack, moreover, of complete racial homogeneity among the African Algerians has been reflected in cleavages in the nationalist forces. The Algerians are not yet ready

to rule their own country, it is said, on a genuine and permanent basis, without the trained leaders and experts every modern state requires. But these objections come with ill grace from a French Government that has deliberately stifled educational opportunities for Algerian natives, jailed, exiled or executed their leaders, and outlawed their political parties and activities. The same objections were heard in the cases of Tunisia and Morocco—where self-government has brought neither economic chaos, racial terrorism, or political anarchy; and the problem of the plural society, moreover is now the general, and not the exceptional, case in Africa.

Should we antagonize our French allies over Algeria? The most important reason we have sided with the French in Algeria and north Africa is our reluctance to antagonize a traditional friend and important ally in her hour of crisis. We have been understandingly troubled by France's alarmist responses to all prospects for negotiations, by her warning that the only possible consesquences are political and economic ruin, "the suitcase or the coffin."

Yet, did we not learn in Indochina, where we delayed action as the result of similar warnings, that we might have served both the French and our own causes infinitely better, had we taken a more firm stand much earlier than we did? Did that tragic episode not teach us that, whether France likes it or not, admits it or not, or has our support or not, their overseas territories are sooner or later, one by one, inevitably going to break free and look with suspicion on the Western nations who impeded their steps to independence? In the words of Turgot:

> Colonies are like fruit which cling to the tree only till they ripen.

I want to emphasize that I do not fail to appreciate the difficulties of our hard-pressed French allies. It staggers the imagination to realize that France is one nation that has been in a continuous state of war since 1939—against the Axis, then in Syria, in Indochina, in Morocco, in Tunisia, in Algeria. It has naturally not been easy for most Frenchmen to watch the successive withdrawals from Damascus, Hanoi, Saigon, Pondicherry, Tunis, and Rabat. With each departure a grand myth has been more and more deflated. But the problem is no longer to save a myth of French empire. The problem is to save the French nation, as well as free Africa.

Mr. JAVITS. Mr. President, at this point will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Massachusetts yield to the Senator from New York?

Mr. KENNEDY. I yield.

Mr. JAVITS. I think the Senator from Massachusetts has put his finger on the critical point of this particular situation, in his forthright and well-documented speech. Yesterday I looked through an advance copy of his speech. I had the privilege of making the opening address at the Colgate Foreign Policy Forum in my own State, and there I discussed, in part, the same matter.

As a result, I should like to ask a question of the Senator from Massachusetts: Is it not a fact that the political realities in France appear to indicate that some means somewhere must be found to deal with a situation in which, apparently, the internal stresses in France are such that the government there seemingly cannot deal with it until such time as it may be too late to deal with it really effectively?

Mr. KENNEDY. The Senator from New York is correct. I believe that if 3 years ago the French had made a reasonable concession, there is no doubt that a reasonable solution could have been found, and would have protected French interests. I think such a solution could well have been found then, but it becomes more and more difficult to do so as the months pass.

Furthermore, the point will be made in the United Nations meeting this fall that the United States really put off the matter last February, because the French argued for further time. The fact is that the situation has deteriorated since the United Nations met, and therefore the United States will be met with a strong resolution proposing that the United States and the other members of the United Nations recognize the fact that Algeria is attempting to obtain the right of independent existence. I hope before that time the French will put forth a proposal; and I suggest that with the help of Habib Bourguiba and the Sultan of Morocco and the good offices of NATO, a solution recognizing the rights of both parties can be put forward.

Mr. JAVITS. One would get the feeling, if reading the Senator's speech with certain glasses, that there are overtones of criticism of the administration implied in it. Knowing, as both of us do, that the bipartisan foreign policy has had the greatest amount of success, will the Senator from Massachusetts agree with me that it is perfectly possible to lay that aside and to forget about criticizing anyone, and to ask the United States to take the position that, having tried and tried again and having played along with the French, on the theory that the United Nations which has been referred to should not have the matter under consideration, as being one of domestic jurisdiction, now the time has come when the United States cannot let the U. N. stand aside any longer. That can be the position of the United States—namely, that having done the best we could with an ally, by waiting and waiting, the United States now feels that in the overall interest of international peace, some mediation from an international body must ensue.

Mr. KENNEDY. I am suggesting that United States policy in this area is subject to criticism. But unfortunately that policy has been entrusted to this administration and this Secretary of State. But when I spoke in 1953 and 1954 in this body, in discussing the question of Indochina, I was extremely critical of the policy the Democratic administration had practiced on that question for a period of 7 years. Moreover, I also wish to state that the Democratic administration's position on Morocco, as the United States defined that position in the United Nations before 1953, was not altogether a happy one, either. So my criticisms are not meant to be partisan, but are meant only to indicate that United States policy in that area in the last 3 years had been unfortunate; and in that connection I am obliged to mention the names of Mr. Lodge, Mr. Dillon, and the Secretary of State. I have been critical of the position of the United States regarding this situation since 1946—particularly, the desire of the United States to maintain its friendship with the French, the Belgians, and the Portuguese, all of whom have colonial possessions, and at the same time to maintain friendship with the colonial peoples themselves. So my criticism is not meant to be a partisan one, but is meant only to indicate that I believe our policy has failed.

Mr. JAVITS. Let me state the matter affirmatively, Mr. President: Our Government needs—not to step backward—only to take the very honest position that now, having tried and tried to make progress along a certain line, now that the situation has become nearly impossible in terms of the maintenance of international peace, something else must be done.

I thank the Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I thank the Senator from New York, and I appreciate what he has said.

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

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I think it ought to be emphasized that the Senator from Massachusetts has always been bipartisan in his discussions of foreign policy, and has never endeavored to use his speeches for partisan purposes. I think, however, that what he is calling to the Senate's attention today has been a perennial problem since the end of the Second World War. We are caught between our friends and allies on one side and colonial or semicolonial people on the other. In order to placate both and keep the friendship of both, we find ourselves in difficulty. On that basis, the Senator from Massachusetts this afternoon is performing a service in trying to cut a swath through the mist and haze surrounding this particular situation. I wish to commend him.

Mr. KENNEDY. I made mention of Mr. Dillon's speech of March 1956. I assume he was our agent, and he put us on the side of France. I quote him:

> Ever since I have been here in Paris my Government has loyally supported the French Government in its search for solutions to north African problems, solutions that will make possible long-term close cooperation between France and the Moslem communities of Tunisia, Morocco, and Algeria.
>
> The United States has consistently supported France when north African subjects have been discussed in the United Nations. The most recent instance was our strong support last fall of the position that Algeria is an internal French problem and therefore not appropriate for discussion by the United Nations.

In addition, when last year the important question of helicopters was brought to our attention we responded promptly and favorably to the requests of the French Government.

I feel that policy which these statements characterize is outdated. I do not want to be partisan or captious, but it is American policy; therefore I am criticizing it.

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

Mr. KENNEDY. I yield.

Mr. JACKSON. I would like to associate myself with the comments made by the distinguished junior Senator from Montana. I remind him that the junior Senator from Massachusetts, as I recall, back in 1953, in the first year he was in the Senate, pointed very effectively to the failure of French policy in dealing with this same general problem, in Indochina. I recall that the counsel he gave to the Senate at that time proved to be wise counsel.

Mr. KENNEDY. I appreciate that statement.

Mr. JACKSON. What is regrettable is that we continue to make the same mistake over and over again. I realize, as the junior Senator from Montana pointed out so effectively a moment ago, that we are caught in a difficult situation.

As we approach July 4, it would be well for all Americans to bear in mind that this country had more friends, more allies, and better standing in the world when it exported only one thing, and that was freedom. This export started with our great Revolution of 1776. What the junior Senator from Massachusetts is saying today certainly underlines the importance of assisting all people who desire the very thing we desired in 1776. What the junior Senator from Massachusetts has to say is in the interest of our national security and in the interest of the preservation of the free countries of the world.

Mr. KENNEDY. I thank the Senator very much for his statement.

Mr. President, no amount of mutual politeness, wishful thinking, nostalgia, or regret should blind either France or the United States to the fact that, if France and the West at large are to have a continuing influence in North Africa—and I certainly favor a continuation of French influence in that area—then the essential first step is the independence of Algeria along the lines of Morocco and Tunisia. If concrete steps are taken in this direction, then there may yet be a French North Africa. Short of this step, there will inevitably only be a hollow memory and a desolate failure. As Mr. David Schoenbrun, in his recent excellent volume "As France Goes," cogently argues:

> France must either gamble on the friendship of a free North Africa or get out of North Africa completely. It should be evident after the Egyptian fiasco that France cannot impose her will upon some 22 million Africans indefinitely. Sooner or later the French will have to recognize the existence of an Algerian state. The sooner, the cheaper in terms of men, money, and a chance to salvage something from the wreckage of the French Union.

Indeed, the one ray of hope that emerges from this otherwise dark picture is the indication that the French have acknowledged the bankruptcy in their Algerian policy, however they may resent our saying so, by legislating extremely far-reaching and generous measures for greater self-government in French West Africa. Here, under the guidance of M. Felix Houphouet-Boigny, the first Negro cabinet minister in French history, the French Government took significant action by establishing a single college electoral system, which Algeria has never had, and, by providing universal suffrage, a wide measure of decentralized government, and internal self-control. Here realistic forward steps are being taken to fuse nationalist aspirations into a gradual and measurable evolution of political freedom.

WHAT HAVE WE LEARNED IN INDOCHINA, TUNISIA, AND MOROCCO?

Not only the French, however, needed to be convinced of the ultimate futility and cost of an Algerian-type struggle. The United States and other Western allies poured money and material into Indochina in a hopeless attempt to save for the French a land that did not want to be saved, in a war in which the enemy was both everywhere and nowhere at the same time, as I pointed out to the Congress on several occasions. We accepted for years the predictions that victory was just around the corner, the promises that Indochina would soon be set free, the arguments that this was a question for the French alone.

And even after we had witnessed the tragic consequences of our vacillation, in terms not only of Communist gains but the decimation of French military strength and political effectiveness, we still listened to the same predictions, the same promises, and the same arguments in Tunisia and Morocco. The strong prowestern bent in each of these countries today, despite beguiling offers from the Communist East, is a tribute to the leadership of such men as Prime Minister Bourguiba, whose years in French confinement never dimmed his appreciation of Western democratic values.

THE FRENCH RECORD IN TUNISIA AND MOROCCO

Certainly the French cannot claim sole credit for this pro-Western orientation. Although in Tunisia, and even more in Morocco, which has a far more diversified and flexible economy, the French left impressive testimony of economic achievement, the fruits of this progress were by no means equitably distributed through the native populations; and there was almost no parallel growth of educational and political opportunity. Though a nationalist political party—the Istiqlal in Morocco and the Neo-Destour in Tunisia—gathered force in each country, they were cramped by close French surveillance, by long periods of illegality, by the arrest, isolation, or imprisonment of almost every important political leader, and by a lack of opportunity to share real political responsibility. Trade unions, which in Africa provide one of the best pools of political experience, were given little freedom for development.

In the years after the Second World War a succession of military commanders and resident-generals in both Tunis and Rabat seemed to look upon their missions in North Africa as primarily concerned with public order, the suppression of dissent by force, and the plugging up of nationalist outlets. The Istiqlal Party was suppressed outright from 1952 to 1954, while no effective Moroccan press was allowed to publish outside of French and Spanish restraint. Literacy was as low as 10 percent among Moroccans, only somewhat higher among Tunisians.

Two years prior to the achievement of Moroccan independence, the French exiled the Sultan and replaced him with the puppet Ben Arafa, the mere creature of the French and of El Glaoui, the Pasha of Marrakesh, who had conspired with Marshal Juin to depose the Sultan. These crude steps, the attempt to impose a military solution on Morocco and the sabotage by the French Government and "colons" of the only genuine reform effort of Resident General Grandval in 1955, in fact insured the independence of Morocco. For opinion decisively rallied to the side of the exiled Sultan, and the French had increasing difficulty in dealing with the Moroccan Army of Liberation and the underground tactics of the Istiqlal Party.

In Tunisia the garrison policy of the French was not quite as vindictive and thorough—but no real concessions were made, and the leader of the Tunisian Neo-Destour Party, Bourguiba, was kept in isolation.

THE UNITED STATES RECORD ON TUNISIA AND MOROCCO

Unfortunately, the Tunisians and the Moroccans also know they owe little, if anything, to the United States for their new-found freedom. To be sure, we hedged our consistent backing of the French position with occasional pieties about ultimate self-government and hopes for just solutions. And, fortunately, our Government did not offer recognition to the French-sponsored Ben Arafa after the deposition of Sultan Ben Youssef, with whom President Roosevelt had conferred at the time of the Casablanca Conference. But in the series of discussions which began in 1951 in the United Nations over Morocco and Tunisia, the United States, in vote after vote, under both Democratic and Republican administrations, argued either that the U. N. had no real competence to deal with these issues, or, after this argument had petrified, that to do so would only inflame the situation. In short, on every single U. N. vote concerning the issues of Morocco and Tunisia, we failed to vote against the French and with the so-called anticolonial nations of Asia and Africa even once.

TUNISIA, MOROCCO, AND THE WEST TODAY

Fortunately for the United States and France, and in spite of—not because of—our past records, neither Tunisia nor Morocco has a natural proclivity toward either Moscow, Peking, or Cairo today. But it is apparent, nevertheless, that the latter constitute possible alternate magnets if the Western nations become too parental or tyrannical. In Tunisia, the political opposition to Premier Bourguiba, led by the self-exiled Salah Ben Youssef, is clearly seeking to mobilize the

support of the Egyptian and Russian Governments. In Morocco the more reactionary and traditionalist forces, which could come to power if the present Western-minded government fails, seems to be groping for support in Cairo, and probably Moscow as well, and we in this country are finally fully aware of the fact that Russia possesses an effective repertoire of economic inducements and political tricks; that Egypt appeals persuasively, in the name of African nationalism, for unity against the West; and that Red China offers nations emerging from a colonial state a ready answer on how to achieve quickly the transition from economic backwardness to economic strength.

United States policies in these areas—to provide an effective alternative to these forces, who aided Tunisian and Moroccan independence while we remained silent—cannot be tied any longer to the French, who seek to make their economic aid and political negotiations dependent upon the recipient's attitude toward Algeria. We cannot temporize as long as we did last year over emergency wheat to Tunisia. We cannot offer these struggling nations economic aid so far below their needs, so small a fraction of what we offered some of their less needy, less democratic, and less friendly neighbors that even so stanch a friend as Premier Bourguiba was forced to reject Ambassador Richards' original offer—just as he had rejected an offer of Soviet aid more than 30 times as great. In Morocco, too, our aid has fallen short of the new nation's basic needs.

We must, on the other hand, avoid the temptation to imitate the Communists by promising these new nations automatic remedies and quick cures for economic distress—which lead only too readily to gathering disillusionment. But we can realistically contribute to those programs which will generate genuine economic strength as well as give relief from famine, drought, and catastrophe. The further use of agricultural surpluses, and the new revolving loan fund making possible long-term planning and commitment, should be especially well-suited to the requirements of Morocco and Tunisia, which have moved beyond the point of most underdeveloped states but not yet attained the strength of most Western economies.

Another step which we can take immediately, of the highest priority yet small in cost, is to step up considerably the number of young people of North Africa who have so far come to the United States for higher education and technical training, and to increase our own educational and training missions in that area. The building up of a national civil service, a managerial talent, and a pool of skilled tradesmen and professionals is an immediate prerequisite for these countries—and the addition of even a few trained administrators, engineers, doctors, and educators will pay off many times over in progress, stability, and good will.

In these ways, we can help fulfill a great and promising opportunity to show the world that a new nation, with an Arab heritage, can establish itself in the Western tradition and successfully withstand both the pull toward Arab feudalism and fanaticism and the pull toward Communist authoritarianism.

WHAT ARE THE FRENCH ELEMENTS OF A SETTLEMENT IN ALGERIA?

The lessons of Tunisia and Morocco, like the lesson of Indochina before them, constitute, I hope, the final evidence of the futility of the present French course in Algeria and the danger of the present frozen American posture. Prompt settlement is an urgent necessity—for north Africa, for France, for the United States, NATO, and the Western World. Yet what are the elements of "settlement" put forward from time to time by the French, in which we have placed our faith? They are three: First, military reconquest or pacification; second, social and economic reform; and third, political union with France.

I respectfully suggest that these three elements represent no settlement at all, that the continual emphasis upon them is only postponing, not hastening, the day of final reckoning. Permit me to examine each point briefly.

First is the French insistence upon pacification of the area, in reality reconquest, before further talks proceed, a policy which only makes both settlement and a cease-fire less likely. For it encourages the Nationalists to assume that they can play a game of endurance in which the patience and tenacity of French politicians will finally snap as they did regarding Indochina in 1954. The so-called pacification policy of M. Lacoste does consist of more imaginative measures than simple military repression, since it attempts to combine the elimination of rebel and terrorist activity in individual localities with measures of social reform and reconstruction. But the rebellion is now too contagious to be treated by pacification methods, even if the French could afford to increase substantially the manpower already poured into the area, and despite the steady stream of optimistic French communiques.

For, as General Wingate wisely pointed out in the last war, "Given a population favorable to penetration, a thousand resolute and well-armed men can paralyze for an indefinite period the operations of a hundred thousand"; and this is precisely what has happened in Algeria. The French tend to look at the Algerian rebel problem in terms of a military chessboard, when in fact each identifiable rebel has behind him the silent or half-articulate support of many other Algerians. Thus, nearly half a millon valiant French soldiers face an enemy with no organized forces, no acceptable strategy, no military installations, and no identifiable lines of supply. They themselves fight not with the zeal with which they defend their own liberty, but fight in vain—and it has throughout history been in vain to curb the liberty of another people.

The United States, contributing to French military strength and refusing to urge mediation of a cease-fire, has apparently swallowed the long series of counterstatements offered by the French suggesting why the war in Algeria did not end long ago. From time to time we have been told that the war was being kept alive only because of interference and meddling by Colonel Nasser, that the rebellion was active only to gain the attention of the United Nations, or because of help from Morocco and Tunisia, or because of unwarranted interference by American shirtsleeve diplomats and journalists, or finally because of Russian and Communist meddling in Algeria. None of these explanations which seek to make outsiders the real agents of the Algerian rebellion carries much conviction any longer, even to the French, as shown in the multiplicity of recent attempts to suppress local critical newspaper and public comment.

Second, the French have continued to tell the U. N. of their present and proposed economic and social reforms in Algeria, promising a better life for all if they can ever end the fighting. It is true that the French have finally opened up greater employment opportunities for the Moslems, have expropriated some land for redistribution, and have made some efforts to increase wages of agricultural workers. But the tardiness of these reforms, and the narrowmindedness of the French minority in Algeria which over more than 20 years defeated the reform efforts of the few liberal ministers, have permitted the wave of nationalism to move so far, and to take root so deeply, that these palliative efforts are too little and too late for a situation of now convulsive proportions. We must, I am afraid, accept the lesson of all nationalist movements that economic and social reforms, even if honestly sponsored and effectively administered, do not solve or satisfy the quest for freedom. Most peoples, in fact, appear willing to pay a price in economic progress in order to achieve political independence.

Third and finally, the French conception of settlement has stubbornly adhered to the concept of Algerian incorporation within France itself. This area, it should be recalled, was taken only by the French a little more than a century ago—the southern desert area has always been governed from Paris like a crown colony—and although the populous and fertile northern coastland was legally made a part of France in 1871, native Algerians were not made French citizens until 1947. Even then, that move was made to cement French control rather than to grant equality, for at the same time a system of electoral representation in the French National Assembly and Algerian Assembly was established giving equal power to 2 strictly separated electoral groups—1 consisting of over 7 million Algerians and the other consisting of some 1 million French colonials. Only 75,000 African Algerians had full voting rights—and only 30 seats from Algeria, mostly filled by French politicians, were elected to the French National Assembly. Even those seats are vacant now, of course, the 1956 elections not having been extended to crisis-torn Algeria.

The result of this gap between word and deed, and the continued reluctance of the French to permit more than spasmodic and slight reforms at the expense of vested interests in France and Algeria, has been to alienate most sections of Al-

gerian opinion so that assimilation is now a fruitless line of effort. There has been a progressive increase in the number of African Algerians, once committed to a program of integration with France, who have recanted and joined the movement of independence—the most notable instance being that of Ferhat Abbas, one of the ablest nationalist leaders, who long argued for the assimilationist approach and did not wholly despair of such a settlement until shortly before 1956, when he joined the National Liberation Front.

Had there been consistent progress in extending to all Algerians political equality and opportunity, so that over a realizable period of time there would have been a common standard of French citizenship, and had a steady effort been made to enlarge the political rights which were at least inherent in the 1947 statute for Algeria, it is possible that a responsible solution could have been reached. As late as 2 years ago a promise—with a specific date tag on it—that would have given genuinely equal voting rights to the French National Assembly, and at least parity in Algerian municipal government, might well have won general Moslem support. But the French were unwilling to see as many as 100 Moslem deputies in Parliament and to provide—at a cost no greater than the present Algerian war—common social services and education. And it is this failure on the part of the French to accept the consequences of their own conception that has closed the door forever on the possibility of a true French Union, and made Algeria irreversibly an aspect of the broader search for political independence in Africa. Moreover, nationalism in Africa cannot be evaluated purely in terms of the historical and legal niceties argued by the French, and thus far accepted by the State Department. National self-identification frequently takes place by quick combustion which the rain of repression simply cannot extinguish, especially in an area where there is a common Islamic heritage and where most people—including Algeria's closest neighbors in Tunisia, Morocco, and Libya—have all gained political independence. New nationhood is recorded in quick succession—Ghana yesterday, Nigeria perhaps tomorrow, and colonies in central Africa moving into dominion status. Whatever the history and lawbooks may say, we cannot evade the evidence of our own time especially we in the Americas whose own experiences furnish a model from which many of these new nations draw inspiration.

WHAT COURSE SHOULD THE UNITED STATES ADOPT IN ALGERIA?

And thus I return, Mr. President, to the point at which I began this analysis. The time has come when our Government must recognize, that this is no longer a French problem alone; and that the time has passed, where a series of piecemeal adjustments, or even a last attempt to incorporate Algeria fully within France, can succeed. The time has come for the United States to face the harsh realities of the situation and to fulfill its responsibilities as leader of the Free World—in the U. N., in NATO, in the administration of our aid programs and in the exercise of our diplomacy—in shaping a course toward political independence for Algeria.

It should not be the purpose of our Government to impose a solution on either side, but to make a contribution toward breaking the vicious circle in which the Algerian controversy whirls.

Nor do I insist that the cumbersome procedures of the U. N. are necessarily best adapted to the settlement of a dispute of this sort. But, direct United Nations recommendation and action would be preferable to the current lack of treatment the problem is receiving; and in any event, when the case appears on the U. N. agenda again, the United States must drastically revise the Dillon-Lodge position in which our policy has been corseted too long.

Moreover, though the resolution which was adopted at the last session in general gave backing to the French efforts to localize the dispute, there was nonetheless a proviso—a proviso which served to put France on a probationary status and warn that measurable progress would have to be shown by the next meeting of the Assembly. We have now come nearly to the halfway point of this interim period, and the situation has only further deteriorated. To prevent a still more difficult situation in the fall session, our State Department should now be seeking ways of breaking the present stalemate. And I am asking this body, as it has successfully done before in cases of Indonesia and Indochina, to offer guidance to the administration and leadership to the world on this crucial issue.

I am submitting today a resolution which I believe outlines the best hopes for peace and settlement in Algeria. It urges, in brief, that the President and Secretary of State be strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations.

This resolution conveys my conviction that it should not be impossible to break a deadlock in a matter of such close concern to NATO and to mediatory forces in the rest of North Africa. The Governments of Tunisia and Morocco, neither members of the Arab League and each concerned to continue Western connections, provide the best hope, and indeed, they furnished such help, as already noted, last summer and early fall. Two weeks ago M. Bourguiba again made an appeal for an Algerian solution within an overall French oriented north African federation. Even the Indian Government, often assumed to be spokesman of nationalism for nationalism's sake, offered last summer to act as a possible intermediary in a solution which would grant political independence to Algeria but confirm special protections for French citizens and to place Algeria in a special economic federation with France.

Neither reasonable mediators nor reasonable grounds for mediation are impossible to find. The problem in Algeria is to devise a framework of political independence which combines close economic interdependence with France. This is not an illusory goal. Algerian Nationalist leaders are mostly French speaking; Algeria has an inherent interest in continued economic and cultural ties with France as well as in Western aid generally. But these natural links with France will ebb away if a change is not soon made. Last November, when Algeria was under U. N. consideration, Premier Bourguiba expressed the anguish which afflicts the responsible nationalist of North Africa on the Algerian question:

> The vote of free Tunisia will be against France, but it would be a mistake to believe that we are happy about this conflict. I had hoped sincerely that Tunisia would be a bridge between the Occident and the Orient and that our first independent vote would have been in favor of France. Although that has proved to be impossible I still cannot bring myself to despair, for the first time in my life, of the wisdom of the French people and their government. The day may perhaps yet come, if the government of the Republic acts swiftly enough, when French civilization will be truly defended in world council by the leaders of a French North African confederation.

The United States must be prepared to lend all efforts to such a settlement, and to assist in the economic problems which will flow from it. This is not a burden which we lightly or gladly assume. But our efforts in no other endeavor are more important in terms of once again seizing the initiative in foreign affairs, demonstrating our adherence to the principles of national independence and winning the respect of those long suspicious of our negative and vacillating record on colonial issues.

It is particularly important, inasmuch as Hungary will be a primary issue at the United Nations meeting this fall, that the United States clear the air and take a clear position on this issue, on which we have been vulnerable in the past. And we must make it abundantly clear to the French as well as the North Africans that we seek no economic advantages for ourselves in that area, no opportunities to replace French economic ties or exploit African resources.

If we are to secure the friendship of the Arab, the African, and the Asian—and we must, despite what Mr. Dulles says about our not being in a popularity contest—we cannot hope to accomplish it solely by means of billion-dollar foreign aid programs. We cannot win their hearts by making them dependent upon our handouts. Nor can we keep them free by selling them free enterprise, by describing the perils of communism or the prosperity of the United States, or limiting our dealings to military pacts. No, the strength of our appeal to these key populations—and it is rightfully our appeal, and not that of the Communists—lies in our traditional and deeply felt philosophy of freedom and independence for all peoples everywhere.

Perhaps it is already too late for the United States to save the West from total catastrophe in Algeria. Perhaps it

is too late to abandon our negative policies on these issues, to repudiate the decades of anti-Western suspicion, to press firmly but boldly for a new generation of friendship among equal and independent states. But we dare not fail to make the effort.

Men's hearts wait upon us—

Said Woodrow Wilson in 1913—

Men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try?

Mr. President, I submit for appropriate reference a resolution on the subject which I have discussed today.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 153), submitted by Mr. KENNEDY, was referred to the Committee on Foreign Relations, as follows:

Resolved, That taking cognizance of the war in Algeria, its repression of legitimate nationalist aspirations, its growing contamination of good relations between the new states of North Africa and the West, its widening erosion of the effective strength of the North Atlantic Treaty Organization, the mounting international concern it has aroused in the United Nations, the President and Secretary of State be, and hereby are, strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations; and be it further

Resolved, That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an ordinary achievement of independence.

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

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I wish again to commend the distinguished Senator from Massachusetts for making both a candid and a courageous speech.

I was much impressed with one of his last paragraphs, which contains a sentence reading as follows:

And we must make it abundantly clear to the French as well as the North Africans that we seek no economic advantages for ourselves in that area, no opportunities to replace French economic ties or exploit African resources.

Previously the Senator had mentioned the fact that he hoped some sort of interdependent relationship between Algeria and France would develop. I am in full accord with the views of the distinguished Senator relative to interdependence between the two areas, and the fact that we have no economic aspirations in North Africa.

I point out that the Senator made his speech on the eve of our Independence Day, which comes on July 4. It may be coincidental, but the French Independence Day happens to come on July 14, Bastille Day. I hope the French Government and the French people will realize the spirit in which this speech was made, and become aware of the fact that we wish nothing for ourselves, but only a reasonable, decent, and lasting solution to the present French-Algerian crisis.

Mr. KENNEDY. I thank the Senator. I think he has said in a few sentences what I have been attempting to argue. He has touched the heart of the matter, and I appreciate what he has said.

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

Mr. KENNEDY. I yield.

Mr. CARROLL. I wish to associate myself with the remarks of the distinguished Senator from Montana [Mr. MANSFIELD] in congratulating the junior Senator from Massachusetts [Mr. KENNEDY] for a very fine, thought-provoking speech.

All through the speech he emphasizes the importance—to use the words of the Senator from Massachusetts—of the principle that it is man's eternal desire to be free and independent. If we cannot understand that, we cannot understand the forces of social revolution which have been sweeping the world since the end of World War II.

Enormous sums of money have been spent to prevent Soviet economic, political, and military penetration. But we ourselves, as has been ably set forth by the distinguished Senator from Massachusetts, have a great task to perform.

I shall be very happy to join with the Senator from Massachusetts in helping to have his resolution adopted. Those of us who served in World War II in Africa could sense then—although we knew little about the history, customs, or traditions of the area—what the Algerians were thinking. They want to be free and independent, and we should help them to reach their goal without offending our great friends, the French. As the Senator has so ably pointed out, the French have strong ties with those people. I do not like to use the term "political bungling," but there has certainly been great political ineptness on our part in the solution of this most important problem.

Again I thank the Senator from Massachusetts for a very penetrating and thought-provoking speech. I hope it will be read by all Members of the Senate.

Mr. KENNEDY. I thank the Senator. I think this question affects France very vitally.

An article written by Jacques Jean Servan-Schreiber and published in L'Express, a French weekly paper, after he had concluded his military duty in Algeria, brought out the fact that the French policy in that area was endangering France's position in the whole of North Africa.

Particularly in view of the discovery of oil in the desert of Algeria, Africa will play an important part in national affairs in the next 10 years. It seems to me to be vitally important that France and the United States should clear the air and realize that this question will inevitably arise. If the freedom of those people is won against the consistent opposition of the United States we shall have no right to claim close ties with them in the future. We did not support Tunisia and Morocco, but we have been fortunate in that those governments have been prowestern

I think it is vitally important that we clarify our own position with respect to Algeria. French opinion is bubbling up under the artificial parliamentary situation. I think many French people realize the importance of redefining the Algerian question.

Mr. CARROLL. Can the Senator tell us what progress has been made in Tunisia and Morocco? How are they getting along?

Mr. KENNEDY. The Tunisians have recently broken off their economic aid ties with the French, because of what is happening in Algeria. As I have said, Prime Minister Bourguiba was the first Arab leader to support the Eisenhower doctrine. When Ambassador Richards went there he offered only $3 million, with certain limitations, on certain types of aid, for which the Tunisians asked. We were afraid of alienating the French.

This question involves the entire struggle against communism in that area. These countries are moving ahead. They desire cooperation with us. If we could grasp the nettle today, a moderate nationalist government could take over in Algeria. The longer the present situation continues, the easier it will be for the extremists to take over.

Every French soldier who goes to fight in Algeria is given a booklet. On the front of the booklet is a statement by an Algerian leader in the 1930's in which he affirmed his belief that Algeria was not entitled to independent nationality, but rather that Algerians were French citizens.

The situation deteriorates so fast that moderate people become extremists, extremists become revolutionaries, and revolutionaries become Communists. I think time is running out.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. CARROLL. In view of the very excellent presentation made today by the Senator from Massachusetts, and based on our general knowledge of the situation, is there any doubt that we must make a complete reappraisal of the situation with reference to Algeria?

Mr. KENNEDY. That is particularly true, I will say to the Senator from Colorado, when this question comes before the United Nations. At the time when we try to make our record on Hungary, we will be faced with this problem. How can we expect any recognition of our position on Hungary if we take an ambiguous position on Algeria?

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

Mr. KENNEDY. I yield.

Mr. CLARK. I should like to join my colleagues in paying tribute to the distinguished Senator from Massachusetts for the splendid address he made this afternoon. I had an opportunity yesterday to read the text of his address, which he had made available to me, and thus to study it very carefully. I find myself in complete agreement with the points he has made. I would be happy to join him in supporting the resolution he has submitted.

I believe, also, it is high time that we had at the executive level a reappraisal of our relations with France on the question of Algeria. As the Senator has pointed out, we must remain on friendly terms with our allies, particularly with our oldest ally, the Republic of France. We know how important that friendship has been in the past and how important it will probably be in the future.

However, there comes a time when it is necessary to call a spade a spade. We have seen Indochina fall while we remained supine, or at least failed to give support to France when it was needed, although we offered support to France when it was no longer of any use to them.

I feel very strongly that the future of Algeria lies in political freedom, with some economic interdependence with France. So long as there is no political freedom, the present conditions will continue, which is not in the best interest of the United States or of the Free World.

Mr. KENNEDY. I thank the Senator from Pennsylvania. I was a bit disturbed that the Secretary of State should link the situation in Algeria with Soviet imperialism. Nevertheless, it is difficult to have our position in that regard recognized on a moral basis until we have cleared our position on this moral question.

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

Mr. KENNEDY. I yield.

Mr. NEUBERGER. I should like to join the Senator from Pennsylvania in what he said to the Senator from Massachusetts. The Senator from Massachusetts was kind enough to send his colleagues advance copies of the text of his speech. I gained a great deal from it. I am a Member of the Senate who is concerned with committees which deal almost exclusively with domestic problems, such as natural resources, wildlife, agriculture, and so forth. When a Senator delivers an address such as the Senator from Massachusetts has delivered today, it is of special service to Senators like myself.

As I sat on the floor of the Senate and, for a part of the time, in the Presiding Officer's chair, during the course of the speech, I came to realize a situation which until now was rather vaguely and dimly known to me.

When the Senator from Massachusetts talks about our own traditions of freedom and the need of America to cast its influence on the side of freedom, he is stating a great truth. I have long supported closer union within the Atlantic community of democracies which share this tradition. But I do not see how we can support our allies—at least without our making known our position and exerting moral suasion upon them—in continuing outdated colonial policies if we wish to hold ourselves up to the world as an example of liberty and freedom. As the Senator from Massachusetts has correctly said, we must disassociate ourselves from colonialism.

In conclusion—and I should like to say to the Senator from Massachusetts that this thought came to me last night while I was reading his very effective and able address—I wonder if we in our country might not set an example to France to give self-government and freedom to Algeria by granting self-government this year to Alaska and Hawaii as equal States of the Union, and in that way show France and the world that America not only preaches democracy but practices democracy as well.

Mr. KENNEDY. I believe that would have a beneficial influence. However, I do not equate what is happening in Russia with what France is doing in Algeria. Neither do I equate the situation of Algeria with that of Alaska and Hawaii. I am sure the Senator does not do so either.

Mr. NEUBERGER. I do not. Nevertheless, all through the world there runs the search for freedom and liberty. It may be more evident in one place than in another, but it all concerns the great question of self-government. While it may be a matter of degree, wherever American influence is felt, either under its own flag, or in the form of indicating our views to those under other flags, that influence should be exercised on the side of self-government.

Mr. KENNEDY. Of course, the Alaskans and Hawaiians want to make their ties more intimate, which is not the situation with reference to the Algerians. Nevertheless, it is an expression of a people.

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

Mr. KENNEDY. I yield.

Mr. COOPER. I should like to express appreciation of the important speech the Senator from Massachusetts has made. It was a clear exposition of a difficult problem. Although he has spoken of a specific situation, in doing so he has pointed out a dilemma of our country. It is the problem of maintaining unity with our allies in the crisis we have faced since World War II, and at the same time maintaining our traditional position against anticolonialism and for independence.

I know he would not want his speech to obscure the fine and magnificent record in its full perspective, of the United States against colonialism. In every situation in which our country had full power to act as in the case of the Philippines, Puerto Rico, and Cuba, its decision was against colonialism, and for independence and self-determination.

Further, I am sure the Senator will remember that since World War II, we have given our support to India and Indonesia and other countries in their struggle for independence. In the United Nations we have supported the gradual movement toward independence of former colonies—among them Libya and Eritrea. It is also fair to point out that even when other countries have claimed complete jurisdiction and asserted that any consideration by the United Nations of the claims of peoples under their governmental control, was an interference in their internal affairs, as in the case of the apartheid in South Africa, the United States and its representatives in the U. N. have spoken out. Nevertheless, the Senator from Massachusetts has pointed out the more difficult situation that obtains in respect of Algeria, because of the close relationship and friendship of the United States with France, and the common effort we have made against what we consider the greatest threat to freedom and self-determination by the people of the world, and at times we appear equivocal in our position against colonialism.

There is a policy of gradualism toward independence of course, which the United Nations has recognized, and followed in the case of the former Italian colonies. Former colonial countries agreed in that case, with gradualism. Great Britain pursues such policy of gradual development of its colonies toward independence. I would suggest to my distinguished friend that when we support the policy of gradualism our test ought to be, whether it is actually a process toward independence or a cloak to deny independence. I believe that the Senator is suggesting that we use our good office toward a solution of this problem before it passes beyond the possibility of solution.

Mr. KENNEDY. I think there is much in what the Senator says. Mr. Dillon and Mr. Lodge are in very difficult, sensitive positions, and are confronted with conflicting pressures.

We want to maintain our traditional policy of friendship with the people who are fighting for independence. At the same time, we have close ties upon which our military security depends, and we owe loyalty to those with whom we are allied. So if I have criticized them, it was not without full recognition of their problems and recognition of the fact that from 1945 to 1952, on the question of Indochina and other questions, American representatives, who were Democrats, faced the same problem and, in my opinion, did not at that time take a firm enough position. I criticize them, as I am criticizing the present leadership.

The only point I am attempting to make is that I do not think that, since the last United Nations meeting, the situation in Algeria has visibly moved forward toward a rational settlement. It seems to me that French policy in that area is almost stagnant, and I think substantial elements of French opinion recognize that fact.

I suggest that by the time of the United Nations meeting next fall this matter will confront us again. I think the situation is continuing to deteriorate. No progress has been made in the past year. Action was deferred before on the assumption that progress would be made. Since no progress has been made, what are we going to do? I am attempting to indicate that France and the United States will have to take a new look.

In March 1957 the New York Times quoted Robert Lacoste, the French Minister residing in Algeria as reporting to the French Cabinet that the rebellion-torn north African area would be pacified in 3 months. That was written in March of this year.

I could show the Senator headlines in the newspapers of 1947, 1948, 1949, and 1950 concerning Indochina. This situation will not end under present conditions. Mr. Lacoste has been recycling similar periodic predictions since he took

office early in 1956, and his predecessors did likewise.

Mr. COOPER. I was not bringing into question the facts the Senator has stated; I was simply trying to point out that on the whole our record throughout the years regarding colonialism, and the support of countries seeking independence has been good, and that our leaders and our representative in the United Nations deal with a sensitive issue regarding Algeria. I agree with the Senator that our past record does not relieve us from taking a new look and making new determinations of policy.

I know, as does the Senator from Massachusetts, that the movement toward independence throughout the world will never be stopped. It is necessary that this country associate itself with others in seeking constructive solutions in countries which move toward independence. I must say that I think this is an extremely difficult problem so far as Algeria is concerned.

Mr. KENNEDY. I thank the Senator from Kentucky. I think it is fortunate that independence is the strongest force, because ultimately the only force which will bring the Soviet Union down will be the desire of the people for independence, the desire not only of the people who live in the Soviet Union itself, but also the people who live under the control of the Soviet Government.

So recognizing independence as a force, I think we should turn it to our own advantage; and we can do that best, I think, by clarifying our own position.

I thank the Senator from Kentucky. I know of no Member of the Senate who has, during the past 10 years, under both Republican and Democratic administrations, taken a more objective, more experienced look at all of our foreign policy problems, or who has rendered more distinguished service in that field, than has the Senator from Kentucky.

Mr. COOPER. I thank the Senator. There is one other point which I think should be reiterated. The Senator from Massachusetts has stated it in principle. That is, our tradition of influence in the world depends upon our support of freedom and our belief in freedom at home as well as abroad. I think we will deny our tradition unless we continue to associate ourselves constructively with the great movement for independence which is now in progress throughout the world.

Mr. KENNEDY. I thank the Senator. I agree with him wholeheartedly.

Mr. DIRKSEN. Mr. President, I desire to make some reply to the statement of my distinguished friend from Massachusetts, but I understand that the Senator from Louisiana desires to make a 10-minute speech.

Mr. LONG. It will be approximately 10 minutes; yes.

Mr. DIRKSEN. I thank the Senator. Mr. President, I wish to make some response to the remarks of my distinguished friend, the Senator from Massachusetts [Mr. KENNEDY].

First, I pay him the honor of stating to him that I have read his speech twice before today, and I also listened to most of it when it was delivered today.

Mr. President, I suppose it can be accurately said that history seems to run either in cycles or in parallels. The address delivered by my distinguished friend, the Senator from Massachusetts, reminds me of what happened on the floor of the Senate almost 4 years ago to this very day. I recall rather vividly having been in the Orient, to visit such areas as Indochina and elsewhere, with another distinguished Member of this body, the Senator from Washington [Mr. MAGNUSON]. In those countries we made some sustained observations, and then returned to the United States, and reported to the President of the United States.

I recall the breakfast meeting at which the report was made. I said, "Mr. President, what they need in Cambodia, what they need particularly in Indochina"—now South Vietnam—"is independence, because it is only the fire of independence that so stirs people to fight for something in the nature of a homeland and for the freedom which is so dear to the human heart."

I think some representations were made at that time, rather informally, but when the foreign aid bill was considered—and I had some share in its preparation—I made a suggestion to my colleagues, which finally eventuated on the floor of the Senate in the form of an amendment. The interesting thing about it was that it was an amendment submitted finally by our distinguished friend from Massachusetts. The day was July 1, 1953, and the language of the amendment, which is to be found in the CONGRESSIONAL RECORD, volume 99, part 6, page 7787, read as follows:

Provided, That the expenditure and distribution of the funds, equipment, materials, and services authorized under this or any other section of this act on behalf of the Associated States of Cambodia, Laos, and Vietnam, to the extent that it is feasible and does not interfere with the achievement of the purposes set forth in this act, shall be administered in such a way as to encourage through all available means the freedom and the independence desired by the peoples of the Associated States, including the intensification of the military training of the Vietnamese.

It was 4 years ago yesterday that the amendment was offered on the Senate floor. The vote on it was 17 to 64. I shared the conviction and the zeal of my distinguished friend from Massachusetts. I was one of the 17 who voted for it. So I shall let the history books indicate how I felt about it, and, as a matter of fact, how I feel about it even now. But one of the things that made a deep impression 4 years ago yesterday was the address delivered by the former distinguished Senator from Georgia, Senator George. He is no longer a Member of this body, but I recall his eloquence, and I recall his persuasion, and I recall what a deep effect his statement had on this body, for when we got through on the Kennedy amendment, it had been defeated by a vote of 64 to 17. One of the first things Senator George said was this:

Much as I am concerned about what goes on in the East, and in the Far East, I am still concerned about what goes on in Western Europe. If France should not decline to accept further assistance, or if France should be forced to take a political action which she is not yet able to take because of the conditions which we would impose upon her by this or some similar amendment, then I think it would be very difficult to prevent the NATO organization from falling apart.

I recall the solicitude of the Senator from Georgia on that occasion, and how he expressed his interest in France, and how vital it was, not only to NATO but to the security of the United States of America. I think it is one of the first things we must keep in mind in connection with what I am sure the distinguished Senator from Massachusetts knows to be the delicate problem with which the Republic of France contends in Algeria.

Sometimes parallels are drawn between Algeria and Tunisia. I doubt whether they are parallel. In the case of Tunisia, there were leaders with whom we could work. There was the Bey of Tunis and the present Prime Minister Bourguiba, men of character and of intellectual resource, with whom we could deal, and who could act as a nucleus.

In the case of Morocco, we had the Sultan. In the case of Vietnam we had the Chief of Staff, Ngo Dinh Diem, a man of resolute purpose, character, and intellectual resource, who had much to do with keeping that country together, and with sponging out the divergent groups that menaced the peace of Vietnam, and so gave it stability and brought it into the sunlight of independence and freedom.

I think our record in this whole field is pretty good. Sometimes the diplomatic hand is not too apparent to the eye, but I think in the case of Tunisia, in the case of Vietnam, in the case of Cambodia, in the case of Laos, a great deal of work has been done. That, I think, is equally true in the case of the very delicate situation that prevails in Algeria at the present time.

I am rather concerned about the impact on the thinking in France. Do we worsen the situation or do we improve it if we adopt the resolution which has been offered by our distinguished friend from Massachusetts? I think I ought to read into the RECORD at least one paragraph of the resolution, because it contains this phrase. This is the salient paragraph:

The President and Secretary of State be and hereby are strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations; be it further

Resolved, That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an orderly achievement of independence.

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

Mr. DIRKSEN. I yield.

Mr. CHAVEZ. May I ask the Senator what is wrong with that?

Mr. DIRKSEN. There is nothing particularly wrong with it, except—and I

shall be very candid about it, Mr. President—I think that there is a disposition on the part of the United States Senate as a body ofttimes to move too far and to embarrass the efforts of the President and the Secretary of State and those engaged in diplomacy in this very field. Who can doubt the Secretary of State has gone far in this field already? He was in Paris in May, conferring with Mr. Mollet. Christian Pineau was before the United Nations General Assembly in January of this year. I am not prepared to say whether the suggestions which have been made about a cease-fire, about free elections, and so forth are sufficient, but I do say that this administration is not wanting in diligence and zeal in that field. While we do not always see the hand, while it is not always apparent what is being done, I must add this is the kind of work that is not necessarily effectuated with a brass band.

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

Mr. DIRKSEN. I yield.

Mr. MORTON. The Senator has mentioned six countries that were either colonial countries or had a semicolonial status at the end of World War II. Five of those countries are now independent. That is a pretty good record. Tunisia, Morocco, Laos, Cambodia, and Vietnam have all achieved their independence.

Mr. DIRKSEN. That is true.

Mr. MORTON. The Senator has mentioned the fact that this kind of work is not always effectuated with a brass band. Certainly, our Department of State has been working, through diplomatic channels, with the French and with the people of the countries affected in an effort to achieve independence. I was an officer in the Department of State in the tragic times of the difficulties in southeast Asia. It was a matter of daily concern to the officers of that Department, from the Secretary on down, that the three countries in that area should achieve their independence. But in solving that problem it was felt we should not kick one of our strongest NATO allies in Europe out the window.

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

Mr. DIRKSEN. I yield.

Mr. KENNEDY. I should first like to point out to the Senator, with reference to the three leaders who have been mentioned—Diem, the Sultan of Morocco, and Bourguiba—that Bourguiba had been in a French jail several times; that the Sultan of Morocco was only brought back from forced exile only when the situation became intolerable and that Mr. Diem lived in this country for years, and when he returned in some obscurity, I think was quite properly supported by the United States even against the judgment of the French.

So I do not believe we have observed in those instances leaders who had the support of the French in their move to win independence. These people were brought in only when there was no other alternative.

I have no doubt that it is possible to find responsible leaders in Algeria, but the longer the problem persists the more difficult it will be to find responsible leaders in Algeria.

The Senator may remember that I thought we might adopt the amendment, in previous debate, until Senator GEORGE, with all his influence, "lowered the boom." The Senator will remember that in his speech Senator George said:

> If France is forced to withdraw from Indochina, or if she voluntarily withdraws from Indochina, what assurance have we that Indochina will not itself fall a victim to Red China?

In fact, because of the recognition of the rights of the people of those areas, I think, Indochina did not fall a victim to Red China. Both under the military diplomacy of Mendès-France and the defeat at Dienbienphu, the French were forced to withdraw, but if they had stayed there another year or two, I have no doubt in my mind that Ho Chi Minh, the Communist leader in the fight against France, would have dominated the entire country. We were fortunate that there was brought into play an unusual personality in the person of Diem.

I do not wish to be harsh or unfair, but I do not think we are moving ahead, or that the French are moving ahead. Since the United Nations meeting last winter there has not been appreciable progress. We are going to be faced with very difficult decisions. I would like to see the French, as well as the United States, use their time before the next U. N. debate in an effort to move to new ground, and to recognize the fact that Algeria is entitled to independence. If it were obtained I hope Algeria would continue to maintain constitutional ties, or at least close connections, with France.

I am aware of the fact that the prospects for the adoption of my resolution are rather dubious, but it indicates, at least in my judgment, the hope that the people of North Africa, the people involved, will realize that the people of the United States are interested in them. I hope this action will bring some attention to the matter from the people of France. There are many people in France, I think, who feel as I do, that the time has come for France to make a substantial change in its present policy. That is all I hope to accomplish, or to have an influence in accomplishing.

Mr. DIRKSEN. Mr. President, I wish to add one comment from the statement of Senator George, which I thought was particularly persuasive. He said:

> Mr. President, it is known in the State Department, it is known in the executive offices of this Government, it is known by all of us who have tried to keep abreast of what is going on in Indochina, that a great effort has been made to bring France herself to a decision which would obviate the necessity of this kind of amendment or resolution.

What Senator George meant to point out was that an effort was in progress, and that they were sensitive to the independence issue in Asia.

I observed the situation there. Anyone who visited with the leaders in Indochina, Cambodia, and elsewhere could not have failed to sense the feeling of the people. The distinguished Senator from Montana must have appreciated it when he was there.

As an "eager beaver" I came back to put some steam behind the effort in that regard. But I realize there is such a thing as patience in this field of endeavor, if we are going to accomplish the greatest amount of good.

In further comment on the observation which the Senator from Massachusetts made a moment ago, the strong leaders in Algeria have not yet come forward. If we suppose independence were granted tomorrow, would it eventuate in anarchy, in civil war and bloodshed? The resulting condition might be infinitely more aggravated than what obtains at the present time, bad as it is. I do not condone it. I do not apologize for it. I think it is a terrible thing, and that a solution ultimately must be forthcoming. But I do not believe there has been laches; I do not believe there has been negligence; I do not believe there has been a lack of diligence on the part of this Government or its official and responsible officers.

Mr. KENNEDY and Mr. MANSFIELD addressed the Chair.

Mr. DIRKSEN. After I have made one other comment I will yield.

I noticed in the Senator's statement the observation that the Vice President did not comment on this matter in his formal report. However, I can say to the Senator that the Vice President did comment at length in a confidential report which he made on this subject. He was exercising caution, and I think the necessary prudence, because of the delicacy of the situation that was involved.

I now yield to the Senator from Massachusetts.

Mr. KENNEDY. I will say to the Senator that one of the reasons why the amendment was defeated in 1953 was that the word was passed on the floor of the Senate that in about 2 weeks—it may have been July 6, but at least within 2 weeks—the French Government would come forward with substantial concessions to the Nationalists in Indochina. As I remember, in July, of 1953, they did make some proposals, which were completely inadequate to meet the situation.

I must say that when the Senator was younger, more youthful and vibrant——

Mr. DIRKSEN. I thank the Senator.

Mr. KENNEDY. He favored this type of amendment, but now the responsibility has sobered him.

Mr. DIRKSEN. The responsibility and 4 years have sobered me.

Mr. KENNEDY. I am not sure I might not argue the same way if I were the Senator from Illinois, but my view is that progress is never made unless there is some incentive, some pushing and goading toward progress.

I believe we should not let this fight go on simply among the Algerians, Tunisians, Moroccans, Egyptians, Communists, pro-Arab groups, and antiwestern groups. I think we in the United States should usefully join this debate. I think it will pay dividends to us in the years ahead, when Algeria ultimately receives independence, as I am confident it will. I believe Algeria will receive independence, whether the policy I have suggested is followed, or whether the policy

of the French Government is followed. Ultimately, Algeria will be independent. I hope they will look to the West with favor, and acknowledge us, because I trust we will take a strong stand in their favor.

I thank the Senator.

Mr. DIRKSEN. First, by way of comment, Mr. President, I should like to say to my distinguished friend from Boston that at his age I would have been a member of the Boston Tea Party, I am sure, and I am not so sure that I would not be today, even though a little older.

Now I should like to stress the importance of France in the NATO line and the importance of France to the security of the United States. If there is any doubt about it, all anyone has to do is to go there and count the air bases we use and all the facilities we have. France has been our oldest ally I think, and that merits consideration on our part, and a caution as to the delicacy of the problem which confronts France at the present time. She is wrestling with it.

I do not care to pass judgment on whether or not what is happening at the moment is right or wrong. At least France has come to grips with the problem; and so have we.

I think as responsible leadership develops in Algeria, as it has in Tunisia and in Morocco, swifter progress will be made. In view of the fact that representations have already been made to the United Nations, I think that situation must be taken into account.

So, Mr. President, what we deal with in a resolution of this kind is its impact upon the thinking of people in another country. We forget that so easily.

I remember introducing a bill in the House of Representatives to increase the quota for India under our naturalization acts, and when I went to Delhi, there was my name in 3-inch headlines on the front page of all the daily newspapers in India. It showed that they kept abreast of what was going on here.

Of course, at a time when they are wrestling with a complicated problem, I think we ought to be very careful not to step on their toes.

Also we should constantly emphasize the fact that the executive branch—the President, as the conductor of our foreign policy, and the Secretary of State as his right hand—are certainly not insensible of the problems which confront us.

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

Mr. DIRKSEN. I yield.

Mr. KENNEDY. I am reminded that the Senator and I cosponsored a resolution for freedom for a united Ireland, so I should like to know how the Senator squares that action with his opposition to the present resolution.

Mr. DIRKSEN. Nothing ever haunted me so much as did that resolution, because everyone thought I was an Irishman from County Kildare. I am afraid there is not a teaspoonful of Irish blood in me; yet I was the author of a resolution for an undivided Ireland.

My distinguished friend from Massachusetts joined me in that effort. We secured 17 sponsors and cosponsors—to correspond with the 17th of March which is the memorial day of the great patron saint of Ireland. So we carried on; and even though we received no sympathetic hearing on the part of the Foreign Relations Committee, we put our best foot forward.

I believe that those people have the right, under those circumstances, to determine their undivided destiny. All the counties of Ireland except six share in a certain type of independence. I believe it is up to them, by plebiscite, to determine whether or not the six counties should be taken into the Republic of Ireland.

I see my distinguished friend from Montana [Mr. MANSFIELD] smiling. As a good Irishman, he joined us in supporting the resolution to which reference has been made.

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

Mr. DIRKSEN. I yield to my distinguished friend from New Mexico.

Mr. CHAVEZ. I am not Irish, but I am sympathetic to both South Ireland and North Ireland. What is the difference between obtaining freedom for North Ireland or South Ireland, and obtained freedom for Algeria?

Mr. DIRKSEN. From the standpoint of the people, there is not the slightest difference, whether they be Algerians or Irish, whether they be Orangemen in Belfast, or, for that matter, whether they be Negroes in our own country who are seeking full citizenship.

Mr. CHAVEZ. I go along with the Senator in that philosophy, but the resolution before us deals with the Algerians. Is the Senator against freedom for the Algerians, merely because the French wish to retain Algeria as a colony?

Mr. DIRKSEN. There is not a particle of difference. What I am trying to point out, in response to the able and well-reasoned speech of the Senator from Massachusetts, is that the Vice President, the President, the Secretary of State, and the State Department are not lacking in zeal in dealing with this question. We must always bear in mind the necessity for cautious prudence when we are dealing with a sovereign country like France, which insists that Algiers is a part of metropolitan France. I do not necessarily have to concede that argument, but the contention is made.

Mr. CHAVEZ. I am in favor of caution. I am in favor of the State Department, the President, and the Vice President being cautious. However, they come and go; but freedom must be forever.

Mr. DIRKSEN. That is true.

Mr. CHAVEZ. I have the greatest respect for the Secretary of State, for the President, and for the Vice President. But we are now discussing the question of freedom, which must be eternal. In this instance what is wrong with the resolution of the Senator from Massachusetts?

Mr. DIRKSEN. I read the resolution a moment ago. I shall reread the middle paragraph, because it is rather significant.

Mr. CHAVEZ. I may be a little dull——

Mr. DIRKSEN. My friend is just as sharp as a southwestern cactus.

Mr. CHAVEZ. And my friend is as sharp as an Illinois porcupine. [Laughter.]

Mr. DIRKSEN. I read the middle paragraph of the resolution:

> The President and Secretary of State be and hereby are authorized and strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations.

Suppose the Senator from New Mexico were a Frenchman, a French leader in Algeria. How would he feel, in view of the fact that there is no suggestion in the resolution that independence ought to be achieved through the Government of the Republic of France?

Mr. CHAVEZ. I would feel like Washington crossing the Delaware. I would feel exactly as did those who fought for the independence of this Nation as against the King of England. He thought everything was wrong, but the American colonists did not think so.

Mr. DIRKSEN. I am sure I do not know how George Washington felt when he was crossing the Delaware, except that it must have been cold.

Let me read the last paragraph of the resolution. If we fail to achieve freedom for Algeria through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, this is the alternative method:

> That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an orderly achievement of independence.

I am for independence, but we are dealing with another country.

Mr. CHAVEZ. I think it is good American policy to be for independence.

Mr. DIRKSEN. This territory is regarded as a part of metropolitan France. I do not wish to offend our French friends.

Mr. CHAVEZ. The French claim jurisdiction over this territory. However, theirs is the power of might, and not the power of liberty and freedom.

Mr. DIRKSEN. I share the conviction of my good friend from Massachusetts, but I believe that in this rather fitful and feverish world there should be caution on the part of this country in assuming additional grave responsibilities. These things must be accomplished in a proper way. The maximum of patience must be exercised when we are dealing with anything so explosive. We might inherit a condition of complete anarchy in Algeria. How might it be controlled? That is the point I seek to emphasize.

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

Mr. DIRKSEN. I yield to the distinguished former Assistant Secretary of State.

Mr. MORTON. I take this opportunity to commend the distinguished Senator from Massachusetts for bringing this subject before the Senate today. Undoubtedly it was a tremendous effort for him to prepare the address which he delivered today. I think it has been stimulating, and that it will be of great service.

I do not wish to take the time of the Senate at this point to comment in detail. I know that the Senator from New Mexico [Mr. CHAVEZ] wishes to make progress in the consideration of the defense appropriation bill.

I should like to make three brief observations. First, upon reading the address of the distinguished Senator from Massachusetts—and I read it before I heard it—I was impressed with the fact that there is a tendency to underestimate the difficulties which the French people face politically.

Second, I think there is perhaps some underemphasis of the serious efforts being made by the French Government, and especially by Guy Mollet, to bring this matter to some resolution.

Third, I am not sure in my own mind—and I assure the Senator from Massachusetts that I have an open mind—that the formula which he suggests would be the most helpful in this dilemma.

I thank the Senator from Illinois for yielding to me.

Mr. DIRKSEN. Mr. President, before yielding the floor, I salute my friend from Massachusetts for his able discourse in the interest of human freedom and independence, on the eve of our own great Independence Day, in the hope that we can move forward and help other people to achieve the same golden goal. At the same time, we should be mindful of the approach and the techniques which are necessary in order to achieve the objective at the earliest possible time, so that the situation will not be worsened and our responsibilities from here on aggravated.

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

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I think the discussion this afternoon has been helpful and beneficial.

I wish to commend the Senator from Massachusetts for making the speech he made today, not that I agree with every aspect of it; at least he laid the cards on the table, and they are there for all to see. I commend him for submitting the resolution. I do not know how far it will get, but I am quite certain that it will be given serious consideration in the Committee on Foreign Relations. If something does come out of the committee, it may be somewhat different from what he has offered.

We have been following a course of caution for a long time in this particular matter. I find no blame with the position of the State Department or the administration, because what is happening under the present administration also happened under previous Democratic administrations. We have been caught in the middle. We have friends on both sides. We have tried to placate both sides. We have tried to keep friendships on both sides.

Somebody had to say something. It is entirely proper that the distinguished Senator from Massachusetts should make the speech he has made this afternoon. I am very happy that the assistant minority leader, the Senator from Illinois [Mr. DIRKSEN] made his remarks, and that our friends, the senior and junior Senators from Kentucky, made their statements and expressed their feelings with respect to what the Senator from Massachusetts had to say.

Therefore I hope that on the basis of the candid and courageous statement made by the Senator from Massachusetts, his speech will be understood in its proper perspective. I am sure he is not trying to tell the French Government or the French people what to do.

Perhaps what he did this afternoon was something which the French people themselves have been unable to do, because of lack of decisiveness, and perhaps because of extreme caution, which has characterized the Government in recent years.

However I point out that perhaps it is not a question of independence for Algeria. The Senator from Massachusetts has stressed the idea of interdependence. One of the great generals of France, Marshal Juin, has come forth with the idea of a federation or a commonwealth status for Algeria. Although it is primarily a French-Algerian question, it is a question which, if not settled, is bound to affect the international relations of other parts of the world, and is something which is bound to affect us considerably. Therefore I hope that not only the Government of France and the people of France, but that the State Department and the administration also, will accept what the Senator from Massachusetts has stated in the spirit in which it was said, and I express the hope that out of this debate there may come a solution acceptable to all sides.

Mr. KENNEDY. I thank the Senator.

THE LOUISIANA DISASTER

Mr. LONG. Mr. President, on Thursday morning the most destructive hurricane in 30 years struck the Louisiana coast. The full fury of the blast struck the shore of Cameron Parish at 8 a. m., several hours before it had been anticipated. The tidal wave accompanying the blast was approximately 13 feet above sea level. In the city of Cameron, at an elevation of approximately 4 feet above sea level and located about 4 or 5 miles from the Gulf of Mexico, the surging current was about 9 feet deep.

In effect, the storm simply made the low marshland prairies a part of the Gulf of Mexico. Human bodies were washed as far as 18 miles inland.

At the time the storm struck, all communications with the coastal area were destroyed. Telephones and radio facilities at the coast were knocked out by power failure; radios in patrol cars were submerged; and radio towers further inland were destroyed.

It was more than 24 hours from the time the storm struck until contact was reestablished and relief was able to reach the coastal towns.

The press of the Nation has informed Americans of the devastation and suffering that accompanied this hurricane.

We are grieved and shocked by the tremendous loss of life and property that has resulted from these hurricane winds and the tidal wave that came in their wake.

For several days, now, our people, aided by civil defense and other emergency forces, have been seeking stranded survivors, treating their wounded, and accounting for their dead and missing in an area estimated to be 95 percent destroyed.

Deaths are estimated to exceed more than 500 in number and the number continues to rise as helicopters and airplanes search the marshlands for bodies.

For several days burials awaited the construction and arrival of caskets. Bodies have been preserved by refrigeration until proper funerals can be arranged. Stark human tragedies have been so tremendous that we have not yet attempted to assess our property damage.

The coastal towns of Cameron, Grand Chenier, Creole, and Pecan Island are practically destroyed. The total population of these towns was about 2,500. Latest estimates indicate that approximately 20 percent of their population is dead. Ohers are threatened with disease and aftereffects of the storm.

Reports of courage, valor, and personal sacrifices, as well as pitiful unsuccessful efforts to save loved ones—the types of things that reach the headlines of newspapers on ordinary days—were so commonplace that they were little noticed.

Cattle have perished by the tens of thousands. Livestock and poultry have been destroyed in untold quantities. Damage to homes and other structures has run into a great many millions of dollars. Rice fields have been flooded by ruinous salt water. The fresh water supply for these crops was cut off by destruction of the power supply for deep wells.

Other cities, towns, and villages have suffered major damage. In Lake Charles the majority of homes sustained damage. In the small city of Eunice, more than a million dollars of storm damage was sustained. In its first inventory, the oil industry assessed its damage in excess of $10 million. Considerable damage has been reported in Lafayette, Morgan City, Opelousas, and other cities and towns removed from the immediate vicinity of the tragedy-stricken area. Little has been said or printed about these inland property damages because of the overshadowing tragedies on the coast.

The hundreds of dead and missing, and the thousands of homeless, cause us to ask whether our Nation can render more effective and direct assistance to the victims of this tragedy.

The work of rehabilitation in Louisiana will be long and tortuous. Those on whom this hurricane struck with such

devastating force are frontiersmen who have struggled against the cruelest of the elements for a lifetime. Had it been otherwise, they would have been less reluctant to abandon their homes and their earthly possessions to seek greater personal safety, thus reducing the death toll.

They will again rebuild their homes and communities and make their contribution to the greatness of their nation. It is because they are such people that I urge this Government to exert every possible means in assisting the citizens of Cameron, Creole, Grand Chenier, Pecan Island, and nearby settlements during this initial period of almost complete helplessness.

Tomorrow, I will go into this area, and personally will attempt to assess the magnitude of the damages, and will confer with those who are in charge of rehabilitation, to see what can most effectively be done to restore these people to a normal way of life in the least possible time.

The National Guard, the Civil Defense Administration, and the Red Cross are providing emergency aid. The Small Business Administration and the Farmers Home Administration will lend money and, help on liberal terms, at low interest rates, to help persons rebuild their businesses and their homes. The Federal Housing Administration will also insure loans for rebuilding housing for as much as 100 percent of the cost of the homes.

The Department of Agriculture will make available surplus foodstuffs for human consumption, and also to help save the livestock.

The Army engineers, the General Services Administration, the Public Roads Administration, and others will help from the Federal level to bring order out of chaos.

Every department of our State government will assist wherever possible. Local citizens from nearby communities are volunteering generous aid.

In spite of all this, however, the survivors of the hurricane disaster will find themselves deeply in debt for many years to come, in order to regain their homes and property values that were lost in the storm on Thursday.

Already we have seen enough to agree upon the wisdom of the many provisions Congress has made to assist in this type of emergency. Few Members of this body or of the House of Representatives would care to backtrack on the established measures presently available. Obviously, more is needed.

A few days ago the House of Representatives eliminated from the budget funds for flood insurance, and today we see by the press that the Federal Flood Indemnity Administration closed shop without issuing a single policy. That penny-wise, pound-foolish mistake should be corrected as soon as possible. Thereafter, we should explore the possibility of direct Federal grants in situations where insurance fails to provide an adequate answer.

Furthermore, Federal activities in resisting beach erosion should be expanded to assist State and local governments to maintain the beaches of the Nation. This problem is beyond the ability of a single individual or any group of individuals acting together. Our beaches and shorelines are a great national asset. Properly developed, they furnish recreational facilities for the enjoyment and the benefit of the entire Nation. If we are to develop them properly and to protect those who live in the area, we must find ways of insuring their investment and to protect the shoreline from the encroachment of the sea. In these fields, much remains to be done.

Mr. BUSH. Mr. President, will the Senator from Louisiana yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Louisiana yield to the Senator from Connecticut?

Mr. LONG. I yield.

Mr. BUSH. I wish to say to the Senator from Louisiana that I have listened with great sympathy and understanding to the remarks he has made regarding the disaster which has occurred in Louisiana, because it was only 2 years ago that in the State of Connecticut and elsewhere in New England there was a similar, if not quite so severe, disaster. I have an especial interest in the matter, because at Eastertime I told the Senator from Louisiana that I was going to visit that area, and I did; and I went to Cameron, which was struck so severely; I visited Cameron because my son was in business there. The part of his business which was established in Cameron was completely washed out by the flood. However, that reference is purely incidental to the statement I wish to make to the Senator from Louisiana.

In addition to offering my own sympathy and the sympathy of all the people of my State, I should like to say to the Senator from Louisiana and to all those who may hear his statement today or who may read it in the press or elsewhere that the President of the United States has called upon the people of the country to respond to the appeal of the American National Red Cross for assistance in the face of this great disaster. From my own certain knowledge and my own observations and experience, I know that nothing else which can be done at present by persons not connected with the Government or not connected with the actual relief work on the ground can be so useful or so helpful as to support the appeal for funds by the President of the United States so as to enable the American National Red Cross to lend relief and comfort and assistance in the rehabilitation of stricken people in the State of Louisiana.

One is apt to think of the American National Red Cross as an organization which, when disaster strikes, takes to the stricken area a coffee wagon which serves coffee and doughnuts, and also establishes a first-aid station to distribute band-aids, and so forth. However, as a matter of fact, the initial work in dealing with an emergency or great disaster of this kind is but a very small part of the work the American National Red Cross does and has done during the years, in connection with great disasters in various localities. More than 90 perment of the money the Red Cross spends under these circumstances goes to what the Senator from Louisiana has called rehabilitation. The great problem before the people of Cameron and the surrounding area is not to bandage the wounds, but to try to rehabilitate the people, so that they can, as the Senator from Louisiana has said, rebuild their homes and rebuild their lives. That is what the disaster fund of the American National Red Cross must help them to do. It is the only grant-in-aid money which can be given today to the people in that disaster area.

The Senator from Louisiana has made a very fine presentation in recounting the agencies of the French Government which are available under these circumstances; and they will—as they have over the years, in various places—render very valuable service to the Senator's State. But in order for some of the persons in the disaster area to obtain loans, some equity money must be available; and the American National Red Cross is in a position to supply that money, as it has done in hundreds and hundreds of cases in the New England States and elsewhere in the Nation, as I particularly saw done in my own State in 1955.

So I join the Senator from Louisiana in appealing to the people of the United States for sympathy, understanding, and action in connection with the disaster; and I desire to state that the one thing anyone can do, if he wishes to be helpful at this stage of the game, is to contribute to the American National Red Cross.

Mr. LONG. I thank the Senator from Connecticut. As he well knows, the Red Cross is doing a very fine job and is assisting; and we are grateful for all the assistance it is able to render.

Mr. BUSH. I have made this comment because I happen to know that the Red Cross is nearly broke, insofar as funds for this kind of service are concerned. Those funds have been exhausted, due to the rather unusual number and extent of the disasters which have occurred in the past several years. Knowing that, and knowing the urgency of the need for free funds of that kind, which can be given away, I have taken the liberty of asking the Senator from Louisiana to yield to me on this occasion.

Mr. LONG. I certainly urge that those who can do so—and certainly I, myself, shall make a contribution to the Red Cross.

As I have stated, there is much more which can be done at the Government level, and I hope the Government will do all it can. I also hope the Congress will help improve the laws, so as to take care of such emergencies more adequately in the future.

Mr. CHAVEZ. Mr. President, I happen to be chairman of the Committee on Public Works. Many Senators speak about insurance or about what the Red Cross and other agencies should do. Of course such activities are entirely proper. All of us are sympathetic and all of us shed tears—as we should—because of the terrible disaster which has occurred in Louisiana. However, in many in-

stances such disasters should not occur. Instead of providing insurance or shedding tears of sympathy, the disasters should be prevented. The disaster which occurred in Connecticut or the disaster which occurred elsewhere in the New England area could have been prevented if the flood had been prevented.

In the case of the recent disaster in Louisiana, we sympathize very greatly. We wish to do the right thing, and we should contribute to the Red Cross or to any other agency which will help provide some kind of relief.

However, the principal thing is to prevent such occurrences in the future. That is the chief type of insurance we can provide. If we do that, I think we shall be doing the best we can, so far as the Government is concerned.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. LAUSCHE in the chair) 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.)

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

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

The PRESIDING OFFICER (Mr. CLARK in the chair). The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. O'MAHONEY. 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. O'MAHONEY. Mr. President, I desire to discuss an amendment which it is my intention to offer to the bill. The purpose of the amendment is to save a little money by carrying out the unification of the armed services as originally planned, at least with respect to the procurement functions of the Department of Defense.

The bill before the Senate provides appropriations in the amount of $34,534,229,000. I know the country is fully aware of what a billion dollars is. But sometimes I wonder whether Congress understands that a billion dollars is a thousand million dollars, and that $34 billion is 34 thousand million dollars.

If every person on the floor of the Senate this afternoon and every person in the gallery had a million dollars which he could contribute as a free gift to the Treasury of the United States to reduce the national debt, it would not make a dent in that debt.

DEBT WAS REDUCED AFTER WORLD WAR II

The debt of the United States is approximately $275 billion. It has been hovering around that figure ever since, at the conclusion of World War II, the then President of the United States ordered that the entire $20 billion which had been raised by the people of the United States to purchase the last war bond issue should be applied upon the payment of the national debt. That reduced the debt, at the end of World War II, from about $295 billion—almost $300 billion—to $275 billion. There it has stood year after year. Congress has from time to time passed temporary provisions allowing the Government to increase the debt above $275 billion, upon certain conditions that reductions should be made.

THIS IS LARGEST BUDGET EVER PRESENTED EXCEPT IN WARTIME

But this is the fact: We are dealing with a budget which is the largest budget ever presented to Congress by the Executive when the Nation was not involved in a shooting war. The amount provided in the Defense appropriation bill is as I have said, $34,534,229,000.

MUTUAL SECURITY AND DEFENSE COSTS TOTAL ABOUT $43 BILLION

When we shall have passed the appropriation bill to implement the Mutual Security Act, when that authorization law shall have been enacted, the total for mutual security and major defense will amount to about $43 billion. That will be more than 60 percent of the entire expenditures of the Government of the United States for all other purposes.

O'MAHONEY RIDER TO 1953 APPROPRIATIONS BILL WAS NOT ENFORCED

While the committee had the pending measure under consideration, I conferred with members of the task force of the Hoover Commission on the reorganization of the Government, and I read the speech of the majority leader in the House of Representatives, Representative MCCORMACK, of Massachusetts, about the lack of enforcement of a provision of law of which I was the author back in 1952, and which was designed to bring about the unification of the procurement activities for common use items by all of the Department of Defense. So I yielded to the suggestions which came from the Hoover Commission to seek to strengthen that section of the law.

I am referring to section 638 of the Defense Appropriation Act of 1953. The purpose of that section was to provide that the materials needed by each branch of the defense forces, and which were used by all of them, should be purchased noncompetitively by a single purchasing agent, and that the various branches of the Department of Defense should not be competing with one another.

This amendment is a modification of the 1953 rider endorsed by the Hoover Commission.

So the amendment which I offered to the Committee on Appropriations this year was a modification which was endorsed by the Hoover Commission. I gave notice yesterday that it would be my intention, on behalf of myself, of the Senator from Illinois [Mr. DOUGLAS], and of the Senator from Colorado [Mr. CARROLL], to offer that amendment today.

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

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. The Senator from Wyoming knows well that I joined in offering the original amendment suggested by the Senator from Wyoming.

Mr. O'MAHONEY. The Senator from New Mexico was kind enough to do that. I know that the Senator from New Mexico gave his valuable aid and assistance to the consideration of that measure.

Mr. CHAVEZ. But I discovered then, as a practical proposition, that notwithstanding the fact that the committee was most anxious to cooperate and agree with the suggestion, it would be legislation on an appropriation bill.

Mr. O'MAHONEY. There is no doubt of that.

Mr. CHAVEZ. Yes, there is no doubt about it. So I suggest that the proposal be brought up through the proper standing committee of the Senate. I am most sympathetic with the Senator from Wyoming, and I would like to go along; but I regret, so far as the appropriation bill is concerned, I cannot do so.

Mr. O'MAHONEY. Mr. President, I can understand why the chairman of the Subcommittee on Defense Appropriations has reached that conclusion. But after the committee acted, there came to my attention two startling reports which indicate very clearly the need of reform in the purchasing activities of the various defense agencies; and I wish to call those facts to the attention of the entire Senate.

Mr. THYE. Mr. President, will the Senator from Wyoming yield to me?

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

Mr. O'MAHONEY. I am glad to yield.

Mr. THYE. I hold in my hand a copy of the amendment proposed by the distinguished Senator from Wyoming, and cosponsored by the Senator from Illinois [Mr. DOUGLAS] and the Senator from Colorado [Mr. CARROLL]. I wonder how many additional persons the Department of Defense will employ if the amendment is enacted into law.

Mr. O'MAHONEY. I do not think there will be any real increase in the personnel of the Department of Defense. If the Senator from Minnesota will permit me to continue, before interrogating me about the details regarding the amendment, I wish to discuss the situation which exists. After I have done so, I think possibly he may be willing to concede that there is a real basis for calling the matter to the attention of the Senate at this time.

I am grateful to the Senator from Minnesota, because he was a member of the Defense Appropriations Subcommittee in 1952, when I offered the original

legislative rider, now known as section 638 of the Defense Appropriation Act of 1953; and he was one of those who helped to bring about its enactment. So I am grateful to him for that aid. If he will permit me to have an opportunity to lay before the Senate the additional facts which have come to my attention, I believe he may be willing to support the amendment at this time.

Mr. THYE. Mr. President, I do not wish to intrude——

Mr. O'MAHONEY. The Senator from Minnesota never intrudes.

Mr. THYE. But I should like to ask several questions.

Mr. O'MAHONEY. Will the Senator from Minnesota withhold his questions until I have presented the facts I have obtained?

Mr. THYE. Of course, I shall listen with interest to the presentation the Senator from Wyoming will make, just as—as a member of the Appropriations Subcommittee—I have attended quite a number of the sessions of the committee, in connection with the appropriations for the armed services. I am vitally interested in these matters.

The present amendment of the Senator from Wyoming, identified as "7–1–57–A," interests me very much, and I have tried to study it very carefully. I am alarmed at what we might find to be an additional appendix to an already huge Department of Defense; I believe that is what is likely to happen as a result of the amendment, if it is enacted into law. Certainly most additions of that sort are not needed; and I am afraid that the addition proposed in this case would be found to be a nuisance, rather than a service, to the Department of Defense.

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is disturbed about what he calls the appendix. I am disturbed about the cancer which is eating into the capital funds of the people of the United States, by means of the waste, extravagance, and competition among departments which should not be competing with one another. That process is resulting in the wasting of billions of dollars. I think I shall be able to demonstrate that to the Senator from Minnesota before I conclude my remarks. Perhaps then he will join me in attacking the cancer, instead of the appendix.

Mr. THYE. Mr. President, the distinguished Senator from Wyoming is most persuasive, but he is not sufficiently persuasive to convince me that there is a cancerous sore in the administrative functioning of the Department of Defense. I think the Department has been administered quite efficiently, under the direction of Charles Wilson and his civilian assistants. I believe there have been able civilian officials who have worked with the Joint Chiefs of Staff, as well. I do not know where we can find better heads for the various divisions of either the Navy, the Air Force, or the Army.

So I shall listen with interest to the presentation the Senator from Wyoming will make, just as I have attended many of the committee sessions.

Mr. O'MAHONEY. Mr. President, I am always happy to yield to the Senator from Minnesota, even when he announces his conclusion before he hears the evidence. [Laughter.]

Mr. President, I hold in my hand a report which was submitted to the House of Representatives on June 10 of this year. It is a report on the measure to continue in effect the provisions of title II of the First War Powers Act, 1941. That measure, which would extend for an additional year the provisions of title II of the First War Powers Act, came to the Senate only last week. It was referred to the Committee on the Judiciary, the committee which in the past has handled such measures. I was amazed when the chairman of the committee handed the report to me and ask me to submit to him an opinion regarding it.

In order to save time, I shall read only excerpts from the report. On the first page I read the following:

> Under the provisions of title II, the President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance, progress, and other payments thereon, without regard to the provisions of the law relating to the making, performance, amendment, or modification of contracts, whenever he deems such action would facilitate the national defense, subject, however, to the additional provisions set forth in title II.

WAR POWERS ACT WAS PASSED AS A WAR MEASURE

The original act was passed in 1941. Its purpose was to facilitate the prosecution of the Second World War, and it authorized the waiver of certain very essential housekeeping provisions to protect the money of the people of the United States and to prevent waste and extravagance in the various departments. When Congress passed that law, granting that waiver, it was guided by the belief that it was better to risk such waste and extravagance than to be too late in arming the Nation. But at the present time the United States is not engaged in a shooting war, and at present there is no need for the haste that was needed after the bombs fell on Pearl Harbor. At present there is no need for the sudden appropriation of huge sums of money or to allow the Department of Defense to have discretion regarding how the money will be spent wisely. Therefore, why should the Congress now do what the Department of Defense requests? The United States is not now engaged in war. Why should the Congress provide that the Department of Defense may enter into contracts and amendments or modifications of contracts now existing, and may make advance payments, progress payments, and other payments thereon, without regard to the provisions of the laws which require competitive bidding and require publication and notice with respect to all expenditures?

The requirement to obey those laws is forgiven, because, in the second paragraph of page 2 of the report we find the following language:

> The continuation of the effectiveness of these emergency powers has been and will continue to be of important assistance to the authorized departments and agencies of the Government in the prosecution of the national mobilization program.

EMERGENCY POWERS ARE NOT NEEDED NOW

What mobilization program is meant? Why is emergency power needed? We are not in an emergency. The Secretary of the Treasury appears before the Finance Committee and says that under his administration the national debt has been decreased. It has not been decreased. The chairman of that committee, the Senator from Virginia [Mr. BYRD], made it clear, in his interrogation of the Secretary of the Treasury, that the national debt is not being reduced. Why is it necessary to have emergency powers in current procurement activities?

I read now from the report:

> Under the act, executive departments and agencies are empowered to amend or modify Government contracts without additional consideration.

The contract has been made. The consideration has been fixed. The Department of Defense may modify the contract, increasing it without additional consideration to the Government of the United States. How can we defend the handling of the financial affairs of the United States in such a loose and extravagant manner? I read again from the report:

> Mistakes and ambiguities in contracts may be rectified, and indemnity payments may be guaranteed for otherwise noninsurable risks.

WE MUST EXAMINE CAREFULLY EXPENDITURES OF FUNDS

When the Defense Department comes before the Congress and asks for the continuation of emergency powers dealing with the expenditure of funds which are necessary, it compels us to examine closely the manner in which expenditures are made.

The report continues:

> Title II was reactivated for the Korean emergency by the act of January 12, 1951.

WAR POWERS ACT WAS NOT IN FORCE BETWEEN WORLD WAR II AND KOREAN WAR

Notice the word "reactivated." That means that prior to the Korean emergency the War Powers Act had come to an end, but because we were engaged in another shooting emergency, title II was reactivated. Then the report proceeds:

> In each Congress thereafter it has been extended. This legislation provides for a 1-year extension of the automatic termination date to June 30, 1953. Of course, in addition to the termination date, there remains the possibility of title II terminating at any time Congress by concurrent resolution or the President designates.

NO HEARING WAS HELD IN ACT EXTENSION

In the same report, there is a letter addressed to the Speaker of the House of Representatives, Mr. RAYBURN, by Mr. W. B. Franke, Acting Secretary of the Navy. There is a copy of the bill to amend the act of January 12, 1951, as amended. We find a letter from Mr. Joseph Campbell, Comptroller General

of the United States, to the chairman of the House Judiciary Committee, Mr. CELLER. We find a letter from Wendell B. Barnes, Administrator of the General Services Administration, to the chairman of the House Committee on the Judiciary. We find another letter from the General Services Administration to the chairman of the House Committee on the Judiciary. All those letters are contained in the House report. They express no opposition to the extension of the act. But the significant thing is that no hearing was held by the Judiciary Committee of the House. Not a word of testimony was taken. Not a single question was asked by a Representative, and the extension of these emergency powers was approved in automatic fashion by the House of Representatives.

Mr. President, I ask unanimous consent that a copy of the report from which I have been reading be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

HÉBERT REPORT CITES WASTE AND EXTRAVAGANCE IN SPENDING

Mr. O'MAHONEY. I had scarcely read the report on the extension of the War Powers Act when all the New York and Washington Sunday papers carried the account of the report submitted by Representative F. EDWARD HÉBERT, of Louisiana, chairman of the Subcommittee for Special Investigations of the Committee on Armed Services of the House of Representatives. This is the same Representative HÉBERT who was head of one of the committees that made the studies which resulted in the adoption of what has been called the O'Mahoney rider in 1952, which has designed to bring about unification of the procurement services.

The Senator from Illinois [Mr. DOUGLAS] yesterday gave the Senate a very clear and extensive review of what has been reported to the Congress and the country by Representative HÉBERT's study. I shall not find it necessary to read further in extenso from the report, but there are several extracts which ought to be made a part of this RECORD.

I read from the first page of the study. It bears the page No. 639 in the subcommittee proceedings No. 3, under the authority of House Resolution 67. I recommend that every person who desires to have an understanding of how the money of the people is being expended wastefully and extravagantly secure a copy of this special report and read it with attention. I read this paragraph:

On December 16, 1950, President Truman declared a national emergency because of Korean hostilities. Thereupon the Secretary of Defense directed the military departments procure by "negotiation" without regard to the provisions of the act relating to advertised sealed bidding or the other 16 exceptions in the act. Hostilities in Korea were terminated on July 27, 1953. But the Presidential proclamation of a national emergency has not been modified or revoked.

PEOPLE'S MONEY IS STILL BEING SPENT WASTEFULLY

The authority under which these emergency powers were granted has not been modified or revoked, and the money of the people of the United States is still being spent in the extravagant but necessary way that Congress felt could not be avoided during World War II.

On the second page of this document appears a table, to which the Senator from Illinois alluded, and I think inserted in the RECORD, yesterday. This table is a comparison of procurement by negotiation versus advertised competitive bidding during the period January 1, 1956, through September 1956, by dollar value and number of contracts under the Armed Services Procurement Act of 1947.

OVER 90 PERCENT OF OUR MILITARY CONTRACTS WERE NEGOTIATED, NOT ADVERTISED, IN 1956

The negotiated contracts during that period from January 1 to September 30, 1956, amounted in dollar value to $12,716,085,000. The advertised contracts amounted to only $1,111,727,000. In other words, the percentage of negotiated contracts, by dollar volume, was 91.96 percent as compared to 8.04 percent for advertised contracts under the normal law of the Government of the United States.

By number of contracts in the same period, the negotiated contracts numbered 2,731,151, and the advertised contracts numbered only 214,136. In other words, by number 92.73 percent were negotiated contracts and only 7.27 percent were advertised contracts.

RESULT IS CONCENTRATION OF CONTRACTS IN FEW LARGE COMPANIES

Is it any wonder that there is a concentration of Government contracts in the hands of a comparatively small number of large companies? Is it any wonder that small companies are finding it difficult to get contracts?

The contracts are not advertised, and after they have been awarded they can be changed until the 30th of June 1958, when the extension of the War Powers Act will expire. It remains to be seen what Congress at this session will do about that extension.

RECOMMENDS THAT ACT NOT BE EXTENDED

For my part, I submitted my report to the chairman of the Committee on the Judiciary of the Senate and recommended that the act should not be extended. Perhaps I should read that letter into the RECORD at this point. It is addressed to the Honorable JAMES O. EASTLAND, and is dated July 1, 1957.

DEAR JIM: You will remember that on Friday last you requested me to look into the extension of title II of the First War Powers Act of 1941 which has passed the House and is now pending before the Judiciary Committee. Title II of the act is a broad delegation of authority to the President or any department or agency of the Government performing functions for the prosecution of the defense effort and should not, in my opinion, be approved by the Senate committee without a hearing.

By Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049), the powers granted by the act were delegated to the Secretary of Defense. Paragraph 4 of this order recites that the Department may "amend or settle claims under contracts heretofore or hereafter made, * * * may make advance, progress, and other payments upon such contracts of any per centum of the contract price—"

I ask Senators to note the words "any per centum."

I continue to read the letter:

"and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort."

This latter grant of power is so broad that it is defined in the Executive order so as to include "accrued liquidated damages or liability under surety or other bonds."

More than that, amendments and modifications of contracts may be made "with or without consideration."

Equally important is the fact that paragraph 5 of the Executive order provides that advertising, competitive bidding, and bid, payments, performance, or other bonds or other forms of security need not be required.

Imagine! The Defense Department demands continued authority to make contracts without any obligation to require security and performance bonds.

In a special report of the Subcommittee for Special Investigations of the House Committee on Armed Services, of which Congressman F. EDWARD HÉBERT, of Louisiana, is chairman, the charge is made that over 90 percent of the military business is now being conducted by secret negotiations without competitive bidding. It is stated that during 9 months of the year 1956 expenditures amounting to more than $5.3 billion were contracted on the basis of the Korean national emergency procurement of December 16, 1950, although this basis had been set aside by Armed Services Procurement Regulation 3-201.2 (b).

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Is the Senator able to state whether or not the figure cited, of ninety-some percent of the procurement by negotiation, is limited to the procurement of supplies and weapons systems, or whether it includes construction?

Mr. O'MAHONEY. I think it applies to all expenditures.

Mr. CASE of South Dakota. I doubt that it applies to construction. I know, in working on the military construction items, we had some discussion of that point.

Mr. O'MAHONEY. Let me read what the report of the House committee said on that very point. It is very important. I know only what I read in the reports of Senate and House committees, and in the newspapers, what I hear on the radio, and what I see on television. I was not there when the report was written.

Mr. CASE of South Dakota. A paragraph is carried in the annual military construction bill which is directly on this point.

Mr. O'MAHONEY. I wish to read exactly what the House committee said.

Mr. CASE of South Dakota. There are some exceptions provided for, and I should like to know if the exception clause is used to such an extent that 90 percent is accomplished without competitive bidding. I will be surprised if that is true.

Mr. O'MAHONEY. I will read from the summary and conclusions drawn by the House committee, from page 683 of the report I have already mentioned. This is the paragraph from which I took the language that I put into the letter to the Senator from Mississippi [Mr. EASTLAND]:

In 9 months of 1956, notwithstanding the Armed Services Procurement Regulation 3-201.2 (b), 38.94 percent of Department of Defense dollars amounting to $5,312,515,000 was contracted for, using as the legal basis the Korean national emergency proclamation of December 16, 1950. That was 84,410 contracts. This action was taken after the information given to the committee in January 1956.

I invite the Senator's attention to this language, from page 682:

We note that the Armed Services Procurement Act became effective in May 1948, and was suspended in December 1950. It had a little over 2 years of actual usage. Since the suspension and the directive of the Department of Defense of October 28, 1955, effective January 1, 1956, adherence to the language of the act was enjoined and simulated by regulation. The reports which we have published herein show that this regulation has been wholly ineffective, that it is in fact being flouted, and that still more than 90 percent of the purchases are accomplished almost in defiance of the act.

That is the 90 percent to which I referred in my letter to the chairman of the Judiciary Committee, and it obviously relates to purchases, and probably does not involve construction.

I note that under the heading "table A" there is a table entitled "Construction Program, 2304 (c) Included," which lists the Corps of Engineers and the Bureau of Yards and Docks of the Navy. The table refers to construction. I am happy to be able to say to the Senator that, so far as the construction program is concerned, the negotiated contracts for both services amount to 28.67 percent, and the number of advertised contracts for construction to 71.33 percent. So while, with respect to purchases, the 90 percent plus figure applies, it does not apply with respect to construction.

However, I submit that when 28.67 percent of the construction program for both the Army and Navy is carried on by negotiated bids, there is reason for concern by the Congress. The amendment which I am offering, however, does not refer to construction. It refers to the procurement of items of common need in all the services of the Department of Defense.

Mr. CASE of South Dakota. I think a useful purpose has been served by having this point clarified.

Mr. O'MAHONEY. I think so.

Mr. CASE of South Dakota. I agree with the Senator that even if 28 percent of the contracts for construction are accomplished by negotiation, that, of itself, warrants concern. I mention the matter at this time because I note the presence in the Chamber of the chairman of the subcommittee, the distinguished Senator from Mississippi [Mr. STENNIS]. As he knows, yesterday afternoon when we were going over certain provisions in the military construction bill, we discussed this particular point. We were wondering if the language should not be tightened in order to restrict the exceptions which have been permitted under statutory law.

Mr. O'MAHONEY. I am glad the Senator has addressed these questions to me, because I think it is important that the committee should consider this subject.

Mr. CASE of South Dakota. I would have been shocked if the 90-percent figure could have been applied to construction.

Mr. O'MAHONEY. But is it not shocking that the figure of 90-percent plus is the figure for procurement of common use items?

Mr. CASE of South Dakota. It is certainly far too high. I hope the appropriate subcommittee of the Armed Services Committee will go into the subject, just as our subcommittee has gone into the subject of construction.

Mr. O'MAHONEY. I have been hoping that the Appropriations Committee, first, and then the Senate, would adopt my amendment, so that there would be opportunity to go into the subject now instead of later.

Mr. CASE of South Dakota. I think it is understandable that there may be certain instances in which we are dealing with construction, such as the Dew Line, or similar construction in a foreign country, with respect to which it might be found that negotiation would be the only way a contract could be accomplished. Even in that field, speaking on the basis of my own personal studies of this subject, going back to 1953, when our subcommittee inspected certain construction overseas, we thought there had been entirely too much negotiation of contracts.

Mr. O'MAHONEY. I know by experience how diligent the Senator from South Dakota has been in the examination of requests from the Department of Defense for appropriations.

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

Mr. O'MAHONEY. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. Concerning the question raised by the distinguished Senator from South Dakota [Mr. CASE], with reference to military construction and whether or not there were competitive bids, let me say that we have before our subcommittee certain figures which were furnished quite recently by the Assistant Secretary of Defense, Mr. Bryant. I know that the figures were carefully collected, and I feel that they are correct.

Mr. Bryant made the statement in our hearing that, as of December 31, 1956, for the preceding calendar year contracts had been let for military construction totaling $1,169,066,300. We were informed that contracts representing 93 percent of that sum were formally let on competitive bids.

As the Senator from South Dakota has said, there is in the military construction bill a section providing that construction contracts must be let by competitive bids. That provision was carried in the bill last year, and it will be in the bill which will be presented in a few days.

There is also included the qualifying language "wherever practicable." We have been checking that feature since this subject was under discussion yesterday afternoon. I am told that that language covers only projects which, for security reasons, are on a secret basis, and that otherwise competitive bidding is used.

I furnish that information for the benefit of the Senator from Wyoming and the information of the Senate. I do not believe that the figures which I have given coincide with others which have been quoted. However, this information comes from the Assistant Secretary of Defense, and it covers construction. The information was given in his recent appearance before our committee.

Mr. O'MAHONEY. The figures which the Senator from Mississippi has just given, as he says, do not apply to the same period mentioned in the House committee report. In this report construction contracts issued during the 9-month period in 1956, from the first of January of that year to the end of September, amounted to $1,385,220,000 for the Corps of Engineers, and $510,859,000 for the Bureau of Yards and Docks of the Navy.

For the Corps of Engineers the percentages were 25.99 percent by negotiation, and 74.01 percent by advertising for bids. For the Navy, Bureau of Yards and Docks, 35.92 percent by negotiation, and 64.08 percent by advertising for bids. Again I call attention to the fact that the amendment which is now before the Senate does not deal with construction, but with procurement.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield.

Mr. CASE of South Dakota. Do those percentages apply to numbers of contracts or to dollar values?

Mr. O'MAHONEY. I gave both. I gave the percentages as to dollar value and as to numbers of contracts.

Before the Senator came on the floor I read the percentages by number of contracts. These appear on page 641 of the report of the Subcommittee for Special Investigations of the House. I recommend a copy of the report to the Senator. The total number of contracts issued during this period, the same 9-month period, was 2,945,287.

Negotiated were 2,731,151; advertised were only 214,136, a percentage of 92.73 percent for the negotiated contracts, and only 7.27 percent for the advertised contracts.

Mr. CASE of South Dakota. Of course, the Senator, in using the 90-percent figure, is going back to procurement purchases.

Mr. O'MAHONEY. Oh, yes; of course.

Mr. CASE of South Dakota. And the Senator is not dealing with construction.

Mr. O'MAHONEY. Oh, yes. In the same tables are figures for the construction program. There the total percentage for construction was 73.02 percent, for both the Army and the Navy, by negotiation, and the advertised portion was 26.98 percent.

The Senator will note that there is a great difference between what the Corps of Engineers was doing and what the

Bureau of Yards and Docks of the Navy was doing. With respect to the Corps of Engineers, 76.67 percent of their contracts were negotiated, and only 23.33 percent were advertised; whereas, with respect to the Navy, 22.24 percent were negotiated, and 77.76 percent were advertised.

Mr. CASE of South Dakota. I suppose, to follow that situation through, we ought to have a hearing at which the representatives would go into the nature of those contracts. The Bureau of Yards and Docks does have the responsibility of the construction for the Air Force in Spain. Normally our overseas construction has been done by the Corps of Army Engineers. However, following the experience we had in Africa, which was brought to the attention of the Senate in 1953, the Bureau of Yards and Docks of the Navy have been given the responsibility for the construction jobs in Spain.

NEGOTIATION IS NOT WAY TO TRANSACT PUBLIC BUSINESS

Mr. O'MAHONEY. I am not discussing the construction. I am discussing procurement. I wish to read from page 333 of the report a very interesting comment of the House subcommittee:

> The Deputy Director of Procurement for the Air Force calls negotiation "an art," where meaning may be "conveyed by the blinking of an eye or the shading of a statement."
>
> That is not the way—
>
> Says the committee—
>
> to transact the public business. We condemn execessive use of negotiation. We condemn it as a breeding place for suspicion and fraud. We condemn it as a shield for mischief. We accept it only when no other course is possible in order to make certain that which was before uncertain.

I do not believe anyone can disagree with that effective statement of the House special investigations committee.

Mr. CASE of South Dakota. I wish to associate myself with the Senator from Wyoming in saying that I am sure no Member of Congress defends negotiation where the obtaining of a bid is possible and practical.

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

Mr. O'MAHONEY. I yield.

Mr. THYE. I, too, wish to be very emphatic in my statement that I do not condone entering into contracts by negotiation if competitive bids can be called for. I have always had the impression that the military operated under competitive bid system in all instances——

Mr. O'MAHONEY. The Senator sees the record now and realizes that that is not the case.

Mr. THYE. Yes. It has been my understanding that these contracts have always been subject to bids, unless it was a classified construction or something that involved classified matter.

NEGOTIATION HAS BECOME SUBSTITUTE FOR COMPETITIVE ADVERTISING BIDS

Mr. O'MAHONEY. I regret to say that the investigating subcommittee of the House has not come to that conclusion. It has come to the completely contrary conclusion, that purchasing is going on under the emergency proclamation made specifically for the Korean emergency, although the emergency does not exist, and that negotiation of construction and purchases has by far become a substitute for competitive advertising bids.

On page 683 the subcommittee stated:

> We call attention to the power delegated to Congress by the Constitution in section 8 of article I: "To make Rules for the Government and Regulation of the land and naval Forces;"
>
> Yet, today, there is in fact no law specifically dealing with the method of purchasing by the military departments as intended by the Congress when it passed the Armed Services Procurement Act of 1947.

HOUSE COMMITTEE UNANIMOUS IN REPORTING WASTEFUL PROCEDURES

That is the record before us. That is the reason why I have ventured to take the time of the Senate this afternoon to urge consideration of the amendment. It is a matter of paramount importance. We talk about balancing the budget. We talk about saving the money of the taxpayers. We talk about our desire to be careful in the use of the funds that belong to the people of the United States. Yet the cold facts before us are indisputable, with no contrary views by any minority of the committee. The whole committee joined in the report. Let me read the names of the members of the committee. There are no minority views. The Subcommittee for Special Investigations consisted of F. EDWARD HÉBERT, Louisiana, chairman; OVERTON BROOKS, Louisiana; L. MENDEL RIVERS, South Carolina; O. C. FISHER, Texas; PORTER HARDY, JR., Virginia; GEORGE P. MILLER, California; WILLIAM E. HESS, Ohio; LEON H. GAVIN, Pennsylvania; PAUL CUNNINGHAM, Iowa; WILLIAM H. BATES, Massachusetts; FRANK C. OSMERS, JR., New Jersey; ex officio, CARL VINSON, Georgia, and LESLIE C. ARENDS, Illinois.

UNIFORM REGULATIONS FOR PROCUREMENT NEEDED

On page 690, we find this quotation:

> In the course of this report, we have had occasion to comment upon the variety of regulations, instructions, and directives issued for the guidance of contracting officers. The Department of Defense, we feel, was charged with introducing harmony and consistency into the national defense system. Without laboring the point, it is our belief that the Secretary of Defense must, by law, be directed to undertake the establishment of uniform regulations dealing with the whole subject of procurement, and eliminate the confusing, overlapping, and unnecessary departmental directives, instructions, and regulations in so many fields.

AMENDMENT CALLS FOR FULLY INTEGRATED SUPPLY SYSTEM

That is precisely what the amendment offered by the Senator from Illinois [Mr. DOUGLAS], the Senator from Colorado [Mr. CARROLL], and myself would do. It would provide the following objectives.

The PRESIDING OFFICER. Does the Senator from Wyoming desire to call up his amendment?

Mr. O'MAHONEY. In a moment.

First, the amendment directs the Secretary of Defense to take action to achieve economy, efficiency, and effectiveness in the noncombatant areas within and among the agencies of the Department of Defense.

Second, the Secretary of Defense is given the authority to organize and reorganize the noncombat functions and operations so as to accomplish the purposes of the act.

Third, the Secretary is authorized to transfer such property, records, personnel, and funds, and so forth, as may be required to accomplish the purposes of the act. For example, the various stock fund operations may be merged where they duplicate or overlap.

Fourth, subsection (b) of the amendment deals specifically with the supply management area and is an expansion of my original amendment. It calls for a fully integrated supply system and requires the President to submit his recommendations to this effect to Congress within 180 days after the enactment of the act.

The proposal calls for a civilian-managed agency to be under the direction of the Secretary of Defense. The agency will not be a fourth department as such; it will serve all departments and should be in the Office of the Secretary of Defense and be responsive to the Secretary of Defense for supply and logistics.

PREFERMENT GIVEN TO BLACKLISTED CONTRACTOR

That, Mr. President, is the purpose of the amendment. I wish, however, to call attention to a statement which was issued by the able and distinguished senior Senator from Arkansas [Mr. MCCLELLAN], who is the chairman of the Permanent Subcommittee on Investigations, and also the chairman of the Committee on Government Operations. This is an extraordinary revelation of preferment given to a blacklisted contractor. I am reading, now, the words of the Senator from Arkansas in the release which he issued for Sunday morning, June 30, 1957:

> The staff of the Senate Permanent Subcommittee on Investigations has made a preliminary inquiry concerning the sale of demilitarized surplus combat vehicles by the Army to the United Auto Parts Co., Inc., of Kansas City, Mo., and its affiliate, the Texarkana Truck Parts Co., Texarkana, Tex., and the subsequent resale of those vehicles, remilitarized, to the Government of France by the purchaser at an exorbitant profit.
>
> In the spring of 1954, United Auto Parts Co., Inc., and its affiliate, Texarkana Truck Parts Co., purchased 379 of these surplus armored cars from the Army Ordnance at the Red River Arsenal, at Texarkana, Tex. They paid an average price of $375 per vehicle. At the time of the purchase of these vehicles, certain demilitarization provisions, as well as certain scrap warranties were stipulated in the contract of sale. The Army did in fact cut out a piece of the turret and remove part of the armor plate from these cars. United Auto Parts Co., Inc., rebuilt these light armored cars to military specifications despite the provisions in the contract. They then sold 350 rebuilt combat vehicles to the French Government at the average price of $3,675 per vehicle. They thus realized a total income of $1,286,250 from this sale to France. The original purchase price from the Army was approximately $140,000.

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

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. The Senator from Wyoming has just read some shocking and scandalous figures.

Mr. O'MAHONEY. On the authority of the Senator from Arkansas [Mr. McCLELLAN].

Mr. DOUGLAS. If France needed those vehicles, as I assume France did, why should not those orders have been placed with the United States Government and the armored cars sent directly to France under military aid and mutual security?

Mr. O'MAHONEY. We have a law on the statute books providing for mutual security and providing for military grants and military aid. Of course it could be done. The Senate has already passed a new authorization bill for the same purpose. The House is about to act upon it. Of course it could be done. But instead of doing so, it appears from the rest of the statement that these contractors, who had been blacklisted because of a former performance——

Mr. DOUGLAS. That is, blacklisted by whom?

Mr. O'MAHONEY. By the Army.

Mr. DOUGLAS. And then the Army sold the cars to the contractor at a price of a little more than $300 a car, and the contractor immediately sold them to France for over $3,000 a car.

Mr. O'MAHONEY. The sales price to France was $3,576 each. The price at which the Government of the United States sold the cars to the United Auto Parts Co., Inc., was $375 a vehicle.

Mr. DOUGLAS. Does the Committee on Government Operations indicate who authorized that sale?

Mr. O'MAHONEY. The statement does not appear to contain that information. The concluding paragraph reads as follows:

As a result of the aforementioned transactions, many questions have arisen, the answers to which this subcommittee seeks. However, during the course of our preliminary inquiry, a civil complaint was filed by the Department of Justice in the United States District Court for the Western District of Missouri against United Auto Parts Co., Inc., and certain of its officers to recover double damages of $1,172,741.50 in connection with the sale of these particular remilitarized armored cars to France. This civil action embraces in essence the matters I have related. The subcommittee, not wishing to interfere with this action brought by the executive branch of the Government, has deferred its investigation until such time as the civil suit filed by the Department of Justice has been resolved.

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

Mr. O'MAHONEY. I am glad to yield.

Mr. DOUGLAS. Must not the Army, when it sold the armored cars to this company, have known that the cars would be purchased only for resale? One does not buy armored cars in such quantities as this for domestic use. It was military equipment; is not that correct?

Mr. O'MAHONEY. I think it was the suspicion of the committee that that was known to the Department of the Army when the cars were declared surplus.

Mr. DOUGLAS. But instead of the cars being sold or given directly to our ally under mutual security, they were sold to a dealer who had been blacklisted for improper dealings with the Government, and the company resold them for ten times the purchase price and made more than a million dollars profit.

Mr. O'MAHONEY. Let me read to the Senator another paragraph from the statement:

In the fall of 1954, United Auto Parts Co., Inc., was placed on the suspended bidders list by the Department of the Army for a totally unrelated transaction. Since that time, all of its affiliates, including American Auto Parts Co., have been placed on the suspended list.

In the spring of 1956, application was made by the French Government for an export license to ship 350 of these remilitarized vehicles to Algiers, Algeria. The Department of Defense objected to granting of this license because United Auto Parts Co., Inc., had acquired these cars in a demilitarized state and rearming them would be contrary to the Department of Defense and Department of the Army directives.

Now listen to this:

STATE DEPARTMENT KNEW WHAT WAS GOING ON

The State Department at this time was well aware that this company was the seller of the cars to France and was on the suspended list. The Defense Department, at the specific request of the Department of State, removed its objection and the cars were shipped to Algeria.

In 1955, despite the fact that they were on the Army's suspended bidders list, United Auto Parts Co., Inc., was successfully awarded two contracts for miscellaneous truck parts by the Army at Red River Arsenal, Texarkana, Tex.

Mr. President, I ask unanimous consent that the entire statement be printed at this point in the RECORD.

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

SENATOR MCCLELLAN'S STATEMENT

Senator JOHN L. MCCLELLAN (Democrat, of Arkansas) chairman of the Senate Permanent Subcommittee on Investigations, announced:

"The staff of the Senate Permanent Subcommittee on Investigations has made a preliminary inquiry concerning the sale of demilitarized surplus combat vehicles by the Army to the United Auto Parts Co., Inc., Kansas City, Mo., and its affiliate, the Texarkana Truck Parts Co., Texarkana, Tex., and the subsequent resale of these vehicles, remilitarized, to the Government of France by the purchaser at an exorbitant profit.

"In the spring of 1954, United Auto Parts Co., Inc., and its affiliate, Texarkana Truck Parts Co., purchased 379 of these surplus armored cars from the Army Ordnance at the Red River Arsenal at Texarkana, Tex. They paid an average price of $375 per vehicle. At the time of the purchase of these vehicles, certain demilitarization provisions, as well as certain scrap warranties, were stipulated in the contract of sale. The Army did in fact cut out a piece of the turret and remove part of the armor plate from these cars. United Auto Parts Co., Inc., rebuilt these light armored cars to military specifications despite the provisions in the contract. They then sold 350 rebuilt combat vehicles to the French Government at the average price of $3,675 per vehicle. They thus realized a total income of $1,286,250 from this sale to France. The original purchase price from the Army was approximately $140,000.

"In the fall of 1954, United Auto Parts Co., Inc., was placed on the suspended bidders list by the Department of the Army for a totally unrelated transaction. Since that time, all of its affiliates, including American Auto Parts Co., have been placed on the suspended list.

"In the spring of 1956, application was made by the French Government for an export license to ship 350 of these remilitarized vehicles to Algiers, Algeria. The Department of Defense objected to granting of this license because United Auto Parts Co., Inc., had acquired these cars in a demilitarized state and rearming them would be contrary to the Department of Defense and Department of the Army directives. The State Department at this time was well aware that this company was the seller of the cars to France and was on the suspended list. The Defense Department, at the specific request of the Department of State, removed its objection and the cars were shipped to Algeria.

"In 1955, despite the fact that they were on the Army's suspended bidders list, United Auto Parts Co., Inc., was successfully awarded two contracts for miscellaneous truck parts by the Army at Red River Arsenal, Texarkana, Tex.

"On July 6, 1956, while on this suspended bidders list, American Auto Parts Co., an affiliate of United Auto Parts Co., Inc., was awarded a contract by General Services Administration for the purchase of a surplus armorplate plant at Gary, Ind. The amount of this transaction was $3,260,000.

"In July 1956, the manager of Texarkana Truck Parts Co., realizing his firm was on the suspended bidders list. sent his secretary to Red River Arsenal to submit a bid in her own name. The secretary was successful in purchasing two trucks which were paid for by the Texarkana Truck Parts Co.

"As a result of the aforementioned transactions, many questions have arisen, the answers to which this subcommittee seeks. However, during the course of our preliminary inquiry, a civil complaint was filed by the Department of Justice in the United States District Court for the Western District of Missouri against United Auto Parts Co., Inc., and certain of its officers to recover double damages of $1,172,741.50 in connection with the sale of these particular remilitarized armored cars to France. This civil action embraces in essence the matters I have related. The subcommittee, not wishing to interfere with this action brought by the executive branch of the Government, has deferred its investigation until such time as the civil suit filed by the Department of Justice has been resolved."

Mr. DOUGLAS. Mr. President, I am sure that the Senator from Wyoming agrees with me that apparently this is one of the most scandalous transactions of which American history has record.

SUCH SCANDALOUS TRANSACTIONS RESULT FROM NEGOTIATING PROCEDURE

Mr. O'MAHONEY. It is amazing beyond belief. But this is the sort of thing which occurs under the shield of secrecy which is afforded by the practice of negotiating contracts, instead of letting contracts openly, by competitive bidding, as the law requires. I am amazed at what has been revealed to me.

I say to the Senate this afternoon I have produced evidence regarding the request of the Department of Defense for an extension for another year of the provisions of title II of the First War Powers Act of 1941. Certainly there is no reason to do that except to provide the right to award negotiated contracts and to amend such contracts and to waive liquidated damages.

Mr. DOUGLAS. I hope the Senator from Wyoming will use his great influence both in the Judiciary Committee and in the Senate to prevent the extension of that act, thus preventing granting authority to negotiate contracts.

Mr. O'MAHONEY. I have already made that recommendation to the chairman of the Judiciary Committee. In that connection, Mr. President, I ask unanimous consent that my letter to him be printed at this point in the RECORD.

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

JULY 1, 1957.

The Honorable JAMES O. EASTLAND,
Chairman, Judiciary Committee, United States Senate, Washington, D. C.

DEAR JIM: You will remember that on Friday last you requested me to look into the extension of title II of the First War Powers Act of 1941 which has passed the House and is now pending before the Judiciary Committee. Title II of the act is a broad delegation of authority to the President or any department or agency of the Government performing functions for the prosecution of the defense effort and should not, in my opinion, be approved by the Senate committee without a hearing.

By Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049) the powers granted by the act were delegated to the Secretary of Defense. Paragraph 4 of this order recites that the Department may "amend or settle claims under contracts heretofore or hereafter made * * * may make advances, progress, and other payments upon such contracts of any percent of the contract price * * * and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort."

This latter grant of power is so broad that it is defined in the Executive order so as to include "accrued liquidated damages or liability under surety or other bonds."

More than that, amendments and modifications of contracts may be made "with or without consideration."

Equally important is the fact that paragraph 5 of the Executive order provides that advertising, competitive bidding, and bid, payments, performance, of other bonds or other forms of security need not be required.

In a special report of the Subcommittee for Special Investigations of the House Committee on Armed Services, of which Congressman F. EDWARD HÉBERT, of Louisiana, is chairman, the charge is made that over 90 percent of the military business is now being conducted by secret negotiations without competitive bidding. It is stated that during 9 months of the year 1956 expenditures amounting to more than $5.3 billion were contracted on the basis of the Korean national emergency procurement of December 16, 1950, although this basis had been set aside by armed services procurement regulation 3-201.2 (b).

It would appear by this report that under the cover of secrecy favored contractors may be receiving substantial awards without competitive bidding which, of course, results in excluding many contractors from participation in the awards of the Department of Defense.

In the light of the report of the Subcommittee for Special Investigations of the House Armed Services Committee and in the light of the fact that no hearings were held in the Judiciary Committee of the House on the bill extending title II of the First War Powers Act of 1941, I most earnestly recommend that no action be taken by the Senate Judiciary Committee without hearings.

Sincerely yours,

JOSEPH C. O'MAHONEY.

EVIDENCE POINTS TO NEED FOR AMENDMENT

Mr. O'MAHONEY. Mr. President, I have called attention to the three items of solid proof of waste, extravagance, and recklessness in the handling of the property and the money of the people of the United States: First, in connection with the request for the extension of title II of the War Powers Emergency Act, when there is no emergency of such a character as would authorize the extension of those powers; and, second, I have called attention to the report of the special investigating committee of the House Armed Services Committee, on the waste in the procurement activities of the Department of Defense and the terrific favoritism which is extended in connection with the negotiation of contracts, instead of having the contracts subject to competitive bidding; and, finally, I have submitted the statement of the chairman of the Government Operations Committee with respect to the sale of military trucks to a purchaser who is on the suspended list, and who, after purchasing the trucks for $375 each, sold them to the Government of France for $3,675 each, after doing some work upon them.

Mr. President, it seems to me that this evidence makes it conclusive that the Senator who is in charge of the bill should at least take the amendment to conference.

FORMER PRESIDENT HOOVER ENDORSES AMENDMENT

I now walk amiably over to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], the acting minority leader. He is a member of the Appropriations Committee, and he is also a member of the Armed Services Committee. In my experience when I was a member of the Armed Services Committee, he was a diligent member of that committee, in seeking to save money for the people of the United States. I beg him now to join with the Hoover Commission in recommending the taking of the action I now propose. I now stand on the Republican side of the aisle. Mr. Hoover, who was once a Republican President, would, if he were a Member of the Senate, stand on this side of the aisle; and I tender to the Senator from Massachusetts the request of Herbert Hoover, formerly President of the United States, to do something about the enactment of this amendment.

SUPPORT COMES FROM INDUSTRY, BUSINESS, THE MILITARY, AND PROFESSIONS

I should like to read to the Members of the Senate from the list of persons who have endorsed this proposed legislation. It has awakened a great deal of interest on the part of persons who should know about this matter. This is a list of industrialists, business, military, and professional men from the membership of the task forces of the Hoover Commission who support a separate, integrated supply system for the Department of Defense, under civilian control, and reporting to the Secretary of Defense. That is what I propose. I now read from the list:

Joseph P. Binns, New York, executive; colonel, Army Air Force in World War II; chief of supply and service, ATC of the Army Air Force in Europe; now vice president, Hilton Hotels Corp.

George C. Brainard, Cleveland, Ohio, executive; served with Army Ordnance department in both world wars; later with Office of Production Management and War Production Board; now chairman of the executive committee, Addressograph-Multigraph Corp.

Howard Bruce, Baltimore, director of materiel, Army Service Forces, World War II; Deputy Administrator, Economic Cooperation Administration, chairman of the board, Worthington Corp., New York.

Michael DeBakey, Houston, Tex., surgeon; formerly surgeon in chief, Jefferson Davis Hospital and Methodist Hospital, Houston; consultant to Veterans' Administration; colonel, Medical Corps, United States Army, World War II, now chairman, department of surgery, Baylor University, College of Medicine.

Frank M. Folsom, New York, executive; formerly vice president and director, Montgomery Ward & Co.; during World War II served as member of National Defense Council and as special assistant to the Under Secretary of the Navy; formerly president and now chairman of the executive committee, Radio Corporation of America.

Paul Grady, New York, certified public accountant; served on various committees of the American Institute of Accountants; during World War II served in Navy Department in development of the Navy's Cost Inspection Service; now partner in firm of Price Waterhouse & Co.

Leroy D. Greene, Bethlehem, Pa.: executive; formerly with Bethlehem Steel Co.; member of Somervell mission to Europe on disposition of war scrap; also member of ECA missions in 1948 and 1949 looking into disposition of German scrap; consultant to Office of Defense Mobilization.

Joseph B. Hall, Cincinnati, Ohio; executive; member, Business Advisory Council, Department of Commerce; former chairman, Commercial Activities Advisory Committee on Fiscal Organization and Procedures, Department of Defense; now president of the Kroger Co.

Clifford E. Hicks, New York, civil engineer; former member, Munitions Board Storage and Handling Industry Advisory Committee, Now president, New York Dock Co. and New York Dock Railway.

Charles R. Hook, Middletown, Ohio, executive; chairman, ARMCO Steel Corp. Served in Department of Defense and other Government activities during World War II; member, Business Advisory Council, Department of Commerce.

Mervin J. Kelly, Short Mills, N. J., research engineer; formerly physicist with Western Electric Co.; served on various governmental committees; formerly physicist, now president, Bell Telephone Laboratories.

Arthur F. King, San Francisco, Calif., publisher; formerly with McGraw-Hill Publishing Co.; now president, King Publications.

John R. Lotz, New York, executive; former chairman of board, Stone & Webster Engineering Corp.; Industrial Advisory Committee for revision of reparations and dismantling plants in Germany; retained by Secretary of War to report on impact and reparations on Japan, and by Government of Iran to study necessity for and implementation of its 7-year development plan.

George Houk Mead, Dayton, Ohio, executive; member and chairman, Business Advisory Council, Department of Commerce; various Government boards and commissions during World War II; member, first Hoover Commission; now chairman of the board, Mead Corp.

Ben Moreell, Pittsburgh, Pa., civil engineer. Admiral United States Navy (retired); served in Navy from 1917 to 1947; during World War II, chief, Bureau of Yards and Docks, and employed in many other Government activities; now chairman of the board, Jones & Laughlin Steel Corp.

Mr. President, I shall not read further from the list; instead, I ask unanimous

consent that the entire list of these persons, who have endorsed this amendment, be printed at this point in the RECORD.

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

INDUSTRIALISTS, BUSINESS, MILITARY, AND PROFESSIONAL MEN FROM THE MEMBERSHIP OF THE TASK FORCES OF THE HOOVER COMMISSION WHO SUPPORTED A SEPARATE INTEGRATED SUPPLY SYSTEM FOR THE DEPARTMENT OF DEFENSE—UNDER CIVILIAN CONTROL AND REPORTING TO THE SECRETARY OF DEFENSE

Joseph P. Binns,[1] New York, executive; colonel, Army Air Force in World War II; Chief of Supply and Service, ATC of the Army Air Force in Europe; now vice president, Hilton Hotels, Corp.

George C. Brainard, Cleveland, Ohio; executive; served with Army Ordnance Department in both World Wars; later with Office of Production Management and War Production Board; now chairman of the executive committee, Addressograph-Multigraph Corp.

Howard Bruce, Baltimore, director of materiel, Army Service Forces, World War II; Deputy Administrator, Economic Cooperation Administration; chairman of the board, Worthington Corp, New York.

Michael DeBakey, Houston, Tex., surgeon; formerly surgeon-in-chief, Jefferson Davis Hospital and Methodist Hospital, Houston; consultant to Veterans' Administration; colonel, Medical Corps, United States Army, World War II; now chairman, Department of Surgery, Baylor University, College of Medicine.

Frank M. Folsom, New York, executive; formerly vice president and director, Montgomery Ward & Co.; during World War II served as member of National Defense Council and as special Assistant to the Under Secretary of the Navy; formerly president and now chairman of the executive committee, Radio Corporation of America.

Paul Grady,[1] New York, certified public accountant; served on various committees of the American Institute of Accountants; during World War II served in Navy Department in development of the Navy's Cost Inspection Service; now partner in firm of Price Waterhouse & Co.

Leroy D. Greene, Bethlehem, Pa., executive; formerly with Bethlehem Steel Co.; member of Somervell Mission to Europe on disposition of war scrap; also member of ECA missions in 1948 and 1949 looking into disposition of German scrap; consultant to Office of Defense Mobilization.

Joseph B. Hall,[1] Cincinnati, Ohio, executive; member, Business Advisory Council, Department of Commerce; former Chairman, Commercial Activities Advisory Committee on Fiscal Organization and Procedures, Department of Defense; now president of the Kroger Co.

Clifford E. Hicks, New York, civil engineer; former member, Munitions Board Storage and Handling Industry Advisory Committee; now president, New York Dock Co., and New York Dock Railway.

Charles R. Hook,[1] Middletown, Ohio, executive; chairman, ARMCO Steel Corp.; served in Department of Defense and other Government activities during World War II; member, Business Advisory Council, Department of Commerce.

Mervin J. Kelly,[1] Short Hills, N. J., research engineer; formerly physicist with Western Electric Co.; served on various governmental committees; formerly physicist, now president, Bell Telephone Laboratories.

Arthur F. King, San Francisco, Calif., publisher; formerly with McGraw-Hill Publishing Co.; now president, King Publications.

[1] Task force chairman, second Hoover Commission.

John R. Lotz,[1] New York, executive; former chairman of board, Stone & Webster Engineering Corp.; Industrial Advisory Committee for revision of reparations and dismantling plants in Germany; retained by Secretary of War to report on impact of reparations on Japan, and by Government of Iran to study necessity for and implementation of its 7-year development plan.

George Houk Mead, Dayton, Ohio, executive; member and Chairman, Business Advisory Council, Department of Commerce; various Government boards and commissions during World War II; member, first Hoover Commission; now chairman of the board, Mead Corp.

Ben Moreell,[1] Pittsburgh, Pa., civil engineer; admiral United States Navy (retired); served in Navy from 1917 to 1947; during World War II, Chief, Bureau of Yards and Docks, and employed in many other Government activities; now chairman of the board, Jones & Laughlin Steel Corp.

Frank H. Neely, Atlanta, Ga., formerly with Westinghouse Electric & Manufacturing Co.; now chairman of the board of Rich's in Atlanta; chairman, Federal Reserve Bank of Atlanta.

Willard S. Paul, lieutenant general United States Army (retired); served in World War I; later Adjutant General's Department; World War II, commander 26th Infantry Division; Deputy Chief of Staff, European theater; assistant Chief of Staff, Director Personnel, General Staff; now president, Gettysburg College.

Thomas R. Reid,[1] executive; presently director of civic affairs, Ford Motor Co.; former Chairman, Surplus Manpower Committee, Office of Defense Mobilization.

Franz Schneider, New York, executive; formerly financial editor of New York Post. Served in the Army during World War I; was Deputy Administrator of War Shipping Administration during World War II; special advisor to the Director of the Office of War Mobilization. Now executive vice president of Newmont Mining Corp.

Perry M. Shoemaker,[1] Summit, N. J., railroad executive; with Pennsylvania, Erie and New Haven Railroads until 1941; now president, Lackawanna Railroad.

J. Harold Stewart,[1] Boston, Mass., certified public accountant; past president of Massachusetts Society of Certified Public Accountants and of American Institute of Accountants; during World War II, Chairman, Committee on Cost Principles, Joint Contract Termination Board, and later Assistant Director, Office of Contract Settlement.

Robert W. Wolcott,[1] Paoli, Pa., manufacturer; president, Lukens Steel Co., 1925–49; now, chairman of the board; director, American Iron & Steel Institute; member of the Industrial Committee, Iron and Steel Division, War Production Board, and also liaison representative, Department of Commerce during World War II.

Robert E. Wood,[1] Chicago, Ill., executive; director of Panama Railway and Chief Quartermaster General of the Army in construction of the Panamal Canal, 1905–15; Acting Quartermaster General, United States Army, during World War I; until recently, chairman of the board, Sears, Roebuck & Co.

[1] Task force chairman, second Hoover Commission.

Mr. LAUSCHE. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER (Mr. COTTON in the chair). Does the Senator from Wyoming yield to the Senator from Ohio?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. I wish to commend the Senator from Wyoming for his very forceful presentation of the various reasons why a reformation should be made in the purchasing program of the defense agencies of the United States.

I listened with interest to the names the Senator from Wyoming read from the list he held in his hand. The name of Charles Hook, president of Armco Steel Corporation, was mentioned. I think it is very significant that he has given his support to the recommendation of the Hoover Commission. May I point out that Charles Hook, of Ohio, was one of the leaders in the provision of funds for Members on the other side of the aisle who were running for election at the last election. I have in my hand a telegram from a Mr. Shoemaker, and I shall read it:

> This afternoon Senate will be considering amendment by O'MAHONEY to defense appropriation act, which would have the effect of encouraging integration of supply organizations under a plan presented by the President. This would be an encouraging step toward economy without affecting security. I urge your favorable support.
>
> (Signed) P. M. SHOEMAKER,
> *Vice Chairman of the Committee of Hoover Commission Task Force Members.*

I do not think it would be amiss if I mention to my colleagues that one of the cries throughout the country a few years ago, with tremendous applause being given to the effort everywhere, was that raised by those who wanted economy in Government that the recommendations of the Hoover Commission be adopted.

I attended a meeting in Cleveland at which former President Hoover spoke. That meeting had in attendance persons who did not subscribe to what was being done by the administration which was then in power, but wanted economy in Government. I was there as a sort of intruder, but I listened to the argument, and I subscribed to it. There had to be reformations made, and the proposal of the distinguished Senator deals with out of those recommendations.

If I may say a further word, I listened to the fine presentation made by the Senator from Illinois [Mr. DOUGLAS] yesterday, and I should like to add something to it. In the purchasing of material by Government, not only is honesty required, but, over and above that, there must be maintained an atmosphere of unimpeachabiilty. Government purchases must be above reproach. It is not enough that there merely be honesty. Every circumstance which leads to suspicion must be removed.

May I ask my distinguished colleagues, Why has there been adopted a universal program throughout the 48 States, throughout every municipality in the country, requiring that the government be foreadvised, that there shall be advertising for competitive bids, and that the award shall be made to the lowest and best bidder? I humbly submit that is the distillate of many years of experience in Government, and out of it has come the declaration that any purchase made by the government must be under public competitive bidding.

Mr. O'MAHONEY. Purchases must be under public scrutiny all the time, or else the danger of corruption enters.

Mr. LAUSCHE. And it does enter. I need not mention to my colleagues who

are present the tremendous forces that operate upon purchasing agents. There are political bosses, there are contributors to political campaigns, there are friends of purchasing agents. Then we have purchasing agents who have become tired and sick and cynical.

Mr. O'MAHONEY. Then we have negotiated contracts.

Mr. LAUSCHE. Superimposed upon all that we have the evils that flow from negotiated contracts. This very morning I had a conference in the outer room regarding a complaint made by the Aeronca Aircraft Co., of Middletown, Ohio. A negotiated contract had been made. The company complained that it was discriminated against. When one begins to analyze a negotiated contract, one needs all of the wisdom of Solomon, for many nebulous reasons are given why a bid is denied, and those reasons cannot be traced to ascertain their soundness. There will be suspicion. I know from my own experience as Governor of Ohio that I wanted competitive bidding, not only to maintain unimpeachability, but I wanted it for my own protection.

I wish to say to my colleagues, with the prospect that nothing will come of this discussion, that we are going to pay the price, and there will be regret for the failure to recognize that the distillate which has come down to us from years and years of experience has now been repudiated.

I have respect for the President. I have respect for the men in charge of his departments. But I say to my colleagues, in fairness to them, the process of buying materials under negotiations ought to be brought to an end, and I will gladly give my support to the proposal made by the distinguished Senator from Wyoming who has been presenting his cause this afternoon.

Mr. O'MAHONEY. I very much appreciate the comments of the Senator from Ohio. He has made a distinguished career as Governor of the State of Ohio by observing the principles of probity and integrity in the administration of public funds. In his long career he has set an example which should be followed by the Department of Defense.

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

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. Is not one of the most discouraging features of this whole matter the fact that in January, 1956, the Assistant Secretary for purchase told the Hébert committee that the Department of Defense intended to reduce the number of negotiated contracts to the lowest possible number, and the Hébert committee apparently thought the Department was going to do it; but when the committee checked into it, it found that in the 9 months following the promise, negotiated contracts formed 92 percent of the dollar value of the purchases and contracts obtained through competitive bids only 8 percent, whereas before the promise had been made the percentages were, respectively, 93 percent and 7 percent. In other words, this pledge of reform did not take place. The Department reformed in about the same way Rip Van Winkle reformed when he said, "We won't count this time." Then the Department went off on another round of purchases.

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

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. The Senator from Wyoming [Mr. O'MAHONEY] is so correct. The Senator from Ohio [Mr. LAUSCHE] is so correct. The Senator from Illinois [Mr. DOUGLAS] is so correct.

The chairman of the committee which reported this bill to the Senate believes exactly as the three Senators I have mentioned believe, but we are faced with a situation. I wish we could reform the Department. As a matter of fact, 93 percent of the purchases made by the Department of Defense are under negotiated contracts. I think that is wrong. I personally believe we should have a system under which the Department would have to call for bids.

I will go beyond what the three Senators have said. I know, and I mean it when I say it, that some of those who make the purchases for the Government later go to work for those from whom they purchase, after they are retired. I do not like that.

Mr. DOUGLAS. The Senator is making a very interesting statement.

Mr. CHAVEZ. I make that statement.

Mr. DOUGLAS. Is the Senator saying that the procurement officers of the Department of Defense, when they resign or retire from the Department, go to work for the firms to whom they have let the contracts?

Mr. CHAVEZ. The Senator can investigate that and will find in many instances it is correct. They do. I do not like it. I wish I could do something about it.

Not only that, but I will tell the Senator from Illinois a little something different, to show him that I am on his side. A general or an admiral will retire from the military service, and as a civilian he will go to work for the Government, probably at a higher salary than before. I do not like that.

The Senator would be surprised to know how many admirals and how many generals are now working as civilian employees for the United States Government. I do not know what I can do about it. I am merely trying to present a bill to carry on a necessary function.

Mr. O'MAHONEY. Mr. President, may I say to the Senator, carrying on the development of this argument, that the Senator, every member of the Committee on Appropriations, and every other Member of the Senate can do something about the situation. Senators must realize that when so large a proportion of the defense contracts are let by negotiation it adds to inflation. This administration is against inflation. The Democrats are against inflation. The country is against inflation. Let us stop inflation, with regard to the expenditure of 60 percent of the total budget, by adapting the recommendation made by the Hoover Commission.

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

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. WILLIAMS. I wish to join the Senator from Wyoming in expressing the hope that we can insert a provision in this bill which will provide for competitive bidding. I am not sure the Senator does not have a point as to the establishment of the commission. After the Senator's amendment has been acted upon, I intend to offer an amendment which will be applicable to all the funds appropriated by the bill. My amendment will read:

Provided, however, That none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a competitive basis to the lowest responsible bidder.

The phrase "so far as practicable" means to exempt only those contracts which it would not be in the interest of national defense to try to award on a competitive bid basis. There are certain instances as to which there is not a competitive supply of services or goods. In other instances, by and large, if there is a competitive supply of other goods or services and the amendment would provide that the contracts must go to the lowest responsible bidder. The word used is "shall."

Mr. O'MAHONEY. Mr. President, let me say to the Senator from Delaware that he is marching in the right direction, but he is carrying the wrong gun. The amendment which he intends to offer is not self-enforcing. The amendment we offer, with the support of the Hoover Commission, is self-enforcing, because it creates a central body under the Secretary of Defense which will have charge of the whole purchasing area.

Mr. WILLIAMS and Mr. CHAVEZ addressed the Chair.

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. WILLIAMS. What I am suggesting is this: Whether we establish a central buying authority or whether we do not——

Mr. O'MAHONEY. I do not wish to establish a commission. I merely wish to create a branch of the Office of the Secretary of Defense, made up of civilians, who will have the duty to conduct a central unified purchasing agency for all three branches of the military services.

Mr. WILLIAMS. I agree with the Senator from Wyoming that there is merit to that proposal, but the point I make is that, even with the establishment of such a procurement agency, I think it would also be well for the Congress to go on record that it is the intention of Congress that the Department should award contracts to the lowest responsible bidder as obtained on a competitive-bid basis.

Mr. O'MAHONEY. I wish to urge the Senator from Delaware to join me in securing the competitive bidding system by voting for the amendment we have offered for and on behalf of the Hoover Commission.

Mr. THYE and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield; and, if so, to whom?

Mr. O'MAHONEY. I decline to yield at the moment.

The PRESIDING OFFICER. The Senator from Wyoming declines to yield.

Mr. O'MAHONEY. I want to get this into the RECORD at the logical time.

I have here a letter written on the letterhead of Herbert Hoover, at the Mark Hopkins Hotel, San Francisco, Calif., June 19, 1957. He states:

MY DEAR SENATOR—

I wish to read the letter on the Republican side of the Chamber.

MY DEAR SENATOR: As the former Chairman of the Commission on Organization of the Executive Branch of the Government, I am happy that you have undertaken a renewed effort to secure the unification of what we call the "Common Use Business Services of the Department of Defense."

I welcome the glance of the Senator from Massachusetts [Mr. SALTONSTALL] over my shoulder, and I will point out to him the signature of his former President—my former President, also.

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

Mr. O'MAHONEY. Let me finish the letter.

Mr. SALTONSTALL. I would not look over the Senator's shoulder if he were not sitting in my seat.

Mr. O'MAHONEY. I am standing. The Senator did look over my shoulder at my invitation.

The second paragraph reads:

Certainly the present setup is one of the most unjustifiable wastes in the executive department—and it has been the object of congressional action ever since the original unification law was enacted. I need not make any arguments for it with you.

Yours faithfully,

HERBERT HOOVER.

I do not know whom he had in mind when he said he did not have to argue with me about it. I know some Members of the Senate with whom it is necessary to argue in support of the amendment.

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

Mr. O'MAHONEY. I yield to the Senator from New Mexico.

Mr. CHAVEZ. The Senator from Wyoming is not the only Senator who wishes to save money.

Mr. O'MAHONEY. I know that. The Senator from New Mexico, I think, has indicated that desire in his career.

Mr. CHAVEZ. The only proposition I wish to state is this: The Senator from Wyoming has read the letter from former President Hoover. I respect former President Hoover, too, but I did not vote for him in 1932.

Mr. O'MAHONEY. Neither did I.

Mr. CHAVEZ. I did not think the Senator from Wyoming did. I merely wanted to get that admission.

Mr. WILEY. Both Senators are taking guidance now, though.

Mr. CHAVEZ. I would answer that suggestion, if I did not like the Senator from Wisconsin so much.

At the moment we are trying to pass a bill to appropriate money for the Defense Department. Irrespective of my desire to do everything the Senator from Wyoming wishes to do—and I would like to do it—it cannot be done in this bill, and no one knows that better than does the Senator from Wyoming. I should like to do it, but it cannot be done.

If we want to do what the Senator from Wyoming wishes to do, why can we not introduce a legislative measure and do it as it should be done? I would be willing to be on his side. I know about the waste. By looking at yesterday's CONGRESSIONAL RECORD one can learn a great deal about waste. I know that my good friend from Wyoming will agree to that statement.

No one admires General Twining more than I do. He is a good man. He has contributed a lifetime of service to the defense of the country. He was retiring from the position of Chief of Staff of the Air Force, and a party was held for him at Andrews Field, at a cost of $4,300. No one begrudges him that; but we are talking about economy. Then it was necessary to put on an air show, at a cost of $400,000 for gasoline and oil. I would do anything for General Twining, but I think that was a waste. It is a waste when we think we must spend $400,000 or more for gasoline and fuel in order to pay our respects to a good citizen and a good soldier.

Mr. President, we are not trying General Twining. We want to save money. We want the Air Force to know it. The only reason I referred to those figures was that I wanted the Defense Department to realize that, even in paying respect to General Eisenhower, it would be wasteful to bring airplanes from the Pacific coast to fly over Andrews Field.

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

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. Does the Senator from New Mexico know the cost of the big aerial review staged in honor of former Secretary Talbott, who was being forced out of the Air Force on good grounds, and who was then given what, up to that time, was the biggest review in the history of the armed services?

Mr. CHAVEZ. I am sorry to say that I cannot tell the Senator. However, I will say that if the Air Force ever had a friend, if the Air Force ever had someone who really believed in it, and I am not talking about dollars and cents, it was Secretary Talbott.

Mr. DOUGLAS. That reply is not quite responsive to the question.

Mr. CHAVEZ. If I were not ignorant of the amount spent, I would tell the Senator.

Mr. DOUGLAS. Was it not very close to the cost of the Twining review?

Mr. CHAVEZ. If it was, it was just as bad.

Mr. DOUGLAS. I am glad the Senator from New Mexico did not say it was just as good.

Mr. O'MAHONEY. Mr. President, the Senator from Wisconsin [Mr. WILEY], my able and genial friend and colleague on the Judiciary Committee, has asked me what the recommendations of the Hoover Commission were. I have before me the report of the Task Force on Food and Clothing, issued in April 1955. That is a very lengthy document, and too long, of course, to read at this point.

I have before me also House Report No. 2013, the report of the Commission on Organization of the Executive Branch of the Government, which filed its 15th intermediate report on April 18, 1956. In this document, on pages 2 and 3, there are set forth some of the recommendations of the Hoover Commission. They are extensive recommendations. However, I will say to the Senator that the amendment which I have offered on behalf of my colleagues and myself has been reviewed by the Hoover task force. As will be seen from the letter which I have read into the the RECORD, it has the endorsement of the former President himself.

There are many other remarks which might be made. I do not desire to occupy the floor further in setting forth the details. I have before me a general summary of the report.

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

Mr. O'MAHONEY. I yield.

Mr. CARROLL. I wish to associate myself with the very fine statement made by the distinguished Senator from Wyoming. I am happy to be associated with him in support of this amendment, and also to support the arguments made by the junior Senator from Ohio [Mr. LAUSCHE].

The same thing is happening in Colorado that has been happening in Ohio. Study groups of businessmen have been examining the Hoover Commission reports. In Colorado there is a disinterested, nonpartisan group of men at work studying these problems. Their recommendations are along the lines of the amendment of the Senator from Wyoming.

Yesterday when I put a question to the chairman of the subcommittee, the distinguished senior Senator from New Mexico [Mr. CHAVEZ], I wished to ascertain the amount of money being appropriated. Of course, the reports disclose that. However, the purpose of my questioning was to find out what group in the Congress—whether it be the Appropriations Committees or the Armed Services Committees—should control expenditures by the military amounting to $35 billion. Do we confess to the people of the country that we have lost control of this enormous sum?

Mr. O'MAHONEY. We must, unless we take some action like this.

Mr. CARROLL. It seems to me that this is only the first step in a series of actions we in the Congress must take. Nevertheless it is a very important first step. The distinguished Senator from Wyoming made a statement about inflation. What could feed inflation more than a runaway segment of our budget amounting to $35 billion? Have we not lost control of one-half of the whole United States Government budget? And that's what the military budget amounts to, one-half of our whole budget. Furthermore it looks to me as though we have lost control of a great segment of our economy. That has caused an inflation in the military budget and hence has inflated our entire economy. I am speaking of the "administrated price" industries. The distinguished Senator from Wyoming has been chairman of a very important Senate subcommittee in-

vestigating the price raises by giant oil corporations of the Nation. During the investigation we found that giant United States corporations are not truly in a competitive market; they are in a market in which they themselves "administer", that is "arbitrarily fix" the prices. In other words, prices are not determined by consumer demand. They are "rigged." In this manner, by constant and unnecessary price increases on basic commodities like oil, chemicals and steel, the giant corporations fan the fires of inflation throughout the Nation. For example, during the investigation of the oil price increases we had the testimony of Admiral Lattu with respect to oil purchases by the United States Navy. We discussed Navy purchases of $1 billion worth of petroleum products. We were told that the recent price increases will cost the Government almost $100,000.

Mr. O'MAHONEY. The exact testimony of Admiral Lattu is, as I recall it, that the increase added to the budget for 1958 at least $84 million, which was not even contemplated for the purchase of oil products when the President sent his budget message to Congress.

Mr. CARROLL. That is correct. The other day a warning came to us, certainly not from a partisan source—the former Secretary of the Treasury—that the recent increase in the price of steel will set off another inflationary spiral, the effect of which cannot be gaged at this moment. Certainly it will affect the $35 billion military budget. It emphasizes more and more, I say to the distinguished Senator from Wyoming, the absolute necessity of having a central procurement agency to bring some kind of order and economy purchasing by the Government in the area where it spends the most money—the Defense Department.

It is absolutely essential that we have such an agency in the military established. Perhaps we cannot accomplish it with an amendment in this way, but we must at least make an attempt in this way. I believe this amendment can be properly included in the bill, although I know it is a little more difficult to do it in that fashion. Nevertheless, we must make the record. I commend the distinguished Senator from Wyoming and the distinguished Senator from Illinois for making this fight during the past 2 days in order to alert the people about what is going on in the Defense Establishment, and to alert the people with respect to the giant corporations of this country—oil, steel, chemical—as to what these corporations are doing and how they are wantonly and heedlessly fanning the fires of inflation in this Nation with indiscriminate and unwarranted rigged prices.

Mr. O'MAHONEY. I thank the Senator from Colorado for his statement, which is an accurate description of the situation in which we find ourselves.

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

Mr. O'MAHONEY. I yield.

Mr. WILEY. I, too, have listened to the remarks of the Senator from Wyoming. As I understand the statute at the present time, the various departments are getting their equipment by way of competitive bidding. Is that correct?

Mr. O'MAHONEY. No. The normal law calls for competitive bidding, but that law was set aside by the War Powers Act of 1941. That War Powers Act expired on the 30th of June last. Unless it is renewed, the war powers that were granted will no longer be in effect.

Mr. WILEY. Then my statement is correct—that there is a requirement at the present time for competitive bidding.

Mr. O'MAHONEY. But there are various provisions otherwise which permit negotiated contracts.

Mr. WILEY. The Senator read from a pamphlet containing recommendations with relation to procurement by the armed services. Did the recommendation include anything to the effect that there should be established a procurement agency which would purchase equipment, such as airplanes, for example? I say that because I always approach a situation with stop, look, and listen in my mind. Would airplanes, for example, be included?

Mr. O'MAHONEY. Combat equipment is not included.

Mr. WILEY. Did the Hoover Commission make any recommendation with reference to combat equipment?

Mr. O'MAHONEY. No; it did not.

Mr. WILEY. But the Senator's amendment would cover such equipment?

Mr. O'MAHONEY. No. That part was stricken from the amendment, of which I gave notice yesterday that I would offer today. That was in the original print, but we eliminated it.

Mr. WILEY. Does it refer to equipment?

Mr. O'MAHONEY. We struck that language from the amendment.

Mr. WILEY. Then what would the agency supervise?

Mr. O'MAHONEY. Common use items, such as clothing, food, materials, pencils. There is a large catalog of such materials purchased by the Government and then sold as surplus. I have the catalog here.

Mr. WILEY. I am glad to take the Senator's word for it.

Mr. O'MAHONEY. I should like to have the Senator see the size of it. The Defense Department sets forth a list of surplus supplies. This is the volume for April 1957. I thumb it over for the Senator to see. It is an amazing list of items which have been declared surplus in April 1957.

Mr. WILEY. They are declared surplus, the Senator says. Does the Senator mean that the Departments are buying those supplies all over again?

Mr. O'MAHONEY. They are buying and buying and buying; and declaring surplus and declaring surplus and declaring surplus. That is what they are doing.

Mr. DOUGLAS. If the Senator from Wyoming will yield to me I should like to say that I can list some of the common supply items which would be purchased by the civilian management.

Mr. O'MAHONEY. I would be very happy to have the Senator do that. He has the list on his desk.

Mr. WILEY. I think it is a pretty good characterization, and I have no reason to go into it.

Mr. DOUGLAS. Clothing, equipment, subsistence, chemical supplies, engineer supplies, general quartermaster supplies, medical-dental supplies, signal supplies, photographic material, ships' repair parts, general stores, ships' stores, vehicular equipment parts, general property, possibly electronics parts, although this is not certain, and so forth.

Mr. WILEY. What I have in mind is this. It seems to me that we have heard a great deal on the floor of the Senate about the increased cost of equipment. It seems to me that those are the articles in connection with the purchase of which the Government should have the benefit of civilian brains, to see that the Government is not "taken for a ride." I wonder what protection is afforded by the Senator's amendment.

Mr. O'MAHONEY. It seemed to me that in the drafting of the amendment it would be going too far to take out of the hands of the military the purchasing of military items. The military officers have been educated and trained to do that sort of work. They know their job. They know about airplanes and they know about submarines. We do not want to take those things out of their hands. Therefore we drafted an amendment to deal with the simple things, the common items of supply, the items of common use.

Mr. WILEY. How much does it amount to?

Mr. CHAVEZ. It amounts to plenty.

Mr. WILEY. How much, in round figures, out of the total we have been speaking of?

Mr. SALTONSTALL. I shall be happy to give those figures, if the Senator will yield.

Mr. O'MAHONEY. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. In 1956 the procurement for military functions in the Department of Defense totaled about $14 billion. Of the $14 billion, $12.7 billion was for the purchase of combat equipment; $1.3 billion was for noncombatant procurement. Thus, between 85 and 90 percent, in 1956, would not come within this amendment. This amendment would apply to approximately 10 percent of all the procurement in the Department of Defense.

Mr. CHAVEZ. When we speak about 10 percent of procurement which the Senator has in mind, that refers to operation and maintenance—to "groceries."

Mr. SALTONSTALL. The Senator is correct. It is for quartermaster supplies, such as clothing.

Mr. CHAVEZ. That is correct; it does not refer to the procurement of armament—military procurement.

Mr. SALTONSTALL. The Senator is correct. The Senator from Wyoming has just stated that. But the amendment would not apply to between 85 and 90 percent of the procurement.

So far as I am concerned—so far as everyone is concerned—we want the contracts to be negotiated just as rapidly as they can be. I was just as shocked at some of the revelations as the Senator

said he was. But the amendment of the Senator from Wyoming will not help that situation one iota.

Mr. DOUGLAS. I have made a hasty computation. I will not vouch for the precise accuracy of the figures. But I have taken the material which I placed in the RECORD yesterday at page 10631, which the Senator from Massachusetts can check.

The categories which I have read, which would be susceptible to common use purchases, comprise approximately half of the amounts which will be put into the so-called stock funds during the coming year.

Mr. WILEY. Mr. President, will the Senator yield on that very point?

Mr. DOUGLAS. I yield.

Mr. WILEY. Now I am beginning to get a little light. These are items as to which a civilian would be specifically informed and could provide guidance and undoubtedly get a better price than the ordinary military man.

Mr. DOUGLAS. That is correct.

Mr. WILEY. The items which were stricken from the amendment were the items on which military men would be experts.

Mr. DOUGLAS. That is correct—shells, munitions, rifles, guns, hand grenades, airplanes, submarines.

Mr. AIKEN. And gasoline and oil?

Mr. DOUGLAS. Are we going to say we should not go halfway simply because we do not go all the way?

Mr. WILEY. The Senator did not understand my question. Does not the Senator think that there should be some kind of overall supervision of the military personnel, who are in the habit of spending?

Mr. DOUGLAS. I agree.

Mr. WILEY. I have known of instances of those in the Department itself having been told to give a certain contract to so and so, instead of advertising for competitive bids. That involves military items, not simply foodstuffs and articles of that kind.

Mr. DOUGLAS. I think the Senator from Ohio, in the statement which he made earlier, indicated that there are a number of things which must be followed in connection with freely competitive bids. For example, the figures on the contracts must be stated in the simplest specifications.

Mr. LAUSCHE. May I supplement what I have said?

Mr. DOUGLAS. Certainly.

Mr. LAUSCHE. We now have a system under which the winds and caprices, the loves and the hatreds, and the political leanings of the purchasers are the law. What are needed are clearly defined laws and regulations which will control.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming has the floor. To whom does he yield?

Mr. O'MAHONEY. I yield to the Senator from Illinois, a cosponsor of my amendment.

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

Mr. O'MAHONEY. The Senator from Illinois was about to make a comment.

Mr. DOUGLAS. The Senator from Ohio has been correct in what he has been saying. There should be simple specifications, free and full advertising, public opening of written bids, and awards to the lowest responsible bidders.

Mr. LAUSCHE. Who can honestly oppose that?

Mr. DOUGLAS. Apparently the Department of Defense is opposing it. That is one of the shocking things which is taking place. They are fighting this proposal for reform every inch of the way.

Mr. O'MAHONEY. May I comment to the Senator now?

Mr. DOUGLAS. Certainly.

Mr. O'MAHONEY. During the pleasant interlude, in which other Senators have been discussing the question, I myself have been negotiating. I have been negotiating with the chairman of the subcommittee——

Mr. WILEY. Did the Senator get the lowest price?

Mr. O'MAHONEY. Yes, I have the lowest price.

Mr. AIKEN. Did the Senator try competitive bidding?

Mr. O'MAHONEY. I have consulted also with the able acting minority leader, the distinguished Senator from Massachusetts [Mr. SALTONSTALL], with whom I was associated for many years on the Committee on Appropriations.

I gave notice under rule 40 of my intention to submit this amendment today, because it contains, particularly in section 1, a legislative provision, namely, that which establishes an agency within the office of the Secretary of Defense.

I am advised by the Senator from New Mexico and the Senator from Massachusetts that if my sponsors and I will agree to drop the first section, and to modify our amendment, so as to insert, on page 2, line 9, at the proper place in the bill, a new section, which will be a modification and an expansion of section 638 of the Defense Appropriation Act of 1953, they will be agreeable to accepting the amendment.

This, I think, is substantial progress along the lines for which we have been battling. The Senator from New Mexico tells me that he will wage a fight for this expansion in the committee of conference. I am confident that with the reports which have been received and which have been published by the committee in the House, the amendment will be adopted by the House.

Mr. CHAVEZ. I was one of those who sponsored a provision along that line.

Mr. O'MAHONEY. The Senator from New Mexico was one of the effective sponsors.

Mr. CHAVEZ. But I know that legislation cannot be included in an appropriation bill. So I have agreed with the Senator that if he will strike the legislative part of the amendment and simply offer the rest of it, I will be glad to take the amendment to conference, and I assure the Senator that we will fight for that portion of it.

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

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AIKEN. If the first section of the amendment be deleted, what does the remainder of the amendment instruct the Secretary of Defense to do that he is not supposed to do anyway?

Mr. O'MAHONEY. It is a strengthening of the existing law.

Mr. AIKEN. It is a reminder; that is all; is it not? It simply reminds the Secretary that he is supposed to do what he ought to do.

Mr. O'MAHONEY. That is true; but it gives him authority which he did not have before the provision was originally adopted.

Mr. AIKEN. But it does not require competitive bidding.

Mr. O'MAHONEY. No, it does not go into that.

Mr. AIKEN. It does not set up any new agency to compete with General Services Administration, does it?

Mr. O'MAHONEY. It does not; no. It provides:

> Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

There is an explicit directive from Congress to the Secretary of Defense to eliminate conflict among the three departments under his jurisdiction.

Mr. AIKEN. He is supposed to do that anyway, is he not?

Mr. O'MAHONEY. Oh, no; not until the original O'Mahoney rider was adopted. This proposal is progress toward unification. The record already made this afternoon shows conclusively how the regulations which were adopted at the beginning were afterward abandoned. This amendment indicates Congressional intent.

Mr. AIKEN. I can see no special reason for opposing the amendment as modified. I could see a thoroughly good reason for opposing the original proposal of the Senator from Wyoming. In fact, I do not want to see emphasis put on competitive bidding and a tightening of the restrictions for the purchasing of pencils, while letting gasoline and oil go free. I think the large items should be subject to competitive bidding also.

Mr. O'MAHONEY. I think the Senator is correct.

Mr. AIKEN. I think we ought to obtain all items as cheaply as possible.

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

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. I am glad to join in accepting the amendment. If the Senator from Wyoming and his colleagues will strike out the first section, I will do all I can to secure the adoption of the amendment in the committee of conference. I say this because I joined with the Senator from Wyoming in 1952 in proposing the original section 638 as it now is.

I may say to the Senator that this section applies, as I have stated, to noncombatant goods and to about 15 percent of all the purchases.

Mr. O'MAHONEY. I think it applies to more than that.

Mr. SALTONSTALL. But we shall not debate that point now. I am just

as opposed as is the Senator from Wyoming to the improper practices to which reference has been made this afternoon.

Mr. O'MAHONEY. Of course I realize that.

Mr. SALTONSTALL. I favor competitive bidding.

I wish to point out that under the amendment of the Senator from Wyoming to the 1953 act, a number of things have been accomplished.

Mr. O'MAHONEY. I know it, and I am glad to have the Senator from Massachusetts state it for the record.

Mr. SALTONSTALL. The stock fund which was set up as a result of the amendment of the Senator from Wyoming, was provided with appropriated funds in the amount of $424 million. Since that time $1,770,000,000, largely generated through the sales of excess stocks not requiring replacement, has either been returned to the Treasury, or at the direction of the Congress, has been used to finance other activities of the Department of Defense.

Mr. O'MAHONEY. There has been just a little backsliding.

Mr. SALTONSTALL. Under the present system more than 3 million items have been listed in one way, so that each Department can understand the listing; and a single manager system has been established. It represents integration, in the area assigned, of both operations and organization. It includes many of the quartermaster supplies to which reference has been made. In addition there is the Interservice Supply Support arrangement, so that if the Air Force, let us say, has a jeep it does not need, and if the Army needs another jeep, the Air Force jeep can be supplied to the Army, and so forth.

I am informed that 18 commodity coordinating groups are established at the present time, under the Interservice Supply Support arrangement, and that another 13 are under study.

Finally, there is the procurement-assignment system. Under this program, one of the military departments, through its normal procurement system, purchases all of a given class of technical and commercial commodities for itself and for other services.

When the Senator from Wyoming was on the committee, we heard many times about that program.

For instance, meat is purchased by the Navy, and clothing is purchased by the Army, or vice versa, for all three of the services. So under the amendment of the Senator from Wyoming, which was section 638 of the 1953 act, those things have been accomplished; and more can be accomplished.

If the first section of the amendment the Senator from Wyoming now proposes is introduced as proposed legislation, it should be referred to the Armed Services Committee, and should be thoroughly studied in connection with the other arrangements which already have been made, so as to work it out in a proper legislative way.

But I understand that that section has now been eliminated from the amendment. Therefore, I am glad to support the modified amendment of the Senator from Wyoming.

Mr. O'MAHONEY. I thank the Senator from Massachusetts.

AMENDMENT IS MODIFIED

Mr. President, I announce that I am modifying my amendment by eliminating the first part; namely, all the langauge on page 1 and all the language at the top of page 2, through line 6. I now modify the amendment in that way; and the amendment, as modified, is submitted by me, on behalf of myself, the Senator from Illinois [Mr. DOUGLAS], and the Senator from Colorado [Mr. CARROLL]. In short, we now submit the remaining portions of the amendment, which is offered as a modification of the existing section 638 of the Defense Department Appropriation Act of 1953.

The PRESIDING OFFICER. The amendment as modified will be stated.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert the following new section.

SEC. 633. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section."

Mr. AIKEN. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. I should like to ask whether paragraph (b), which provides that "the Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense" gives to the Secretary of Defense the same powers which now are vested in the President of the United States.

Mr. O'MAHONEY. No. It is not intended to take away anything from the President. This appropriation gives the Secretary of Defense authority to do what was originally provided in the original section 638. Let me state that an example is the combination, under one agency, of the purchasing authority for petroleum and petroleum products. All that is handled now under the direction of Admiral Lattu. A similar combination can be made for all the departments which are buying common-use items.

Mr. AIKEN. Then it does not give to the Secretary of Defense powers which he does not have at the present time; is that correct?

Mr. O'MAHONEY. At the moment I do not have before me——

Mr. AIKEN. I mean does it vest in the Secretary of Defense powers which may now be vested solely in the President, for reorganization purposes?

Mr. SALTONSTALL. Mr. President, in that connection will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. Examining very hastily title II of Public Law 253, 80th Congress, 1st session, which was Senate bill 758, and now is chapter 343, I find that section 202 deals with the Office of the Secretary of Defense; and the first item in section 202 (a) is—

(1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein.

Mr. AIKEN. Does the pending amendment conflict in any way with the powers which were given to the President, to enable him to reorganize the Government by legislation enacted by reason of the Hoover Commission recommendations referred to?

Mr. O'MAHONEY. No; it does not.

Mr. CURTIS. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. CURTIS. The amendment of the distinguished Senator from Wyoming grants to the Secretary of Defense broad power to transfer property, records, personnel, and funds, without any restrictions or limitations, as he may deem necessary in order to carry out the provisions of this section. One of the objectives of this section is to provide effectiveness.

Mr. O'MAHONEY. That is correct, and also to provide efficiency and economy.

Mr. CURTIS. Then if the Secretary of Defense says that a transfer of funds will make something more effective, he can make the transfer; is that correct?

Mr. O'MAHONEY. The purpose of the amendment is solely to provide unification, another step in the long process of progress since the 1947 defense bill was passed.

Mr. CURTIS. I understand that. But I wish to ask whether the authority of the Secretary of Defense to transfer funds is contingent upon a real and present possibility of saving money.

Mr. O'MAHONEY. Precisely, certainly.

Mr. CURTIS. And not on a theoretical saving which will occur at a future time; is that correct?

Mr. O'MAHONEY. Yes, that is correct. This has been the result of the studies made by at least five separate Congressional committees, and those finally made by the Hoover Commission.

Mr. CURTIS. I am aware of that. But, after all, the Secretary of Defense will be given rather broad authority to transfer anything he wishes to transfer.

Mr. O'MAHONEY. No; the amendment is limited to the noncombatant items, the items which have to do with common use by the departments. It is designed to do away with competition among various branches of the same agency.

Mr. CURTIS. But is it the intention that the Secretary cannot transfer funds unless it is done to carry out a real and immediate saving of money?

Mr. O'MAHONEY. There is no prohibition of that kind. The amendment is designed to give him the authority to bring about and to promote economy, and it is so stated. One must rely upon the integrity and intelligence of officials to carry out an instruction of Congress.

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

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. I am looking now at page 2, line 17, of the amendment of the Senator, which reads:

The Secretary of Defense, in order to provide for the effective accomplishment of this section is hereby authorized—

And so forth. Is not the word "authorized" permissive? Could not the Secretary do his own interpreting? Should not the word be "shall" instead of "authorized"?

Mr. O'MAHONEY. I suggest to the Senator that matter could well be taken up in the conference.

Mr. CHAVEZ. We could take it up in conference.

Mr. O'MAHONEY. If the Senator desires to change the word to "shall," I have no objection.

Mr. CHAVEZ. No. The only thing I have in mind is this. I think I follow what the Senator has in mind. However, when the word "authorized" is used, it makes it permissive.

Mr. O'MAHONEY. The Senator is quite right, but the first section reads:

Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services—

And so forth; so that is the overriding provision.

Mr. CHAVEZ. But the provision is that in order to provide for the effective accomplishment, the Secretary is authorized. I was wondering if that would carry out the purposes the Senator has in mind?

Mr. O'MAHONEY. On the assumption that the Secretary of Defense would proceed in harmony with this directive of Congress.

Mr. CHAVEZ. I am willing to take the amendment to conference.

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

Mr. O'MAHONEY. I yield to the Senator from Minnesota.

Mr. HUMPHREY. First of all, I wish to associate myself with the efforts of the Senator from Wyoming on this splendid amendment. Some time ago, in the Committee on Government Operations, in the Subcommittee on Government Reorganization, which deals with Hoover Commission recommendations, the question of Defense Department procurement was gone into rather extensively. At that time we had difficulty with the Department of Defense on purchase items exclusive of the needs of the combat forces—that is, exclusive of military equipment. It had been hoped some of the purchasing might be placed in a central purchasing administration, but to no avail. Then we considered the possibility of more centralized purchasing in the Defense Department, which was tacitly agreed to, but it was found wanting in terms of accomplishment.

I am particularly impressed with section 638, which the Senator has just read, where the mandate is laid down that "the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services." That relates to the preceding paragraphs, which refers to duplication in procurement, and sometimes duplication in actual services.

If the proposal is properly administered, which we have hope it will be, it will result in substantial savings. I think this is the way to save, rather than to strike at the established system in the hope that substantial cuts in expenditures will be accomplished, because the truth is that the departments will request supplemental or additional appropriations.

I commend the Senator. I shall vote for the amendment. I think it is an effort to effect economy in Government, for which the Senator should be commended.

Mr. O'MAHONEY. I thank the Senator.

EXHIBIT 1

EXTENDING TITLE II, FIRST WAR POWERS ACT, 1941

Mr. FRAZIER, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred the bill (H. R. 7536) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 4, strike out "1267" and substitute "1257."

Page 1, line 5, strike out "1959" and substitute "1958."

AMENDMENTS

The amendments are to correct the statute citation and to limit the extension of title II to 1 year.

GENERAL STATEMENT

The purpose of this legislation is to extend the termination date of title II of the First War Powers Act of 1941 to June 30, 1958. Under present law title II would expire on June 30 of this year.

Under the provisions of title II, the President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance, progress, and other payments thereon, without regard to the provisions of the law relating to the making, performance, amendment, or modification of contracts, whenever he deems such action would facilitate the national defense, subject, however, to the additional provisions set forth in title II. Pursuant thereto the President has conferred the powers authorized in title II upon the heads of a number of executive departments and agencies, including the Departments of Defense, Army, Navy, Air Force, Commerce, Agriculture, and Interior, the Atomic Energy Commission, the National Advisory Committee for Aeronautics, the Government Printing Office, the General Services Administration, the Tennessee Valley Authority, and the Federal Civil Defense Administrator.

The continuation of the effectiveness of these emergency powers has been and will continue to be of important assistance to the authorized departments and agencies of the Government in the prosecution of the national mobilization program, either in current procurement activities or as standby authority which may be exercised during a period of exigency arising out of the defense effort. Under the act, executive departments and agencies are empowered to amend or modify Government contracts without additional consideration, where, for example, an actual or threatened loss on a defense contract will impair the productive capacity of a contractor whose continued existence is needed for the national defense. Officials likewise may make advance payments on contracts to be executed in future or extend delivery dates where authorized. Mistakes and ambiguities in contracts may be rectified, and indemnity payments may be guaranteed for otherwise noninsurable risks. Without this authority, it would be impossible for the various procurement agencies to use the special procurement techniques required in situations of military or production urgency, which other permanent laws are not designed to afford.

Title II was reactivated for the Korean emergency by the act of January 12, 1951. In each Congress thereafter it has been extended. This legislation provides for a 1-year extension of the automatic termination date to June 30, 1958. Of course, in addition to the termination date there remains the possibility of title II terminating at any time Congress by concurrent resolution or the President designate.

The executive communication from the Department of the Navy and the departmental reports on the bill are here inserted and made a part of this report.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., May 9, 1957.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: There is enclosed a draft of legislation, to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

This proposal is a part of the Department of Defense legislative program for 1957, and the Bureau of the Budget has advised that there would be no objection to its transmittal to the Congress for consideration. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The proposed legislation would amend section 2 of the act of January 12, 1951 (64 Stat. 1257; 50 U. S. C. App. 611, Note), as amended, so as to continue in effect title II of the First War Powers Act, 1941, for the duration of the national emergency proclaimed by the President on December 16, 1950, or until June 30, 1959, whichever is earlier. Since reactivation of the basic law in 1951, title II thereof relating to contracts has been successively extended by the Congress to June 30, 1953 (Public Law 426, 82d Cong.), June 30, 1954 (Public Law 97, 83d Cong.), June 30, 1955 (Public Law 443, 83d Cong.) and June 30, 1957 (Public Law 58, 84th Cong.). These extensions were in recognition of the need for such emergency authority during periods of continued international unrest.

Under the provisions of the expiring law the President may authorize any Department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance progress, and other payments thereon, without

regard to other provisions of law relating to contracts whenever he deems such action would facilitate the national defense, subject however to the additional provisions which are set forth in title II of the First War Powers Act, 1941. Also by the authority of that title, the Department of Defense is empowered to amend contracts without consideration. This includes the extension of the time of performance of contracts and the waiver of liquidated damages and performance bonds by the United States.

The exercise of title II authority permits defense agencies to make the necessary adjustments to assure the continued availability of essential productive capacity. Without this authority, it will be impossible to use the special procurement techniques necessary and proper in situations of military or production urgency, which other permanent laws are not designed to afford. By virtue of title II of the First War Powers Act, the Department of Defense is currently authorized to make advance payments on advertised contracts. Without the authority granted by title II, the Department of Defense could make advance payments only on negotiated contracts. This law is considered to be vitally necessary in order to supplement other contract authority and thus insure uninterrupted performance of contracts to facilitate the national defense.

The possibility of abuse of the powers granted by this law is greatly precluded by safeguards contained in the statute itself. Furthermore, the administration of the law has been marked by close adherence to its intended purposes. Within the Department of Defense, title II authority has been used only when "such action would facilitate the national defense" and where normal procurement methods and authority are deemed inadequate to meet the situation.

It is considered that the reasons necessitating past extensions of this authority prevail in no less degree today. The continued internal and international tensions in many parts of the globe, particularly the Middle East, and the importance of this law to the readiness of our defense forces are believed to well justify its extension as provided by this proposal.

COST AND BUDGET DATA

The enactment of this legislation would cause no apparent increase in budgetary requirements insofar as the Department of Defense is concerned.

Sincerely yours,

W. B. FRANKE,
Acting Secretary of the Navy.

"A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941

"Be it enacted, etc., That section 2 of the act of January 12, 1951 (64 Stat. 1267), as amended, is further amended by striking out '1957' and inserting in lieu thereof '1959'."

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, May 23, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives.

DEAR MR. CHAIRMAN: Further reference is made to your letter of May 20, 1957, requesting our views on H. R. 7536, a bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

Title II of the First War Powers Act gives the President power to authorize any agency of the Government which is exercising functions connected with the national defense to make or modify contracts without regard to other laws relating to Government contracts whenever such action will facilitate the national defense. Advance and progress payments to contractors are also authorized.

When the last extension of title II was being considered by the House Committee on the Judiciary we reported to you in our letter of March 16, 1955, B-100460, that in view of the intended purpose of the title II powers and the manner in which they were being administered, we had no objection to the extension. Since nothing has come to out attention to change our views in the matter, we likewise have no objection to its extension as now proposed in H. R. 7536.

The statute citation in the bill should be 64 Statute 1257 rather than 64 Statute 1267.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

SMALL BUSINESS ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR,
Washington, D. C., June 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN CELLER: Further reference is made to your letter of May 20, 1957, requesting the views of this agency on H. R. 7536, a bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

Title II of the First War Powers Act, 1941, authorizes Government agencies exercising functions in connection with the national defense "to enter into contracts and into amendments or modifications of contracts * * * without regard to provisions of law relating to the making, performance, amendment or modification of contracts whenever * * * such action would facilitate the national defense." This legislation authorizes, among other things, modification of contracts without additional consideration and thereby grants to the procurement agencies a degree of flexibility in national defense procurement activities which is said to be necessary in the efficient as well as equitable administration of a defense procurement program.

H. R. 7536 would extend title II of the First War Powers Act for a period of 2 years. The Small Business Administration does not oppose such an extension.

The Bureau of the Budget has no objection to the submission of this report.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., June 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: By letter dated May 20, 1957, you requested the views of the General Services Administration on H. R. 7536, to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941. It is noted that the citation on lines 3 and 4 of the bill should read "(64 Stat. 1257)."

In connection with the national defense programs of this administration, we consider that the authority provided by title II of the First War Powers Act, 1941, as amended, is essential to meet the varying situations where more normal procurement methods and authority are found to be inadequate. The proposal to have this authority continued through June 30, 1959, is both logical and desirable and is, therefore, recommended.

No estimate of the probable cost of the bill is available, but it is anticipated that the enactment of this legislation would cause no increase in the budget requirements of this administration.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRANKLIN G. FLOETE,
Administrator.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, there is printed below in roman type without brackets existing law in which no change is proposed by enactment of the bill as introduced; present provisions proposed to be stricken by the bill as introduced are enclosed in black brackets, and new provisions proposed to be inserted are shown in italic:

"ACT OF JANUARY 12, 1951 (PUBLIC LAW 921, 81ST CONG. (64 STAT. 1257), AS AMENDED

* * * * *

"SEC. 2. Title II of such act, as amended, shall remain in force during the national emergency proclaimed by the President, December 16, 1950, or until such earlier time as the Congress by concurrent resolution or the President may designate but in no event beyond June 30, [1957] *1958.*"

Mr. DOUGLAS. Mr. President, before the final vote is taken on the revised form of the O'Mahoney amendment, I think I should add a word of warning. The proposed wording is somewhat similar to the O'Mahoney amendment of 1952. It does broaden the directive given to the Secretary of Defense, but it apparently does not make it mandatory upon the Secretary of Defense to install a system of centralized purchase and storage of common-use items. It merely gives a general directive to the Secretary which he may carry out or may disregard as he chooses. While the amendment is an improvement over the amendment offered in 1952, I am afraid that on the basis of the experience which we have had since 1952 it will be relatively ineffective.

We have had this general language now for 5 years, and the Secretary of Defense has chosen to disregard it. It is obvious that the opposition to the O'Mahoney amendment as originally proposed this afternoon has come from the Department of Defense, and that the Senator from Wyoming, in order to salvage something, has chosen to get as much as he could. However, I think in its final form the amendment is so watered down that it can be—and I am afraid it will be—disregarded by the Department of Defense, and that next year we will find ourselves in almost precisely the same situation we are in this year.

I wish to congratulate the Senator from Wyoming for the gallant fight which he has made. I think he has been compelled, largely by force of circumstances, to retreat from the field.

I hope the Department of Defense—I know their representatives are here in the gallery—will note the debate which has occurred and report to their superiors the clear opinion of the Senate in this matter, and that we will get some action. If we do not get action next year, I think the temper of the Senate will be such that when the Senator from Wyoming offers a strong amendment again neither the gates of hell, the opposition of the Defense Department, nor points of order will prevail against it.

Mr. O'MAHONEY. Mr. President, I ask that the amendment be submitted to the judgment of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] for himself and other Senators.

The amendment, as modified, was agreed to.

Mr. WILLIAMS. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert at the proper place the following:

Provided, however, That none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a competitive basis to the lowest responsible bidder.

Mr. WILLIAMS. Mr. President, the purpose of the amendment is to require that in all instances in the procurement of goods or services under this act the Secretary of Defense shall use the procedure of soliciting and accepting the lowest responsible bid in all instances where it would be practicable.

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

Mr. WILLIAMS. I yield.

Mr. CURTIS. Who would determine whether it would be practicable?

Mr. WILLIAMS. The Secretary of Defense.

Mr. CURTIS. It is not the intention of the Senator that such authority shall be vested in a lower official who is actually making the purchase; is it?

Mr. WILLIAMS. No; it would be determined by the Secretary of Defense.

The reason the provision granting some discretionary authority is included is that it is recognized that in the procurement of certain items it would not be practicable to solicit competitive bids. Secret weapons might be involved which it would not be desirable to advertise. There might also be certain goods desired to be purchased of which there would not be a competitive supply. But where there is a competitive supply, either of services or of goods, the purpose of the amendment, if adopted, would be to instruct the Secretary of Defense that it was the will of the Congress that he should use the competitive bid basis for awarding the contracts and that the contracts should go to the lowest responsible bidders.

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

Mr. WILLIAMS. I yield.

Mr. AIKEN. Would the adoption of the amendment preclude the placing of orders for any commodity in areas of high unemployment, such as has been the practice in the past few years?

Mr. WILLIAMS. The adoption of the amendment would mean that the contract must go to the lowest responsible bidder except as the Secretary of Defense——

Mr. SALTONSTALL. Mr. President, if the Senator will yield, I interpret the Senator's amendment to read as far as practicable, but as not changing the present law with respect to defense areas and other matters of that character. I understand the Senator's amendment to mean that a contract shall go to the lowest bidder wherever that is practicable in the Secretary's opinion. The law is very clear on that point. Some commodities can be negotiated for, as was brought out this afternoon. A small amount in the defense area in a certain technical way, is negotiated for. There is a bill now in Congress to end that, anyway. The other contracts would be let by competitive bidding.

Mr. WILLIAMS. The Senator is correct. I have had several contractors point out to me instances where they have bid on goods or supplies which have been in competitive supply, and there were likewise instances in which contractors were bidding on certain services to be rendered wherein the Department of Defense would solicit bids and then negotiate with a contractor who had one of the higher bids and then award the contract on a negotiated basis. This amendment provides that if goods or services are in competitive supply, the Department shall solicit competitive bids and then award the contract to the lowest responsible bidder. If the Department wants to reject all bids, it should do so, but then it should allow all bidders to submit new bids. And then award the contract to the lowest responsible bidder.

Mr. CHAVEZ. Mr. President, I was willing to accept the amendment a few minutes ago. I accept the amendment.

Mr. AIKEN. Mr. President, I expected the amendment to be accepted. I should like to have the record show that I do not approve or accept it, so far as changing the present law is concerned, so that it would preclude the placing of orders in some areas where there is much unemployment, even in these prosperous days.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendments 7–1–57–C, as modified this morning, and ask to have the amendments considered en bloc as amendments to the proposed Senate bill.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the RECORD.

The amendments submitted by Mr. DOUGLAS and ordered to be printed in the RECORD, are as follows:

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000."

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000."

On page 8, line 21, strike out "$217,000,000" and insert in lieu thereof "$197,000,000."

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000."

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000."

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000."

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000."

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000."

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000."

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000."

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000."

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000."

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000."

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000."

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000."

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000."

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000."

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000."

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000."

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000."

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000."

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000."

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000."

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000."

On page 22, line 16, strike out "$1,264,500,000" and insert in lieu thereof "$1,146,500,000."

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000."

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000."

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000."

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000."

On page 8, between lines 11 and 12 insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting two or more combat divisions of the Army utilizing nonnuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of additional combat units of the Marine Corps utilizing nonnuclear firepower; $75,000,000."

Mr. DOUGLAS. I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois [Mr. DOUGLAS] that the amendments be considered en bloc? The Chair hears none, and the amendments will be considered en bloc.

Mr. DOUGLAS. Mr. President, I hope we will have the yeas and nays on this amendment. I do not see the distinguished acting majority leader in the Chamber, but I hope we may have the yeas and nays, and I now ask for them.

The PRESIDING OFFICER. The Senator from Illinois asks for the yeas and nays on his amendment.

The yeas and nays were ordered.

Mr. DOUGLAS. I thank the Presiding Officer, and I thank my colleagues.

Mr. President, I am not going to argue this amendment at any great length this afternoon, because I spoke for some 3 hours on it yesterday, and filled 35 pages of the CONGRESSIONAL RECORD, and this material has been available today for study by the Members of the Senate.

I think the material which was introduced into the RECORD yesterday and today proves very clearly that there are enormous wastes in the Department of Defense, wastes which far from having been reduced in the last few years have probably been increased. These are wastes, as we pointed out, in an excessive accumulation of stocks—$111 billion worth of personal property scattered all over the world, and supplies accumulating in central depots running close to $51 billion, with additional supplies distributed to units in the field. There is a huge wastage of material, gradually moving towards obsolescence, which, when it finally has to be sold, sells for only a few cents on the dollar.

We can and should draw on the existing stocks, instead of acting like a group of pack rats and still further filling up depots.

In this connection, Mr. President, I should like to invite the attention of the Senate to what the Deputy Under Secretary of the Army, Mr. Pearson, said in 1953, where he is quoted on page 70 of the hearings of the Subcommittee of the Committee on Government Operations of the House of Representatives:

> We spend $940 million a year operating depots, pushing dead ducks around, instead of using personnel in their capacities and abilities to handle live things and control things in the way they should be controlled.

That was the statement made merely for the Army. It could be duplicated for the Air Force, for the Navy, and to some degree, although to a lesser one, for the Marine Corps. That was 4 years ago. During these last 4 years conditions have not improved; they have grown worse. There is an enormous waste in the accumulation of surplus supplies.

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

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I should like to ask the Senator if my understanding is correct as to what the Senator said yesterday, that his amendments, considered en bloc, would reduce the amount to be appropriated in the bill by $1,058,504,000, subject to a $500 million increase in the Army and the Marine Corps for combat units.

Mr. DOUGLAS. In order to clear up the uncertainty for the Senator from Massachusetts, let me say that these amendments would reduce the specified appropriations to the amounts finally approved by the House, or $971 million less than the amounts recommended by the Senate Appropriations Committee. We do not restore the Army and Marine procurement items which the Senate committee cut out. Then of that $971 million saving on individual items, $500 million would be appropriated for the equipping and furnishing of additional combat units, to be divided between the Army and the Marine Corps in the approximate ratio of their present combat strength.

Really, the proposal is a very simple one. It proposes to cut the total appropriations by approximately $500 million or, to be precise, by $471 million. Then, of the $34 billion which would be appropriated, $500 million would be earmarked for the equipping of additional combat units to provide added protection against the danger which is likely to occur in the peripheral areas of the world where the Communists will probably start probing operations and where the war will be of a limited and not a total character.

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

Mr. DOUGLAS. I am glad to yield.

Mr. LAUSCHE. To make certain that I understand the net result of the amendment, if adopted the amendment will restore the funds approved by the House but add thereto $500 million, to be assigned in equal proportions to the Army and the Marine Corps for the implementation of our forces to meet limited warfare?

Mr. DOUGLAS. The Senator is correct. Instead of being an arithmetically equal distribution between the Army and the Marine Corps, it would be in proportion to the existing combat strength; 17 Army divisions and 3 Marine divisions.

Mr. President, that is the amendment which I am proposing, and I submit that it is justified by the facts concerning waste—waste of supplies, waste in negotiated contracts, and waste in improper items which are let under contracts, many of which I referred to yesterday, including the celebrated diaper service, which apparently we are furnishing for certain Army personnel at Government expense. There are many other wasteful and absurd items. In addition, there is a fact that the Air Force could certainly draw in its horns in connection with MATS and administrative aircraft.

Fundamentally, what I am trying to do is to effect economies and increase national security at the same time. I am attempting to take the $1 billion out of waste, as a saving, and give half of it to the taxpayers, and half of it to increased national security. It is as simple as that.

I see the representatives of the military in the galleries smiling and laughing at my efforts. I suppose that it their attitude as they look down upon mere mortals here on the floor from their lofty Olympian heights. That is their privilege. There is no law against the military laughing. But I say this to them in all sincerity, and with no malice in my heart: You should get into the game yourselves, and try to produce more efficiency and security instead of championing waste and luxury. It is, however, no laughing matter when attempts are made both to economize and to increase the armed strength of the United States. Let the people ultimately be the judges.

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

Mr. DOUGLAS. I yield.

Mr. CARROLL. I should like to address a question also to the attention of the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

Yesterday I asked the chairman of the subcommittee, the distinguished Senator from New Mexico [Mr. CHAVEZ] about the amount of money——

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Did the Senator from Illinois yield the floor?

Mr. DOUGLAS. I was ready to yield the floor when the Senator from Colorado asked me to yield. I do not wish to evade answering his question.

Mr. CARROLL. I believe that the question of the transfer of funds involves some $590 million. I wonder if the distinguished Senator from Illinois can tell me how much money is in those funds?

Mr. DOUGLAS. In the stock funds?

Mr. CARROLL. Yes; in the stock funds.

Mr. DOUGLAS. For the Army alone, there is almost $7 billion in stock funds; for the Navy, $1.4 billion; for the Marine Corps, $393 million; for the Air Force, $746 million. However, those are only the stock funds. Behind them stand enormous quantities of stock in a less preferred position. As I say, the total amount of all personal property is $111 billion, and the appropriated fund inventories amount to $41.2 billion for all services, plus the stock fund inventories of $51 billion in all.

Mr. CARROLL. I understood the distinguished Senator's remarks with reference to that enormous sum. That is why I wished to address my remarks also to the attention of the distinguished Senator from Massachusetts. The distinguished Senator from Illinois may not have the figures at his finger tips.

How much money is there in unobligated funds, money that is available to the Military Establishment? Does the Senator from Massachusetts have that information?

Mr. SALTONSTALL. I did not hear the question.

Mr. CARROLL. How much money is available to the Military Establishment in unobligated funds, above the budget we are now considering?

Mr. SALTONSTALL. The Senator asks a very difficult question. The budget presented by the committee would call for appropriations of approximately $34,534,000,000.

Mr. CARROLL. I understand that.

Mr. SALTONSTALL. There are certain funds carried over. The total obligation availability will be $49,900,000,000, including military construction. The Department will apportion during the fiscal year 1958, for its program in 1958, approximately $46 billion, of which there will be carried over approximately $8 billion. I do not vouch for the accuracy of those figures, but I think they are reasonably accurate.

Mr. CARROLL. If I correctly understand what we are doing, an appropriation of about $34 billion or $35 billion is asked for.

Mr. SALTONSTALL. That is correct.

Mr. CARROLL. But there is another pool of about $49 billion.

Mr. SALTONSTALL. No. That includes the $34 billion.

Mr. CARROLL. Those are obligated funds. Is there another fund called the unobligated fund?

Mr. SALTONSTALL. No; that figure of $49.9 billion includes the unobligated funds of $10.9 billion carried over into fiscal year 1958. They will be used during the fiscal year 1958, and there will be certain unobligated funds carried over into 1959.

The Senator was formerly a Member of the House. The House would not stand for the principle of contract authorization, so the House eliminated that provision, in the exercise of its power as the senior appropriating body. What we do now is to say, "If you build an aircraft carrier, that will require 4 or 5 years. We will appropriate the entire sum, $200 million, the first year." That money is carried over as unexpended balances, but that does not mean that it is not planned for. The plans are all made, but the contracts are not let until the time comes to let them. That may be the third year after the original appropriation. That is what is meant by unobligated balances. So an unobligated balance is not an unplanned balance. The Department knows where the money is to go, but it is not yet contracted for.

Mr. CARROLL. I thank the distinguished Senator from Massachusetts. I understand the situation generally to be this:

If we appropriate the sum of $34 billion or $35 billion, the sum total available for expenditure will be about $49 billion, and the actual expenditure for the next fiscal year will be approximately $46 billion.

Mr. SALTONSTALL. For the fiscal year 1958 there will be a total obligation availability of $49,900,000,000.

Mr. CARROLL. But the obligation in the next fiscal year——

Mr. SALTONSTALL. The total planned program for the fiscal year 1958 will amount to $46,684,000,000 leaving a carryover or unobligated balance to 1959 of $8 billion. There is a carryover this year of $10.9 billion. In other words the Department will use almost $3 billion of the unobligated balances during the fiscal year 1958.

Mr. CARROLL. I thank the distinguished Senator from Massachusetts.

Mr. President I think the amendment offered by the distinguished Senator from Illinois cannot possibly be misconstrued by anyone who wishes a strong national security because the evidence now is clear that with this appropriation with even the small cut the Senator from Illinois suggests to this body there would still be $48.5 billion available; and I am confident that the report of the distinguished Senator from Massachusetts is accurate. Notwithstanding a planned obligation in this fiscal year of some $46 billion there will still be a surplus—we can call it an unobligated surplus—of $3 billion.

No one claims that such a cut as that proposed by the Senator from Illinois will injure national security. It is true—and I am speaking now for myself—that I do not want to put myself in the position of saying that I know more than the President of the United States or the great military experts, but it seems to me that there comes a time when we must say to the military, who are negotiating contracts and spending great wealth and revenue, "Take another look. You can absorb the $437 million."

We are not adopting the full House cut. We want to eliminate waste and overlapping and duplication. All we want the military to do is to eliminate some of the plush programs. From the debate this afternoon it should be clear to all concerned that the military will no longer call the turn for Congress. We must have economy. If security is in the national interest so is economy in the national interest. It has been said that one of the most terrible problems we faced 20 years ago was the problem of unemployment. Today the counterpart to that problem in our economy is inflation. For 10 consecutive months we have had an inflationary spiral moving upward. I said to the distinguished Senator from Wyoming only a few minutes ago that we saw what the giant oil corporations have been doing. With just one little increase in the price of crude oil they have added fuel to the fires of inflation, which will have a billion-dollar inflationary effect upon our economy.

The other day the United States Steel Corp. increased the ton price of steel. That will have a chain reaction throughout the Nation's economy, like the chain reaction which was triggered by the giant oil corporations when they raised the price of crude oil. We are facing a very serious problem, the problem of inflation.

I therefore intend to support the amendment, not because I substitute my judgment for the judgment of the military, but because the time has come when we must begin to manifest some desire for economy and the curbing of wasteful expenditures in the Government. The Senator's amendment stands as an example of what we can do to fight inflation without injuring the national security. I congratulate the Senator from Illinois on the work he has done.

Mr. DOUGLAS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Illinois.

Mr. CHAVEZ. Mr. President, the amendments of the Senator from Illinois would reduce the bill by $971 million, subject to a $500 million increase in the Army and Marine Corps for combat units.

It would cut under the House bill by $87 million. The amendment would wipe out all the increases which the Secretary of Defense, the Joint Chiefs of Staff, and the military leaders have testified are necessary to the security of our Nation. The amendment would cut the National Guard from 425,000 to 368,000.

It would cut the organized Reserve by 20,000 6-month trainees. It would cut the flight pay for Army aviator training.

It would reduce necessary research and development in the three services. It would cut out 11,000 Navy military personnel, or defer the promotion of 45,000 qualified personnel. It would reduce the Navy aircraft procurement program. It would eliminate two needed Navy ships. It would stop the procurement of influenza vaccine. We have been reading a great deal recently about the influenza epidemic in the Far East. The Douglas amendment would stop the procurement of influenza vaccine. It would cut the procurement of spare parts for Air Force aircraft. It would stretch out the guided missile development program. B–52's would be deprived of their support equipment. Of course eventually guided missiles will do the job, but until they are available we will still need the B–52's. The amendment would also eliminate the repair of crash-damaged aircraft. It would also probably reduce the Air Force from 925,000 to 910,000.

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

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. The dire consequences the distinguished Senator from New Mexico has read off—and I am sure this is not intentional on his part—are the usual tactics of Government bureaus when an appropriation is reduced. They threaten to reduce services, rather than to eliminate waste.

Is it not true, as the Senator from Massachusetts has stated, that there are reserve stocks of $50 billion unobligated and unexpended? What the Senator from Illinois is proposing is really only a reduction of $471 million, or 1 percent of this.

Is the Senator from New Mexico saying that a reduction of 1 percent in the available supplies which are now on hand, not obligated and not expended, will endanger the security of the United States?

I think we are having this afternoon a repetition of the Summerfield tactics, a refusal to reduce waste and, instead, a threat to reduce security, when waste can be eliminated by the simple device of pulling down these vast accumulating stocks by 1 percent. It is the usual threat that the departments make to Congress.

Mr. CHAVEZ. I will tell the Senator from Illinois what I think. In all sincerity, I may say that I am not on Summerfield's side. However, I believe, so far as I am concerned, that the items provided for in the bill are necessary for national security.

Mr. DOUGLAS. But those items would not have to be eliminated. That is just the point.

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

Mr. CHAVEZ. I shall yield in a moment. Does the Senator from Illinois have something else to add?

Mr. DOUGLAS. That is all.

Mr. CHAVEZ. I stand by the figures in the committee's report.

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

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I agree with the Senator from New Mexico. I make merely one addition to what he has so ably pointed out. First, the figures he has read concerning the reductions, if I am correctly informed, were the work of our staff in the Committee on Appropriations, who were asked to analyze the bill and the effect of the reductions proposed by the amendments.

Second, what the Senator from New Mexico has said has a cumulative effect. The amendments eliminate what we have been trying to do for the National Guard and the Reserves; but, above all, they unbalance the system of Army operation. They add to the number of combat units, but reduce the maintenance and operation funds with which the additional combat units can operate.

The Senator from Illinois was a very distinguished marine. I have the utmost respect for his combat service and his other abilities. I am certain that when I make the statement that more than 60 percent of our Army today is composed of combat troops, he will agree that that is a figure which is seldom reached in peacetime, or has never before been reached, I believe, in peacetime.

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

Mr. SALTONSTALL. I have finished my statement. The Senator from New Mexico has the floor.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico permit me to reply to the Senator from Massachusetts?

Mr. CHAVEZ. Yes, I will; but before the Senator does so, I wish him to bear in mind that if his amendments are agreed to, they will cut the National Guard from 425,000 to 368,000. If the Senator wants to have that done, it is all right with me.

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

Mr. CHAVEZ. In a moment. The organized Reserve would be cut by 20,000 6-month troops. If the Senator wants to do that, it is perfectly all right with the Senator from New Mexico. His amendment would cut the flight pay for aviator training. If the Senator from Illinois wants to do that, that is perfectly all right with me, too.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, on the subject of the National Guard, in the committee we studied that question most thoroughly. We obtained all the information it was possible to get from the National Guard Association as well as from the individual officers of the National Guard.

Mr. CHAVEZ. And also from the Pentagon.

Mr. THYE. And from the Pentagon. We increased the appropriation by $40 million. If we had not increased it, it was a positive, proven fact that a reduction in the National Guard would be made from a possible 400,000 to a lower figure. It was for that reason that the subcommittee increased the amount for the National Guard, and the full committee supported the subcommittee when the question was put before the full committee.

Mr. CHAVEZ. That is why this item is before the Senate.

Mr. THYE. The greatest military strength at the lowest cost can be had and can be maintained with the least amount of disruption to the normal life of the youth through the National Guard.

Mr. CHAVEZ. That is correct.

Mr. THYE. For that reason, I believe it would be a serious mistake to reduce the amount provided in the bill as an appropriation for the National Guard.

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

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. May I ask the Senator from New Mexico if it is not true that the Secretary of Defense has in practice exercised broad powers not only to freeze funds which have been appropriated, but also to distribute funds within a given service?

Mr. CHAVEZ. I do not understand the Senator's question.

Mr. DOUGLAS. Has not the Secretary of Defense exercised the power not merely to freeze funds which Congress has appropriated, but has also reapportioned and reallocated funds within a service or department?

Mr. CHAVEZ. He has no power whatsoever to transfer funds appropriated for the National Guard.

Mr. DOUGLAS. He has exercised similar powers in the past in transferring funds from one purpose to another. It is very strange that now it is suddenly discovered he cannot do so.

Mr. CHAVEZ. No; I do not think he has the power or the authority.

Mr. DOUGLAS. Has he not done so?

Mr. CHAVEZ. I have seen Government officials do so many things that I would not be surprised if he has.

Mr. DOUGLAS. Exactly so. I do not wish to prolong the debate, but the point was raised by my good friend from Massachusetts, whom we all love and respect, that the amendment would unbalance the military forces because it would increase combat forces and diminish the funds for operation and maintenance, and deserves to be answered.

The Department of Defense has already unbalanced the situation by devoting too much of the funds for operation and maintenance and not enough funds for combat. An alteration of the distribution of those funds would distinctly help the national defense. How ridiculous to say we are unbalancing national defense by increasing combat strength.

Mr. CHAVEZ. The Senator from Illinois is a peaceful man.

Mr. DOUGLAS. At times I am peaceful; but at times I am bellicose when I see public funds wasted and national security sacrificed.

Mr. CHAVEZ. I understand national origins, so I accept it. We can be peaceful or otherwise. Nevertheless, we are supposedly at peace, and not at war.

We are providing, or are trying to provide, in the best of faith, armed services appropriations which will meet the demands in case of an emergency. If an emergency were to occur, the appropriations would not be half enough. But we are trying to provide for the security of the country as things are now.

Mr. DOUGLAS. I do not wish to prolong the discussion and with this last remark, I will stop. I agree that we are in for a hard pull. But I submit that the Nation needs combat troops more than it needs diaper service for Army personnel; more than it needs swimming pools; more than it needs $500,000 messhalls; more than it needs free riders on MATS; more than it needs $50 billion worth of idle goods in the warehouses.

We should trim down to be a little leaner. We should strip down more than we are doing, and we should give up some of the luxuries which apparently the Pentagon holds more dear than combat effectiveness. We should strive instead for greater combat strength.

Mr. CHAVEZ. I assure the Senator from Illinois that, so far as I am concerned, as the chairman of the subcommittee which handles the Defense Department appropriation, I am not for diaper service. I am for combat service.

Mr. DOUGLAS. We are paying for diaper service now. I am proposing that we turn some of the diaper money into bullets.

Mr. CHAVEZ. I prefer bullets to diapers.

Mr. President, I suggest that the Senate vote.

Mr. SALTONSTALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The question is on agreeing en bloc to the amendments of the Senator from Illinois [Mr. DOUGLAS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. SYMINGTON]. If the Senator from Missouri were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Arkansas would vote "nay."

The Senator from Texas [Mr. JOHNSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Oregon would vote "yea."

The Senator from Montana [Mr. MURRAY] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from Montana would vote "yea," and the Senator from West Virginia would vote "nay."

I also anounce that, if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Oklahoma [Mr. MONRONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Kansas [Mr. SCHOEPPEL]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 7, nays 65, as follows:

YEAS—7

Carroll	Johnston, S. C.	Smathers
Douglas	Lausche	
Frear	O'Mahoney	

NAYS—65

Aiken	Flanders	Mundt
Allott	Goldwater	Neuberger
Barrett	Gore	Pastore
Beall	Hayden	Potter
Bennett	Hickenlooper	Purtell
Bible	Hill	Revercomb
Bricker	Holland	Robertson
Bush	Hruska	Russell
Butler	Humphrey	Saltonstall
Capehart	Jackson	Scott
Carlson	Javits	Smith, Maine
Case, N. J.	Kefauver	Smith, N. J.
Case, S. Dak.	Kerr	Sparkman
Chavez	Knowland	Stennis
Clark	Kuchel	Talmadge
Cooper	Long	Thurmond
Cotton	Magnuson	Thye
Curtis	Martin, Iowa	Watkins
Dirksen	Martin, Pa.	Wiley
Dworshak	McClellan	Williams
Ellender	McNamara	Yarborough
Ervin	Morton	

NOT VOTING—23

Anderson	Fulbright	Johnson, Tex.
Bridges	Green	Kennedy
Byrd	Hennings	Langer
Church	Ives	Malone
Eastland	Jenner	Mansfield
Monroney	Neely	Symington
Morse	Payne	Young
Murray	Schoeppel	

So the amendments of Mr. DOUGLAS were rejected en bloc.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. POTTER. Mr. President, I send to the desk an amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 40, line 8, it is proposed to strike out "$3,300,000," and insert in lieu thereof "$3,000,000."

Mr. POTTER. Mr. President, in discussing the amendment now before the Senate, I should also like to discuss a couple of other items in the bill, to which I shall not seek to offer amendments, but I think, for the benefit of the Senate, they should be discussed for a few moments.

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

Mr. POTTER. I yield.

Mr. CHAVEZ. Can we not first take action on the first amendment, and then have the Senator follow with the others?

Mr. POTTER. It is my intention to discuss the amendment, which will take only a few moments, and then have the Senate vote on the amendment, if it cares to.

I think there is no Member of the Senate who wants to cut down on the amount of hardware for the fighting forces of our Nation or on the number of those who serve in our fighting forces.

I am confident that every Senator who has ever been in a military installation, or who has ever served in one of the branches of our armed services, must realize that the nature of our defense structure tends to be wasteful. There is a tendency on the part of our military leaders, because of the nature of their profession and character of their training, to be, let us say, lax with the American dollar.

The amendment I propose is a minor one. Actually, it will not save one nickel in the appropriation bill. However, I have here a list of the public relations people working in our Defense Department in the Washington area, which I think is of interest in connection with the amendment.

This proposal has nothing to do with the various public relations people throughout the world who are connected with the Department of Defense, but refers only to those within the Washington area. Let me cite these figures. In the Department of Defense, there is an Assistant Secretary in charge of public affairs. Under him there are 32 civilian professional personnel and 32 clerical personnel. The military personnel, under the Department of Defense in the field of public relations, consist of 37 professional personnel and 11 clerical.

The civilian personnel public relations people in the Department of the Army are listed as 21 clerical. The military personnel in the Department of the Army, in the public relations field, are listed as 15 professional and 8 clerical.

I could go down the list, Mr. President, and cite example after example of what is, to me, a growing tendency on the part of the military to expand its noncombatant forces.

I would be the first to admit that a public relations division in the Army and the other services, or in the Department of Defense, might be desirable. However, when there are, in the Washington area alone, nearly 150 public relations people who are assigned to that duty, to say nothing of the many hundreds who are engaged in public relations work but are not assigned to that duty on behalf of the various services, I think in their stead we could support almost a division of men, and those men could be used to a much better purpose in a military assignment, which would be more beneficial to the Nation.

What does my amendment propose? Instead of a limitation of $3.3 million, it would reduce that limitation by $300,000 to $3 million.

I have discussed this proposal with the ranking minority member of the Subcommittee on Appropriations which considered this bill, and I have discussed it in the committee. I hope the chairman of the committee, with his usual graciousness, will see fit to accept this amendment. However, before I relinquish the floor, if the chairman will do that, there is another item which I should like to bring to the attention of the Senate.

Mr. President, in the House report on this bill there are minority views presented by my colleague, Representative GERALD FORD, a member of the Subcommittee on Department of Defense Appropriations on the other side of the Capitol. In his minority views Representative FORD cited an example of two hospitals, one in the State of Massachusetts and one in the State of Arkansas. It is stated that the Department of the Army has twice said it could not use these hospitals. Since that time the Murphy Army Hospital in Massachusetts has been transferred for other use, but the Army-Navy Hospital at Hot Springs, Ark., has not. In the pending bill there is a proviso on page 8 which states that the Army shall not abandon the Army-Navy Hospital at Hot Springs, Ark.

This is a small item, and I am most reluctant to bring it to the attention of the Senate, particularly because of my good friend, a distinguished Member of this body, the Senator from Arkansas [Mr. MCCLELLAN], who has shown a great deal of interest in the hospital. It is, as the Senator states, one of the better Army hospitals in the country.

The fact remains, Mr. President, that the Army has not used the hospital, which now costs, according to the testimony of the Army, approximately a half million dollars a year to maintain. We could save a half million dollars if this hospital were closed.

I am confident that this proviso could be knocked out of the bill on a point of order, as legislation on an appropriation bill. I have discussed this matter personally with the distinguished Senator from Arkansas, and I agree with him that the military will be coming here probably within a few weeks to present

to the Congress a bill to provide for construction of new hospitals all over the country. If the Army cannot use this hospital, then I think that the other services, as well as the Army, when they come before the committee—I believe the chairman of the committee is the Senator from Mississippi [Mr. STENNIS]—asking for new construction, should be informed that every effort should be made to utilize the hospital at Hot Springs.

Because of the fact that the committee under the chairmanship of the Senator from Mississippi has not acted as yet, and because this matter will be coming before the Senate, I shall not at this time make the point of order. However, I would be remiss in my duty if I did not point out to the Senate that if this item is allowed to stand, and the same conditions prevail this year as prevailed last year, it will cost the taxpayers a half million dollars, which the Army claims is not needed.

So in all deference, not wishing to take more time of the Senate, I shall not raise the point of order at this time.

I ask the distinguished chairman of the subcommittee [Mr. CHAVEZ] if he would like to have me yield to him now, so that action may be taken on my amendment? If he would, I shall be happy to do so.

Mr. CHAVEZ. I will be delighted to have action taken on the amendment.

First, let me say to the Senator from Michigan that I appreciate the fact that he is not raising the point of order on the provision relating to the hospital at Hot Springs. It is true that it affects directly the two Senators from Arkansas. I do not represent the State of Arkansas. However, I have been following this particular item for many years, and I am most happy that the Senator from Michigan is not raising a point of order.

With reference to the other item, a reduction of $300,000 is involved in the limitation figure carried in the bill. The Senator from Michigan is a member of the subcommittee. He participated in the hearings. The Senator knows what happened, just as well as do other Senators who participated. In view of the overwhelming report of the subcommittee to the full committee, and the report of the full committee to the Senate, I hope that the amendment of the Senator from Michigan will be rejected.

Mr. SALTONSTALL. Mr. President, I agree with what the Senator from New Mexico has said. I should like to add—and I hope he will agree with me—that this amendment represents a cutback on a limitation. It is not a cutback on money, but a cutback on a limitation.

Mr. CHAVEZ. That is correct.

Mr. SALTONSTALL. The essential thing is to make certain that the Department of Defense itself has an appropriation of $450,000 to spend, and that the proposed cut will be divided among the 3 services. If it is done in that way, I can see no harm in taking the amendment to conference. However, I hope the item in the appropriation for the Department of Defense itself will not be cut.

Mr. CHAVEZ. Mr. President, I do not mind trying to agree, and I am usually very agreeable, especially where the Senator from Massachusetts is concerned.

Mr. SALTONSTALL. I thank the Senator.

Mr. CHAVEZ. However, I do not like to do anything contrary to the expressed will of the full committee.

Mr. POTTER. Mr. President, I do not wish the impression to remain that I did not bring the question up in committee when the bill was being marked up before the full committee. As a matter of fact, my amendment lost in committee by only 1 or 2 votes. The vote was close.

Mr. CHAVEZ. No. As I recollect, the vote was 9 to 5. I may be mistaken.

Mr. POTTER. Mr. President, this amendment would not take away one nickel from the appropriation bill. The only thing it would do would be to take $300,000 out of a $3,300,000 limitation. It would reduce the limitation from $3,300,000 to $3,000,000. I most respectfully say that in my judgment we do not win wars with the vast propaganda machine which we have in the Pentagon. The figures which I read, as to the personnel assigned to the public-relations field in the Pentagon for this area alone, are astounding. I thought I was being very cautious in seeking to reduce the limitation by $300,000. As a matter of fact, I would have preferred a much deeper cut than that.

I sincerely hope that the chairman of the subcommittee will accept my amendment and take it to conference.

Mr. CHAVEZ. Being an "easy mark," I shall do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. POTTER].

The amendment was agreed to.

Mr. CLARK. 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 Pennsylvania will be stated.

The CHIEF CLERK. On page 45, after line 2, it is proposed to insert a new section, as follows:

SEC. 633. The Secretary of Defense shall, insofar as practical and taking into consideration the relative costs of various modes of transportation, provide for the procurement on an equitable basis of commercial transportation services financed with funds appropriated in this act.

Mr. CHAVEZ. Mr. President, I believe that the language in the bill would carry out the purposes of the amendment of the Senator from Pennsylvania. Nevertheless, in order to be sure that the purposes he has in mind will be carried out, the chairman of the subcommittee, with the consent of the Senator from Massachusetts, will accept the amendment.

Mr. SALTONSTALL. Mr. President, I agree with what the Senator from New Mexico has said. The substantial language of the Senator's amendment is in the committee report. I do not object to the amendment being taken to conference.

Mr. CLARK. Mr. President, I thank my distinguished friends on the majority and minority sides of the aisle for agreeing to this amendment, which merely puts into legislative form what is already in the report of the committee, and will make it possible for the Department of Defense to negotiate with commercial carriers, so that some money can be saved for the general taxpayers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

Mr. DWORSHAK. 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 Idaho will be stated.

The CHIEF CLERK. On page 45, between lines 2 and 3, it is proposed to insert the following:

SEC. 633. Notwithstanding any other provision of this act, the total amount appropriated pursuant to this act shall not exceed $34,351,537,770. The Secretary of Defense is authorized and directed within 60 days after the enactment of this act to determine and to certify to the Secretary of the Treasury and the Director of the Bureau of the Budget which of the appropriation items shall be reduced, and the amount that each shall be reduced, in order to effectuate the reduction made by this act. Each appropriation item specified by the Secretary of Defense in his certification is hereby reduced by the amount of reduction specified by him with respect to such item in such certification; and the Secretary of the Treasury is authorized and directed to make the necessary entries on the books of the Treasury to reflect such reductions.

On page 45, line 3, it is proposed to strike out "633" and insert in lieu thereof "634."

Mr. DWORSHAK. Mr. President, we have had enlightening debate on the provisions of the defense budget for this fiscal year. Every Member of Congress realizes the need for maintaining a top Military Establishment at a time when there are many crucial developments throughout the world.

During this debate there has been some confusion, because we have been dealing with potential cuts and actual cuts from the budget was submitted by the President to Congress last January.

I point out that it is difficult to make recommendations for appropriations below the budget figures, because the President, after requesting a reexamination and reappraisal of the budget which he himself had submitted to the Congress, made a reduction. The House, in making its cut of more than $2.5 billion, provided for transfers from one fund to another, with a deferment of some of the programs from this year until next year, with the result that, while the report submitted by the Committee on Appropriations stated that the bill, as reported, was below the budget estimates by $1,593,771,000, the same report points out that the bill which is now before us provides for an actual reduction of $164,294,000 under appropriations for the fiscal year 1957.

Throughout this session there has been a very decisive economy drive, because Members realize that, as we face inflationary problems almost daily, every

effort must be made to reduce Federal spending; and that should be done on the basis that we should not impair any worthwhile services or objectives.

I had the staff of the Senate Committee on Appropriations prepare a statement, which I hold in my hand, showing an accurate report as to what has been saved in various bills which have already been acted upon by both Houses, or at least by the House of Representatives.

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

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

Comparison of appropriations, fiscal years 1957 and 1958

	Appropriations, fiscal year 1957	Appropriations, fiscal year 1958	Increase (+) or decrease (−), 1958 compared with 1957	Percentage increase or decrease, 1957 and 1958
Agriculture	$2,026,689,968	[1] $3,668,972,157	+$1,642,282,189	+81.0
Commerce	768,535,136	597,790,225	−170,744,911	−22.2
Defense	34,698,523,000	[2] 34,534,229,000	−164,294,000	−0.5
District of Columbia	22,558,650	22,504,450	−54,200	−0.2
General Government matters	16,007,475	16,010,370	+2,895	(*)
Independent offices	5,990,841,826	5,373,877,800	−616,964,026	−10.3
Interior	463,187,700	456,189,600	−6,998,100	−1.5
Labor, Health, Education, and Welfare	2,884,858,181	2,871,182,781	−13,675,400	−0.5
Legislative	119,049,798	104,840,660	−14,209,138	−11.9
State, Justice, and judiciary	605,765,157	562,891,293	−42,873,864	−7.1
Treasury-Post Office	3,634,274,850	[3] 4,017,927,000	+383,652,150	+10.6
Public works	867,335,000	[4] 814,813,023	−52,521,977	−6.1

[1] Amount used is figure passed Senate since bill is still pending.
[2] Amount used is figure reported to Senate.
[3] Includes supplemental Post Office.
[4] Amount used is figure passed by House.

Mr. DWORSHAK. Mr. President, I call attention to the tabulation, which shows a comparison, not with the budget, but with the actual appropriations for fiscal year 1957, and the percentage of increase or decrease in the various appropriation bills for 1958, compared with 1957—appropriations, not the budget figures.

This is a very interesting document. It shows that, with the exception of the Department of Agriculture, where there is an increase of 81 percent, largely the result of the initiation of the soil-bank program and because of the tremendous expense involved in getting rid of the surplus commodities under Public Law 480 and other laws, and with the exception of the Treasury and Post Office appropriations—where there was an increase of 10.6 percent, largely because the Post Office is a service department and its appropriations are governed more or less by the requirements of the services that must be rendered, and which are outlined by the legislative branch—all the other departments show a reduction.

For instance, the Commerce Department appropriations are 22.2 percent under the appropriations for 1957. Independent offices show a reduction of 10.3 percent. Interior, 1.5 percent. Labor, Health, Education, and Welfare, where research funds were materially increased, show a reduction of one-half of 1 percent under the appropriations for fiscal 1957. Even the legislative appropriations show a reduction of 11.9 percent. State, Justice, and Judiciary appropriations show a reduction of 7.1 percent. Public Works appropriations, which have been acted upon by the House—and the House figures are used for this comparison purpose—show a reduction of 6.1 percent.

I am sure that everyone appreciates the need of maintaining an efficient Military Establishment. But that does not mean that the Congress should take any action which exempts from the economy crusade the Defense Department. During the debate we have heard many charges made that in procurement, largely on the basis of negotiation instead of on the basis of competitive bids, there has been great waste and inefficiency.

In the Washington Post of this morning there appeared an article with the headline "Procurement Scandal Reported Suppressed." I shall read only a few paragraphs from that article. I assume the facts are correct, and possibly the revelations will be made later. It reads:

> A report on profiteering by foreign suppliers of the United States military services has been suppressed here, it was learned yesterday.
>
> The reason for suppressing something of this much interest to taxpayers was not immediately determined.
>
> But it was possible that the lid was kept on this scandal in the hope of averting a discussion of it while the Defense Department appropriation bill and the foreign aid bill are still in the congressional hopper.

Mr. President, I am not charging that there has been any scandal. I am merely pointing out that as we are making this overall commitment for greater economy and greater efficiency within the operations of the executive branch of the Government—yes, even within the legislative branch—we should expect wholehearted cooperation on the part of the Defense Department. We are asking them to absorb a reduction of exactly 1 percent, as compared with appropriations made for the past fiscal year.

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

Mr. DWORSHAK. I yield.

Mr. MUNDT. The Senator is making a very interesting and informative and, I might add, impressive presentation. I listened with a great deal of interest to the percentage reductions which we have been able to bring about through our efforts in the Committee on Appropriations and on the floor of the Senate and in the House of Representatives.

Do I understand the Senator correctly to state that if his amendment is adopted it would bring about a total reduction in the national defense appropriation, as against the budget requests, of 1 percent?

Mr. DWORSHAK. No; not with respect to the budget requests, but a reduction of 1 percent under the appropriations which were made a year ago for the fiscal year 1957.

Mr. MUNDT. Would the reduction be comparable with the other reductions made in respect to other departments of the Government?

Mr. DWORSHAK. The reductions for the Department of Defense would be much less.

Mr. MUNDT. Are these percentages also related to the actual expenditures?

Mr. DWORSHAK. Yes. The table from which I have been quoting the figures shows the appropriations for fiscal 1957, the appropriations for fiscal 1958, and, in the last column, the increase or decrease percentagewise.

The reason the comparison is not made with the budget figures is that the budget may have some questionable request contained in it, and may cover a great many items which are not bona fide in every respect. The Senator from Idaho has pointed out that the bill before us is one and a half billion dollars under the budget estimate for 1958. That of course, is more or less meaningless. The committee has done a fine job, and I know the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ], and the ranking minority member, the senior Senator from Massachusetts, [Mr. SALTONSTALL], have done outstanding work.

On that basis I appeal to my colleagues to ask the Department of Defense to cooperate with Congress and with the President. The President himself has asked for a reappraisal of the spending program. Although some Members of the Senate have envisioned reductions in the 1958 budget of 4 or 5 or 6 billion dollars, it would appear now that we will be fortunate indeed if we can bring about a cut of approximately $3 billion so far as the budget is concerned.

I am not so much concerned about cutting the figures in the budget. I make the contention that if we are to have any worthwhile economy enforced on a logical basis for the fiscal year 1958, it is not unreasonable to expect the Department of Defense to reduce its appropriations by 1 percent during the next fiscal year. If that is unreasonable, I wish someone would point out to me in what way it is.

Mr. MUNDT. Speaking for myself only, I think it is a very reasonable request. I voted against the amendment offered by the senior Senator from Illinois [Mr. DOUGLAS], because it seemed to me that his proposed reduction was too great and because it seemed to me he had gone too far in reallocating the funds within the Department of Defense in a manner which is probably beyond the ability of anyone on the floor of the Senate to do wisely. However, I

understand that the Senator from Idaho would leave it to the discretion of the Department of Defense, through its Secretary, to determine where this small percentage reduction would actually be made and how it would be distributed.

Mr. DWORSHAK. Yes. The committee has already reduced the appropriations by a little less than one-half of 1 percent, and my amendment would result in another reduction of about $182 million, which, added to the cut already made, would total exactly 1 percent under the appropriations for fiscal 1957.

Mr. MUNDT. What the Senator from Idaho is actually proposing is something in the nature of a belt-tightening procedure, which would suggest, with the voice of Congress behind it, that the Department of Defense, along with all other departments of Government, try to get along with just a little less personnel here and there; avoid just a little duplication here and there; perhaps instead of sending 6 colonels to testify before the committee, riding in 6 automobiles, driven by 6 chauffeurs, that 3 colonels appear before the committee, driven by 3 chauffeurs, riding in 3 automobiles; and make a little modest cut here and elsewhere; and in that way come within the 1 percent overall reduction. Is that correct?

Mr. DWORSHAK. That is the objective of the amendment. It is on the basis that the Senator from Idaho recognizes the fact that the top officials, the Secretary of Defense and the policymakers in that Department, are willing to cooperate, and that these cuts can be made. If similar or larger reductions can be made in other departments of the executive branch of the Government, certainly it is reasonable to expect the Defense Department to absorb just 1 percent reduction in its appropriations during this fiscal year.

Mr. MUNDT. I certainly hope the Senator will request the yeas and nays on his amendment. I think it is an amendment which will go far beyond the amount of money saved by inducing the sort of economy and reexamination in the Pentagon which will be fruitful in the months and years ahead.

Mr. DWORSHAK. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

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

Mr. DWORSHAK. I yield.

Mr. ELLENDER. On the first page of the report I note that the Senate bill amounts to $34,534,229,000. How much is deducted from that sum under the Senator's amendment?

Mr. DWORSHAK. About $182 million.

Mr. ELLENDER. Is that amount to be in addition——

Mr. DWORSHAK. In addition to the $164 million cut by the committee and included in this bill.

Mr. ELLENDER. And the cut is to be applied to the various sections or portions of the military service, such as the military or armed services?

Mr. DWORSHAK. The amendment authorizes the Secretary of Defense within 60 days after the enactment of the bill to determine and certify to the Secretary of the Treasury and the Director of the Bureau of the Budget which of the appropriation items shall be reduced and the amount that each shall be reduced in order to effectuate the reduction made by this cut.

The purpose of that is to give the authority and discretionary power to the Secretary. I am positive that no meat-ax approach will be made, because on the basis that it is possible to absorb 1 percent, that can be done in an orderly manner.

Mr. ELLENDER. In other words, it would be up to the Army, the Navy, and the Air Force to apply the cut wherever they saw fit?

Mr. DWORSHAK. That is correct.

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

Mr. DWORSHAK. I yield.

Mr. LONG. As I understand the situation, the Senate committee has restored $971,500,000 of the reduction made by the House.

Mr. DWORSHAK. That is correct.

Mr. LONG. After the Defense Department has made its plea to restore as much as possible and the committee has gone along with the Department wherever it could agree with them, the Senator is saying that out of that amount we could very well save $182 million, which is about one-half of 1 percent of the total amount in the bill.

Mr. DWORSHAK. That is correct.

Mr. LONG. By doing so, we would still have restored almost $800 million. Is that correct?

Mr. DWORSHAK. That is correct. It would be just under $800 million in excess of the amount in the House bill.

Mr. LONG. Then the Senator is saying that the Defense Department is to be instructed to look around to see how they can make it possible to stay within the extra $800 million.

Mr. DWORSHAK. That is the purpose.

Mr. LONG. I must say that anyone who is making any effort to do a real housekeeping job in the Pentagon could certainly see where that percentage could be saved.

Mr. DWORSHAK. If not, we are certainly talking in a futile manner about economy and efficiency.

Mr. CHAVEZ. Mr. President, irrespective of the remarks being made, I will accept the amendment of the Senator from Idaho and take it to conference.

Mr. DWORSHAK. Mr. President, like a good many of my colleagues, I voted against the amendment offered by the Senator from Illinois [Mr. DOUGLAS] because I thought it provided for too drastic a cut in the bill. On the basis of that, I question whether it is advisable to rescind the order for the yeas and nays at this time, because I think Senators want an opportunity to go on record for a reasonable reduction in the appropriation for the Department of Defense.

Mr. MANSFIELD. But the Senator from New Mexico has accepted the amendment.

Mr. SALTONSTALL. Mr. President, most respectfully, I cannot agree with the chairman of the subcommittee on this point. What the amendment does is to cut $182,691,230 from the budget. That may be only one-half of 1 percent; it is still a large sum of money. The committee has apportioned very carefully all the money to be appropriated. It has designated it to be applied where it was felt it would do the most good and where it would leave no one any discretion. The committee placed on Congress the responsibility for allocating the money.

Now it is proposed to give the Secretary of Defense discretion in absorbing the proposed cut. I respect the Secretary; I like him. I believe he does a very good job. But he has been very much criticized and we should not give him discretion to cut $182 million wherever he pleases. By this amendment, we would be giving the Secretary complete discretion over what he shall do in cutting back $182 million. I do not believe we ought to do that.

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

Mr. SALTONSTALL. I yield.

Mr. STENNIS. Under the amendment, would it be possible to apply the $186 million to any single item?

Mr. SALTONSTALL. It would.

Mr. STENNIS. Or to wipe out an item of $50 million?

Mr. SALTONSTALL. It would.

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

Mr. SALTONSTALL. I yield.

Mr. KNOWLAND. It would also be possible under the amendment, would it not, to strike out the item which has been included for the National Guard, or to strike out any other item?

Mr. SALTONSTALL. Certainly. The committee has done its job of allocating funds and cutting appropriations where it believes that should be done. We restored, as the Senator from California has said, the funds for the National Guard. We put back the funds for the Reserve. We put back funds for certain maintenance operations. We have cut out certain other items. As the Senator from Mississippi [Mr. STENNIS] has said, the Secretary could make this cut in one place, if he wanted to do so.

I have been a member of the Committee on Appropriations for 10 years. In no appropriation bill that I know of have we given authority to the head of a department to take a percentage of the funds and, in a perfectly indiscriminate way, to move the money around in the department. The committee has already apportioned the money not to exceed a certain amount.

Mr. DWORSHAK. Mr. President, in offering the amendment, I have demonstrated more confidence and faith in the integrity and fairness of the Secretary of Defense, because I recognize that it would be unreasonable and illogical to make a meat ax cut in one department.

The Senator from Idaho was very active in the committee, as the Senator from Massachusetts knows, in having

funds added for the Reserves and the National Guard.

Even after the application of the amendment, if 1 percent were to be cut from that increase, it would amount to only $800,000. Surely the Senator from Massachusetts will not stand here and tell the Senate that whoever is serving as Secretary of Defense would defy Congress by making ill-advised and indefensible cuts and disrupting the Department of Defense.

Mr. SALTONSTALL. We have not given so much discretion to any Secretary, in terms of dollars and cents, since I have been a member of the Committee on Appropriations; and, remember, we are talking about $182 million.

Mr. DWORSHAK. This amendment merely sets a ceiling which would provide an overall cut of 1 percent as compared with the appropriation made for the fiscal year 1957. When other departments are taking cuts up to 22 percent as compared with appropriations for 1957, then we are not unreasonable when we expect the Department of Defense to absorb only 1 percent.

Mr. SALTONSTALL. In reply to the Senator from Idaho, I may say that the House reduced the budget estimate $1,300,000,000, which reductions the President has accepted, and then cut $1,200,000,000 below that. What the Senate did was to restore a portion—$971 million—of the $1,200,000,000. So the net cut will be approximately $1,500,000,000.

Mr. DWORSHAK. Is it not true that if my amendment is agreed to and the 1 percent cut is made, the bill will still provide $770 million more than the amount contained in the House bill?

Mr. SALTONSTALL. It will contain $789 million more than the House bill.

Mr. THYE. Mr. President I must oppose the amendment for the reasons that the bill as reported to the Senate makes appropriations of $1,593,771,000 less than the amounts recommended by the Bureau of the Budget, or the amounts contained in the presidential budget transmitted to the Congress. The bill as reported to the Senate by the Appropriations Committee of the Senate calls for appropriations of $164,294,000 less than the appropriations made for the Department of Defense for the fiscal year 1957. No member of the Appropriations Committee has worked more diligently on this bill than has the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ]. He sat in the committee room day after day, and took testimony from the representatives of every division of the Department of Defense. The Senator from Massachusetts [Mr. SALTONSTALL] made a complete study of every phase of this budget and of the military appropriations. There was no day when the Senator from Massachusetts and the Senator from New Mexico were not to be found sitting in the committee room, permitting every member of the subcommittee to interrogate any of the military officers who were there to testify or the civilian secretaries. Every item of the bill was examined most carefully by the committee staff. Both the subcommittee and the full committee have some of the most able staff members. Francis Hewitt and Leonard Edwards were the two regular members of the committee staff who were assigned to the subcommittee. They studied the bill from the very first day when the bill came before the subcommittee.

Therefore, Mr. President, I am unwilling to vote for the amendment, which provides a means of reducing the overall amount, and leaves that to the discretion or responsibility of one person. I must oppose the amendment, because, as I have stated, a most careful study has been made of every item in the bill.

At the time when the budget request came to the Congress, I stated that I believe it could be reduced by $1,500,000,000, after a very careful study of the carryover, the unobligated balances, and the requests on the part of the Military Establishment.

The total has now been reduced by the Senate committee by more than $1,500,000,000. In its recommendations to the full Senate, the committee has provided for economy.

I repeat that the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ], has devoted day after day and week after week, from the early spring until now, to the consideration of the bill; and he has given every member of the subcommittee an opportunity to interrogate every witness who appeared before the committee. The Senator from Massachusetts [Mr. SALTONSTALL] is one of the most able members of the subcommittee, and he studied these budgetary requests in detail and dollarwise.

For those reasons, I must oppose the amendment.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. THYE. I am delighted to yield.

Mr. JAVITS. I should like to ask a question. Obviously the only effect of the amendment will be upon the conferees on the part of the Senate; it will reduce the ceiling within which they will negotiate with the conferees on the part of the other body.

Can we ascertain from the chairman or the ranking Republican member of the subcommittee, or from any other Senator who is likely to be a conferee, just what the amendment is likely to mean in the conference? I think we should ascertain that, so we may vote intelligently on the amendment.

Mr. THYE. In the first instance, the subcommittee worked for many, many weeks in the preparation of its recommendations to the full committee. The amount I have stated was recommended by the subcommittee to the full committee, based on the best ability of the members of the subcommittee. The full committee, after considerable study and consideration, decided on this amount; and I do not believe the Senate should now ask its conferees to go to conference with the responsibility of trying to reallocate very nearly $200 million, as involved in the amendment. I do not believe the conferees on the part of the Senate should be given that additional responsibility. As matters now stand, they will have sufficient responsibility.

Mr. President, I yield the floor.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

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

Mr. GOLDWATER. I wish to ask the Senator from New Mexico whether I am correct in remembering that he, as chairman of the subcommittee, agreed to accept the amendment.

Mr. CHAVEZ. I withdraw that. [Laughter.]

Mr. McCLELLAN obtained the floor.

Mr. CHAVEZ. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. Mr. President, I am an easy-going person. In order to try to get along with other Senators, all of whom are able, I did yield to the Senator from Idaho [Mr. DWORSHAK], my good friend, who is a member of the subcommittee handling this bill. The idea was to let him make his position clear.

Nevertheless, I still think the subcommittee and the full committee have reported to the Senate a good bill.

Mr. McCLELLAN. Mr. President, I desire to join the distinguished Senator from Minnesota [Mr. THYE] in what he has said regarding the distinguished chairman of the subcommittee and also regarding the senior Senator from Massachusetts [Mr. SALTONSTALL], the ranking Republican member, with respect to their patience, their diligence, and their fairness in their sincere effort to find the correct answers to the perplexing problem of determining how much money the Congress should appropriate for this agency of the Government.

Mr. President, I hope I am on the side of economy. I am sure I have voted that way many times, during the course of our deliberations with respect to the bill.

I did not vote for all the increases which go into the $971,540,000, which is the amount by which the Senate committee voted to increase the appropriations voted by the House of Representatives for the Department of Defense.

But there were many items for which I believed an increased amount should be provided, and as to which I believed an increase was justified. I took into account the practical fact, which is one of the realities with which we deal, that when the bill goes to conference, the conferees on the part of the House will wish to maintain the position previously taken by the House. Likewise, the conferees on the part of the Senate will argue in behalf of the position taken by the Senate. I know that the amounts reported from the conference will represent a compromise. No Member of the Senate expects the conferees on the part of the House to agree to all the increases voted by the Senate. By the time the conferees have worked out the conference report to the best of their ability, as a result of a process of give and take and the compromising of various views, more than the 1 percent will be saved. I have no doubt that when the conference report comes to us, it will provide for $180 million less.

So I think the objective the Senator from Idaho seeks to achieve is a worthy one; but I believe it will be achieved without having the Senate vote to delegate this power to one man, so as to enable him to eliminate any items he wishes to eliminate.

The amendment would have greater weight with me if it provided for a percentage cut all the way across the board. But I cannot go along with a proposal to permit the Secretary of Defense to eliminate anything he might wish to eliminate. He might decide to eliminate the very things which I would wish to fight for and defend.

So, I believe the amendment proposes the wrong way to go about the matter. However, I commend the Senator from Idaho for his objective.

Again I say that I think no Member needs to be apprehensive that the $180 million will not be saved, as a result of the conference report.

Mr. DIRKSEN. Mr. President, I propound a parliamentary inquiry. I understand the parliamentary situation is that the chairman of the subcommittee has accepted the amendment of the Senator from Idaho. The yeas and nays have been ordered. I am sure the order for the yeas and nays cannot be dispensed with except by unanimous consent.

The PRESIDING OFFICER. The chairman of the subcommittee has not accepted the amendment.

Mr. DIRKSEN. I thought I heard him say he had accepted the amendment.

Mr. CHAVEZ. I withdrew it.

Mr. DIRKSEN. Oh, the Senator withdrew it.

Mr. MUNDT. Mr. President, I am a little bit surprised at the trend that this argument has taken, from the standpoint of those who feel that this 1 percent reduction should not be put in the Defense Department appropriation, and I question their argument on both major points. The first point is that this cut would repose too much confidence in the Secretary of Defense. If this is going to be a vote of confidence in the Secretary of Defense, I am going to vote in the affirmative. I have confidence in him. I have confidence that the administration of the cut of $182 million will be wise, just as I have confidence in his capacity to administer the multibillion-dollar appropriation we are making available to him.

I cannot even conceivably imagine that Charlie Wilson, or anybody else in that position, is going to engage in any frivolous or capricious use of this right to economize to the extent of 1 percent by slapping Congress on the wrist or picking out for a reduction some particular service or agency with respect to which he knows the Congress has consistently supported additional funds.

If this is going to be a vote of confidence, I am for it. I am as confident that he will administer wisely a cut of $182 million as I am confident that he will administer well the spending of multibillion dollar appropriation we are providing for him.

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

Mr. MUNDT. I yield.

Mr. BARRETT. Is it not a fact that the cut proposed by the Senator from Idaho is only one-half of 1 percent?

Mr. MUNDT. That is correct. The other one-half of 1 percent reduction was made by the committee.

As to the other argument which has been implied, although not frankly stated, that the amount proposed has been hiked a little bit beyond what the committee normally would have provided, because it had to go $800 million above the House figure, and it is thought the House will be adamant, and the conferees want some bargaining power, I recognize that the Senate must face that possibility.

However, I also think we have the responsibility of voting as to whether this is the exact amount, to the dime or dollar, which should be appropriated, or whether, as individual Senators, we feel that perhaps a total cut in the defense appropriation of 1 penny out of $1, $1 out of $100, is justified. We talk about and complain about and criticize the Defense Department, and ask for a greater unification in procurement and speak for more economy. I concur in what the Senator from Wyoming has been saying about that. By following such a policy, we could perhaps economize to the extent of 3 percent, instead of 1 percent. If we are going to back our speeches up with some kind of convincing action, then I think this inches along in the direction in which the Senate should be walking; we should take a little responsibility and authority, and insist on some economy in government including every section of our Government.

I am not going to vote, on a rollcall, for more money than apparently some Senators feel the Defense Department should have, so the Senate can bargain with the House Members. Maybe the House Members will not be in a bargaining mood. Maybe they will yield. I do not want to delegate my interest in economy to the conference committee nor to the House of Representatives.

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

Mr. MUNDT. I yield.

Mr. LAUSCHE. What is the source of the Senator's information that the committe deliberately lifted the amount of its recommendation in order to place itself in a favorable position for bargaining?

Mr. MUNDT. The source of my information is the colloquies which have been participated in by Members on the floor of the Senate tonight, some of which were engaged in by some very dear friends of mine. I heard them. The Senator from Ohio heard them. That is the conclusion I arrived at. If the Senator from Ohio did not arrive at the same conclusion, that is his privilege.

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

Mr. MUNDT. I yield.

Mr. LONG. The statement has been made that the Secretary of Defense could make this cut applicable with regard to any particular item. Is it not also true that he does not have to spend any money at all? Does the Senator not remember the amendment of the Senator from Missouri [Mr. SYMINGTON] providing $46 million for the Marine Corps? That money was not spent. During the Truman administration Congress voted an extra $5 billion for the Air Force. The Secretary of Defense impounded the money and declined to spend it. Congress cannot make the Secretary of Defense spend anything.

Mr. MUNDT. Of course, that is true, and we would not force him to spend it if we could. Certainly nobody would want to put the Secretary of Defense in chains and say that he had to spend whatever we provided, even though the weapons in question might be obsolescent. We have to have confidence in our Secretary of Defense. We have confidence in his ability to spend billions of dollars. I think we should have confidence in him with regard to the item of saving $182 million in this bill.

Mr. KNOWLAND. Mr. President, I think we ought to take a good look at what we are doing. Unless my figures are inaccurate, the bill as reported to the Senate by the Appropriations Committee, with the restoration which the committee in its judgment recommended after hearing testimony, and which was less than the restoration asked for by the executive branch of the Government, is still under the budget request by $1,593,000,000, which is in the neighborhood of 3½ to 4 percent under the budget estimate.

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

Mr. KNOWLAND. I yield.

Mr. CHAVEZ. The actual figure is 4.4 percent under the budget.

Mr. KNOWLAND. I thank the Senator. I had made a rather rapid calculation. I thought the figure was somewhere between 3½ and 4 percent. I will take the Senator's figure. I assume the staff has checked it. We have recommended a bill which is 4.4 percent under the budget estimate.

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

Mr. KNOWLAND. I yield.

Mr. DWORSHAK. Does the Senator from California concede that when the bill was before the Senate Appropriations Committee the Department of Defense asked for a restoration of only $1,220 million, although the House had cut the budget figure by $2,565 million. No restoration of about $1,300 million was asked for because it was admitted that deferments could be made until the next fiscal year, and that at least $1,300 million did not reflect what might be called bona fide reductions?

Mr. KNOWLAND. I think it is fair to say and for this I think Congress is to be commended—that the executive branch of the Government understood the feeling in both the House and the Senate, that items which they would like to have had, and which in their original recommendation they believed were desirable and necessary in our defense picture, would have to be postponed. Consequently, the Department adhered to those items which they felt had a priority of essentiality. Even then we did not give them all the very high priority items, but cut some of them rather substantially.

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

Mr. KNOWLAND. I yield to the Senator from Idaho.

Mr. DWORSHAK. The Senator from California is correct in that regard, as to the amount which was not requested to be restored.

Is not the failure to ask for the full restoration a result largely of a carryover? I am not sure exactly how much the carryover is. It could be $6 billion, $7 billion, or $8 billion. On that basis, it was not necessary to ask for the full restoration.

Mr. KNOWLAND. Of course, we can get into a discussion of the carryover problem, and we have discussed it. Actually, as the able and distinguished member of the committee knows, the Senate Appropriations Committee has made a little different approach from that taken by our colleagues in the House. Nevertheless, the fact remains that with the procedure which the Congress has followed, the carryover funds are committed. There are items on order in the pipeline.

I think we all agree that with the new missiles and with the new planes the costs of defense have gone up greatly from what they were even in World War II. Items which we could purchase for $1 million may today cost $2 million, or perhaps even $3 million. It is possibly true they are not precisely the same items, because we need different equipment and faster equipment, but nevertheless the rough comparison of the situation shows that item after item for defense has gone up greatly in cost.

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

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I wish to supplement what the Senator from California has stated. $516 million in Army procurement was put in the budget roughly 18 months ago. When the time came this spring for that expenditure, the Army found it would not need the $516 million, because the production lines in those items were not ready. Those production lines had not come forward as fast as they had expected them to. Therefore, considering the money they had on hand, they did not need the $516 million, because they could not manufacture those goods as planned.

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

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I rose to make practically the same statement as that so ably made by the Senator from Massachusetts [Mr. SALTONSTALL], which was that the President recommended a revision of his budget request as submitted to Congress, to reduce it by $516 million, just the same as was done when the President came forth with a reduced recommendation in the mutual security or foreign-aid program.

The President has studied the budgetary requests, which he has submitted to Congress, monthly, and of course we all know that the Bureau of the Budget recommendation is developed some 18 months in advance. In fact, the administration is making studies for the 1958 budget request at the present time.

I think this administration, therefore—the President and the Bureau of the Budget—have been most diligent in their efforts to help Congress revise the budget in view of the world situation and the development of guided missiles, which have permitted a review of our air strength to determine what might be saved in that particular portion of the Department of Defense.

Mr. KNOWLAND. I wish to thank the Senator for his remarks.

Mr. HAYDEN and Mr. JAVITS addressed the Chair.

Mr. KNOWLAND. I yield first to the Senator from Arizona [Mr. HAYDEN], and then I shall yield to the Senator from New York [Mr. JAVITS].

Mr. HAYDEN. Mr. President, I asked the Senator from California to yield for the purpose of suggesting a point of order. I have examined the amendment, and it appears to me the amendment imposes conditions which are legislative in character and not justified in an appropriation bill. If such is the case, it is my duty, as chairman of the Committee on Appropriations, to make a point of order, and I do so.

I should like to have a ruling from the Chair.

The PRESIDING OFFICER. The Chair is ready to rule.

This amendment grants authority to and directs the Secretary of Defense to reduce the appropriations in the bill. The imposition of additional duties or conferring of authority upon an official which he does not under the law possess constitutes legislation on an appropriation bill, and the Chair, therefore, sustains the point of order.

The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

Mr. DWORSHAK. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 45, between lines 2 and 3, to insert the following:

SEC. 633. Notwithstanding any other provision of this act, the total amount appropriated pursuant to this act shall not exceed $34,351,537,770.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. President, the amendment has the same ceiling, and provides for the same overall cut of one-half percent in addition to that already made, which would be an overall cut of 1 percent under the appropriations for fiscal year 1957. The amendment deletes that portion of the previous amendment which was ruled out of order.

Mr. CURTIS. Mr. President, will the Senator yield so that I may make a unanimous-consent request?

Mr. DWORSHAK. I yield.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER. The Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. MUNDT. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

The yeas and nays were ordered.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. JAVITS. Mr. President, I shall take only a minute. I had not intended to participate in this debate, but the way in which this matter has come before us brings me to my feet, for this reason: We either have respect for this bill and its integrity or else it is wanting. If we make this very small cut, we send our conferees into conference with the feeling they should stand by everything they have found by way of facts, borne out by all the evidence they have taken, but there are some small doubts. That is what this action would mean.

Everyone knows very well that this bill is going to be cut before it comes back to us by $180 million, but this action would indicate we have some small doubts as to what we have done. Speaking for myself, it seems to me that the position of the negotiators would be strengthened, and integrity given to them, by showing that we have no doubts and that we feel their findings of fact are correct. If they have to make compromises, that is the fact of life.

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

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Idaho.

Mr. JAVITS. I will yield in a moment.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. JAVITS. This action represents a doubt on our part. That is the way this amendment appears to me.

Many of those who are defending this budget have talked about "meat-ax cuts." I should like to know what the definition of a meat-ax cut is, if it is not an across-the-board reduction, regardless of where it comes from or what it affects.

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

Mr. JAVITS. I yield.

Mr. DWORSHAK. The sponsor of the amendment did not have in mind casting any reflection on his associates on the Senate Committee on Appropriations. I attended many of the hearings and studied the bill. I am not at liberty to disclose what took place in executive session.

When a Senator proposes that a total overall reduction of 1 percent be made, certainly the Senator from New York is

not justified in making the claim that a meat-ax approach is being made.

As the Senator from South Dakota [Mr. MUNDT] pointed out a few minutes ago, this amendment is an expression of confidence in the Secretary of Defense and would accord to him the opportunity to absorb a small overall reduction, without jeopardizing or impairing in the least any particular program within the Department of Defense.

Mr. JAVITS. Let me say to the Senator that I am a lawyer, and I choose my words very carefully. In the expressions I used, the words "moral integrity" would have been very handy, but I did not use them. I used the word "integrity." I understand exactly what it means, and I think the conferees do too.

The word "integrity" as distinguished from the expression "moral integrity" means that the members of the committee had no mental reservations. I thoroughly agree with my colleague that they did not. I am confident they did not. What it means is that we sustain their findings upon the facts. That is what I understand to be the meaning of the word "integrity." By voting against the amendment, we enable the conferees to go into conference, and say, "We believe in every one of these proposals we are putting forward. We have no doubts on the question. We are not soft. Therefore, if we must negotiate, we negotiate from strength."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

Mr. LAUSCHE. Mr. President, I should like to ask the Senator from Idaho a question.

The amount of the bill as it passed the House was $33,562,725,000. If the amendment of the Senator from Idaho were adopted, what would be the difference between the bill accepted by the Senate and the version accepted by the House?

Mr. DWORSHAK. If this amendment were adopted, it would restore between $775 million and $800 million of the cut made by the House.

Answering the question in another way, it would reduce the total in the bill as reported by the committee by approximately $182 million, or one-half of 1 percent under the appropriations for the fiscal year 1957.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. SYMINGTON]. I am informed that if he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." Therefore I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri, [Mr. SYMINGTON], are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Virginia [Mr. BYRD] is paired with the Senator from Texas [Mr. JOHNSON]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Texas would vote "nay."

I also announce, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island, [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from Kansas [Mr. SCHOEPPEL], would vote "yea."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 24, nays 49, as follows:

YEAS—24

Allott	Ellender	Robertson
Barrett	Goldwater	Smathers
Bricker	Hruska	Smith, Maine
Butler	Johnston, S. C.	Thurmond
Carroll	Kefauver	Watkins
Curtis	Lausche	Williams
Douglas	Long	Yarborough
Dworshak	Mundt	Young

NAYS—49

Aiken	Gore	Neuberger
Beall	Hayden	O'Mahoney
Bennett	Hickenlooper	Pastore
Bible	Hill	Potter
Bush	Holland	Purtell
Capehart	Humphrey	Revercomb
Carlson	Jackson	Russell
Case, N. J.	Javits	Saltonstall
Case, S. Dak.	Kerr	Scott
Chavez	Knowland	Smith, N. J.
Church	Kuchel	Sparkman
Clark	Magnuson	Stennis
Cooper	Martin, Iowa	Talmadge
Cotton	Martin, Pa.	Thye
Dirksen	McClellan	Wiley
Ervin	McNamara	
Frear	Morton	

NOT VOTING—22

Anderson	Ives	Morse
Bridges	Jenner	Murray
Byrd	Johnson, Tex.	Neely
Eastland	Kennedy	Payne
Flanders	Langer	Schoeppel
Fulbright	Malone	Symington
Green	Mansfield	
Hennings	Monroney	

So Mr. DWORSHAK's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there are no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

Mr. ELLENDER. Mr. President, the amendment which has just been offered was a very modest one, and I am sorry that it failed of adoption. I voted against the Douglas amendment because in my opinion it eliminated much that was necessary and added almost a half billion dollars which was not essential.

The "economy wave," which engulfed Capitol Hill since the President submitted to Congress the highest peacetime budget in our history has apparently dwindled to a faint ripple. Any thought that this Congress was economy-minded disappeared when the Senate Appropriations Committee acted on the Defense bill for fiscal year 1958.

The committee restored $971,504,000 out of a possible requested restoration of $1,220,171,000. The greatest amount of money was added to the procurement appropriations of the armed services, which is the area in which the greatest waste has occurred, and I submit, will continue to occur.

In increasing the appropriations for Operations and Maintenance, I feel that the committee acted wisely since all three services pointed up the urgency of their needs for funds for this purpose. Had the committee acted otherwise, it would have amounted to a substitution of the committee's judgment for the judgment of our military leaders. This would be dangerous. However, that qualification does not hold true for the restorations made in the procurement appropriations.

For procurement in the armed services the President submitted a budget request aggregating $11,950,000,000. This amount, added to the unobligated balances available at the beginning of fiscal year 1958—balances which aggregate approximately $10.9 billion—would have given the Defense Department almost $23 billion available for procurement in the ensuing and subsequent fiscal years. The services estimate that they will be able to obligate approximately $14 billion of this amount in fiscal year 1958. Therefore, they will carry over an estimated $9 billion for use in fiscal year 1959.

Almost before the ink on the budget document could completely dry, and while the House was conducting its hearings, the President advised Congress that it could reduce the amount requested for procurement in the armed services by $596 million.

He pointed out that this reduction could be specifically applied as follows:

Procurement and Production for Army, $516 million, and for Marine Corps, $80 million.

The House, in marking up its bill, not only complied with the President's desire and made the cut he suggested, it also proceeded to make some reductions of its own. The House applied cuts in the procurement appropriations amounting to $774 million, as follows:

Procurement of ordnance and ammunition, Navy	$80,000,000
Aircraft and related procurement, Navy	120,000,000
Shipbuilding and conversion	120,000,000
Aircraft and related procurement, Air Force	354,000,000
Procurement other than aircraft, Air Force	100,000,000
	774,000,000

These reductions, made by the House, were not made haphazardly. There was no meat ax approach applied to the procurement appropriations. Every reduction made by the House was justified. The deductions were only made after a careful study of the justifications and the available evidence.

In the appropriation, procurement of ordnance and ammunition—Navy, the House cut $80 million.

This cut was based on the fact that the Navy failed to consider a $10 million reimbursement it would obtain from MDAP—Military Defense Assistance Procurement—and further, that the Navy had underestimated the amount of unobligated balances it would carry over into fiscal 1959. Even if the Navy had been correct in its estimate, it would still have an unobligated balance in this appropriation of $39.5 billion as of July 1, 1958.

In the appropriation, aircraft and related procurement, Navy, the House reduced the budget request by $120 million. In making this reduction, two reasons were advanced by the House:

First, the Navy, in determining its financing requirements for fiscal year 1958, estimated it would have recoupments in this appropriation, as a result of repricings and deletions of items, aggregating $165 million. Based on past experiences the House felt that this amount was underestimated by $70 million.

Secondly, it was discovered in the Navy's justifications that funds were requested for the procurement of the F4H1 and the F8U3, two all-weather fighters. Both of these craft accomplish the same mission, and therefore, it was felt that the Navy should make a choice and keep only one in production while dropping the other, thereby reducing the requirements for funds.

In the appropriation, shipbuilding and conversion—Navy, the House reduction from the budget request amounted to $120 million. Basing its decision on past experience, the House was of the opinion that as a result of repricing, recoupments would be realized amounting to $100 million. In addition to the savings of $100 million, it was felt that some economy could be effected in the administrative expenses of this appropriation.

The greatest reductions made by the House in the procurement area took place in the Air Force appropriations. Between the two appropriations—aircraft and related procurement and procurement other than aircraft—a total of $454 million was cut from the budget request.

In the appropriation, Aircraft and Related Procurement, the Air Force estimated that it would have recoupments resulting from repricings and deletions of items amounting to $1,060,600,000. Just as in other appropriations of this nature, the House was of the opinion that this estimate was too low. It was determined by the House that this amount would approximate $1,414,600,000, or $354 million more than the amount calculated by the Air Force. From 1957 and prior years, the Air Force had already recouped an amount approximating $2.4 billion, and considering this past experience, it would appear that the House calculation is more likely to be correct.

From the appropriation, procurement other than aircraft in the Air Force, the House reduced the budget request by $100 million. This reduction was tied in with the reduction made in the appropriation, aircraft and related procurement. The House felt, and rightly so, that since there was going to be a lengthening of the B–52 program, it should follow that the need for support equipment would be correspondingly reduced. Also, there would be some recoupments during fiscal year 1958 which would reduce the need for new obligational authority.

It cannot be too strongly emphasized that the reductions made by the House in the procurement appropriations could not and would not have any effect on our national security. As was pointed out earlier, the Armed Forces will have a "kitty" amounting to $22 billion dollars, even if the House reductions were permitted to stand as reported. Notwithstanding this fact the Senate Appropriations Committee saw fit to restore a total of $590 million or almost 80 percent of the House cut, and thereby augment a bank account that is already bulging at the seams.

On the afternoon of June 20, Secretary Douglas of the Air Force made a second appearance before the Senate Appropriations subcommittee and put forth a special plea for the restoration of the operation and maintenance funds that had been cut by the House. He pointed out that this item had top priority and that if nothing else was restored, the funds for operating and maintaining the existing Air Force should be provided. He proceeded to rank, on a priority basis, his requests for restoration, and, out of the five appropriations available to the Air Force, he gave the lowest priority to the appropriation—Aircraft and Related Procurement. In fact, the feelings of the Secretary were expressed in an article that appeared in the Washington Post on the morning of June 21, 1957, the morning after the Secretary appeared before the Defense Subcommittee of the Senate Appropriations Committee and made a special plea for the restoration of funds for operation and maintenance.

I ask unanimous consent to have the article printed in the RECORD at this point.

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

AIR FORCE SECRETARY DOUGLAS WARNS PLANE BUILDERS OF CUTBACKS

Leaders of the Nation's aircraft industry were called to the Pentagon yesterday and given some bad news about the future.

Air Force Secretary James H. Douglas bluntly told the plane builders that drastic economy measures are coming and they will have to "produce improved hardware at less cost."

That means, he warned, that some plants will be closed, industry payrolls will be reduced and some types of aircraft in development and production must be dropped.

Pentagon officials did not say so, but the executives left the meeting with the distinct impression that some of their companies would not survive the coming cutbacks.

Over 100 representatives of the major aircraft and allied industries came here at Douglas' call for a face-to-face talk on the problems brought about by rising costs and new spending ceilings imposed on the Armed Forces. Included were the presidents of the biggest aircraft manufacturing companies.

They already knew of the overall situation, but Air Force chiefs took this means to lay the problem before them, dramatize the need for change and ask for full cooperation.

"We have been in a period in which we could do almost everything in development and procurement that was desirable," said Douglas. "In the future we must be more highly selective. * * *

"We are not at a point where we must exercise a great deal of ingenuity in order to continue certain essential programs at a relatively lower rate without unit cost being unacceptably high."

Douglas, Assistant Air Force Secretary for Materiel Dudley C. Sharp, Lt. Gen. Clarence S. Irvine, deputy chief of staff for materiel, and Maj. Gen. David H. Baker, director of procurement and production, Air Materiel Command, spoke behind closed doors and then answered questions. The Air Force released a summary of events afterward.

Answering a question from the floor, Douglas said that the effects of a directive from Defense Secretary Charles E. Wilson, banning "installment buying" of aircraft will not be anywhere near as drastic as at first feared.

Earlier Douglas had told Congress that some $4 billion in plane contracts would be rescinded or stretched out under the order. But yesterday, he said that Pentagon chiefs have placed a different interpretation on it and relaxed it somewhat.

Nevertheless, the Air Force didn't mince words in warning that belts must be tightened in the future. Douglas said that the problem stems from imposing missile programs on top of the aircraft modernization program and the incresing cost of both.

Government spending ceilings to prevent expanding costs from continuing have produced a "severe dollar pinch," he said. Industry must cooperate in "getting more dollar value out of the funds now available," he added.

None of the Air Force officials, it was said, mentioned specific plants to be closed, nor plane types to be dropped. But Sharp declared that these steps will be taken:

Overtime costs must be further reduced, despite arguments that this sometimes produces greater efficiency.

Reduction and "streamlining" of engineering staffs. Some companies have built duplicate design staffs where they have several plants building planes.

Planes must be simplified and parts standardized.

Mr. ELLENDER. Mr. President, the Secretary of the Air Force had every

reason to believe from the evidence presented to both the Senate and House Appropriations Committees that restorations in the aircraft and related procurement appropriation could not be expected. That is one reason why he advised the aircraft companies to tighten their belts. He was cognizant of the fact that instead of the Air Force position being strengthened before the Senate subcommittee, it had actually been weakened by the testimony developed there, on the recoupments made in the Air Force.

In an endeavor to determine the necessity for the large amount of unobligated carryovers in the procurement appropriations of the armed services, the staff of the Senate Appropriations Committee learned that for fiscal years 1956 and 1957 the Air Force had made recoupments amounting to 17.3 percent of its procurement program. When questioned about this matter, the Air Force testified that anticipated recoupments in fiscal year 1958 would not be greater than 7 percent. Nevertheless, a 7-percent recoupment out of the 1958 program was not considered by the Air Force in determining its financing requirements for fiscal year 1958.

If the anticipated recoupment for fiscal year 1958 had been considered by the Air Force, there could have been a reduction of $525 million over and above the $354 million already deducted by the House, which was concerned only with recoupments from fiscal year 1957 and prior years. If recoupments in the other procurement appropriations had been fully considered, the Senate could have reduced the total House allowance by an additional amount approximating $600 million.

Notwithstanding the evidence included in the House hearings and report, the priority ranking by the Secretary of the Air Force of the appropriation, aircraft and related procurement, and the evidence advanced at our Senate hearings, our own Senate Appropriations Committee was undaunted in its restoration of a total of $590 million in the procurement accounts. Certainly, this is no more than a contribution to more waste, more duplication, and even more triplication in the armed services. That is what prompts me to say, Mr. President, that it appears that the economy wave which threatened to engulf us has now subsided, perhaps not to return in the near future.

When the bill was under discussion, I endeavored to cut it $3½ billion. I said it could be cut by that amount without in any way affecting the programs of the three services, or our national security.

During the last week I made every effort before the committee and before the subcommittee to reduce the bill by almost a billion dollars under the House figure.

Soon after the committee acted I went to my office and started to prepare a few amendments in order to carry out the views I had expressed before the committee. I worked for about an hour and then said to myself, "What's the use?"

The Senate demonstrated just a few minutes ago that I was correct.

When we tried to cut one-half of 1 percent from an appropriation bill of $34 billion, the Senate voted in the negative, by a vote of 2 to 1.

I was justified in not presenting the amendments. The armed services in their testimony before us stated that by the end of next fiscal year they will have on hand, unobligated, $8,700,000,000. Every effort I made in committee, to reduce this amount, failed.

I predict that at the end of fiscal year 1958 there will be over $10 billion in unobligated funds, or $1,300,000,000 more than the Defense Department's estimate.

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

Mr. ELLENDER. I yield.

Mr. LAUSCHE. The question I should like to ask the Senator is of great importance, because it will place in the proper perspective the fiscal situation which will prevail within the defense forces at the conclusion of this day's work. If the Senator from Louisiana will look at the hearings at page 378, in columns 4, 5, and 6 under "Total Estimated Obligational Availability," he will see that there will be available $51,712,000,000 for use by the defense forces in the next fiscal year. Does the Senator from Louisiana have the page to which I have referred?

Mr. ELLENDER. I have.

Mr. LAUSCHE. There is an asterisk there which suggests that one should look at the footnotes at the end of the table on page 383. It is asterisk No. 7. The footnote under that asterisk shows that undercharges between the different division of the Defense Department cover the sum of $1,200,000,000. That means that there will be available for expenditure in the next fiscal year $51,712,000,000, less $1,200,000. The total of the bill as reported to the Senate by the committee is $34,534,000,000. That means, if the figures which I have quoted are correct, that $15 billion of unobligated money will be available to the defense forces.

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

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. I most respectfully call the Senator's attention to the fact that the figures he is using are for fiscal 1957, which is the year that has just gone by.

Mr. LAUSCHE. I may say to the Senator from Massachusetts that I picked up this column in accord with answers which he gave this afternoon to questions put to him when other Senators were not able to answer. A young women was sitting at his side, aiding him in answering, and he said the figure was $49 billion.

Mr. SALTONSTALL. That is correct; $49 billion for the fiscal year 1958; and there was an unobligated balance at the start of this fiscal year—which was yesterday—of $10,900,000,000. At the end of this fiscal year—1 year from now—there will be an unobligated balance of $8 billion.

Mr. ELLENDER. The precise estimate is $8,700,000,000. I am sure the Senator remembers Secretary Wilson's memorandum of May 22, which had the effect of withholding $500 million from obligation in fiscal year 1957, thereby increasing the unobligated balances for fiscal year 1958 by that amount.

Mr. SALTONSTALL. Withheld $500 million; the Senator is correct.

Mr. LAUSCHE. I submit to my colleagues that they cannot lightly disregard the fact of the unobligated sum which passes into the year 1958 from the year 1957. Many Senators who have voted against the recommendations will be charged with hampering the efforts of our country. I may be one who will be so charged. I have no fear about the charge. I have had some contact with the military. I respect them. They have given of themselves liberally for the defense of the country. But, with due respect, I believe I can say, and can have the subscription of many who have been in contact with the military, that their use of the dollar in war is carried over into the semipeace period and into the absolute peace period. Mr. President, we can cut this budget.

I suggest, further, although I have not asked the question, as a culmination of all the discussions had today, that it appears to me as though we are going to approve more than the committee recommended. Am I correct in that understanding?

Mr. ELLENDER. No. The total amount which will be appropriated by the Senate, if this bill passes without amendment, is $34,534,229,000.

Mr. LAUSCHE. What is the present status of the figures? Can the Senator from Massachusetts answer that question?

Mr. ELLENDER. Nothing has been taken away thus far.

Mr. CHAVEZ. Not a dime has been added by the Senate.

Mr. ELLENDER. And not a dime has been taken off.

Mr. CHAVEZ. No.

Mr. LAUSCHE. In conclusion, I subscribe to the words of the Senator from Louisiana. We are accepting in full faith every word uttered to us by the military. I have faith in them, but not such faith that I would dismiss from my own mind my own reason and my own experience in dealing with the National Guard of Ohio, and generally with the military. I give my support to the statements made by the Senator from Louisiana.

The PRESIDING OFFICER. Are there further amendments to the bill? If not, the question is on the third reading of the bill.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

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

Mr. McCLELLAN. Has the committee amendment on page 8 been adopted?

The PRESIDING OFFICER. All committee amendments have been adopted except the amendment on page 8, beginning with line 8 and ending with line 11. That amendment was rejected, according to the information given to the Chair by the Parliamentarian.

Mr. McCLELLAN. May I inquire about the amendment beginning with

line 4, page 8, and extending through line 7?

The PRESIDING OFFICER. The amendment beginning on line 4 and continuing through line 7 was agreed to.

Mr. McCLELLAN. I thank the Chair. I do not wish to argue the amendment; but since some remarks were made in opposition to the amendment this afternoon, I simply wish to place in the RECORD some documentary facts in support of the amendment, since it may go to conference.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram I received yesterday from Colonel Westervelt, commanding the Army-Navy Hospital at Hot Springs, Ark.; a telegram I received yesterday from Dr. Goode, manager of the Veterans Hospital at Little Rock; and a telegram I received yesterday from the commanding officer of the Little Rock Air Force Base.

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

HOT SPRINGS, ARK., *July 1, 1957.*

Hon. JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.:

In answer to your telephonic request there are 94 patients in Army-Navy Hospital today. Of these 60 are active duty Army personnel; 11 are active duty Air Force personnel, of whom 10 are from Little Rock Air Base; 7 retired Army personnel; 2 retired United States Navy Marine Corps; 14 dependents of military personnel. Little Rock Air Force Base has averaged approximately 7 active-duty patients this hospital during past year. Little Rock Air Force Base is sending some patients to Veterans' Administration facility in Little Rock and is sending a considerable number of patients to various Air Force Hospitals, among them probably Barksdale Air Force Base, Shreveport, La., and Sheppard Air Force Base, Wichita Falls, Tex.

WESTERVELT,
Commanding, Army-Navy Hospital.

LITTLE ROCK, ARK., *July 1, 1957.*

Hon. JOHN L. MCCLELLAN,
Senate Office Building,
Washington, D. C.

Since the activation of the Jacksonville Air Force Base we have admitted 712 of their servicemen as patients. An additional 1,234 have received treatment on an outpatient basis. Our average daily patient load is 423.

DELMAR GOODE, M. D.
Manager.

WASHINGTON, D. C., *July 1, 1957.*

Senator JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.

Priority 012240Z, action Senator JOHN L. MCCLELLAN, care of Senate Chambers, United States Senate, Washington, D. C., Information Director of Legislative Liaison, Office of Secretary of the Air Force, Washington, D. C., CINCSAC, OFFUTT, AFB, Nebr., COM AF 2, Barksdale AFB, La., unclas C-5818, attn., Chief of Staff, Barksdale: Reference your conversation with Colonel Strauss this date. Medical records of this installation are incomplete prior to January 1, 1956, disposition of patients during period from January 1, 1956, to this date was as follows: To Veterans' Administration Hospital, Little Rock, Ark., 374; to Army and Navy Hospital, Hot Springs, Ark., 179; to Sheppard AFB, Tex., 61; to Lackland AFB, San Antonio, Tex., 33; to Barksdale AFB, La., 0; to Memphis, Tenn., 0; to Wolters AFB, Tex., 0; to other hospitals for specialized treatment such as tubercular cases, etc., TIM of 2,089 patients this station, 705 were assigned to hospitals as indicated in foregoing with the remaining 1,384 patients being treated at our station dispensary.

COMADIV 825,
Little Rock AFB, Ark.

Mr. McCLELLAN. Mr. President, I call attention to the fact that while an effort is being made to close the hospital at Hot Springs, the Air Force Base at Little Rock sent more than 700 patients to the veterans' hospital at Little Rock, instead of using the Army-Navy hospital, and paid $17.50 a day per patient for that service.

It has bypassed the hospital at Hot Springs and has sent 61 patients to Sheppard Air Force Base, Tex., 350 miles away.

It has sent 33 patients to Lackland Air Force Base, 510 miles away. There is a request now before Congress to increase the facilities at that base by 500 beds.

I do not like to ask a favor for my State, and I am not; but there is a request from the Army for 9 new installations or additions to hospital installations, estimated to cost $56,383,000.

From the Department of the Air Force, there is a request for 12 new additions to installations in the United States and 1 overseas. Those in the United States total 1,790 beds, at a cost of $41,809,000.

There are pending before the Congress requests from the Veterans' Administration for 17 new facilities or additions to facilities, to provide 10,970 beds. I do not know the cost involved; but with the two increases I have stated, there are before the Congress requests for over $150 million for the construction of new hospital facilities for these agencies and services.

The hospital at Hot Springs, Ark., so Senators will be told, when the witnesses are pressed about the matter—and I asked General Hays this question, and he admitted it—is the best facility in continental United States; only one better one is owned by the Government, and it is in Hawaii. The patients being sent to hospitals by the Veterans' Administration could very well be sent to a hospital only 60 miles away. But that hospital is being bypassed, and the veterans are being sent 350 miles away or more than 500 miles away.

When this measure is referred to as an economy measure, I point out that the economical way to proceed is to make the agency use the existing facilities, and to stop the construction of more.

Mr. CHAVEZ. Mr. President, I think I know the subject to which the Senator from Arkansas has been referring. Although I do not come from Arkansas, I ask why a new hospital should be built, if an existing hospital is already available.

In other words, I am in favor of the amendment to which the Senator from Arkansas has referred.

Mr. McCLELLAN. Mr. President, the witnesses were asked what they wished to do with that hospital. They wish to close it and put it in mothballs. Then what will be done with it? It will be declared to be surplus. Then what will happen to it? The Air Force and the Army and the Navy and the Veterans' Administration will say they do not want it. Then what will be done with it? It will be turned into a bat roost. What will happen to it then? An effort will be made to sell it. Who will wish to pay anything for it?

I say that unless the hospital is operated as it should be, instead of being turned into a bat roost, the Federal Government should deed it to the State of Arkansas, and let the State of Arkansas see what it can do with it, and thus insure that the taxpayers who paid for the construction of the hospital and paid to equip it will get some benefit from it.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). 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 was read the third time.

Mr. HUMPHREY. Mr. President, before the final vote on the bill is taken, let me say that in the light of the arguments I have heard about the necessity for economy, I should like to ask one of the members of the Appropriations Committee what the final vote was in the committee on the bill, as reported by the committee to the Senate. Will the Senator from New Mexico please reply?

Mr. CHAVEZ. I shall be glad to reply. There was not a vote against it.

Mr. HUMPHREY. Mr. President, when the Senate has before it a bill with hearings comprising 1,574 pages; and when, according to the statement of the chairman of the subcommittee, no votes were cast against the bill in the committee, it appears to me that the arguments which have been made in favor of the bill must be rather valid.

I am not saying there cannot be differences of point of view regarding the bill. Indeed there can be, and such differences in point of view have been expressed.

In the case of a bill involving more than $34 billion and the subject of hearings which comprise more than 1,500 pages, and when the bill involves the security of the country, I think it fair to say that one should resolve his doubts in favor of the action taken by the committee.

The PRESIDING OFICER. The bill having been read the third time, the question now is, Shall the bill pass?

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

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY],

the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I also announce, if present and voting, all of the above listed Senators would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Maryland [Mr. BUTLER] and the Senator from Vermont [Mr. FLANDERS] are detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES[, the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the Senator from Nevada [Mr. MALONE], the Senator from Maine [Mr. PAYNE], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The result was announced—yeas 74, nays 0, as follows:

YEAS—74

Aiken	Fulbright	Mundt
Allott	Goldwater	Neuberger
Barrett	Gore	O'Mahoney
Beall	Hayden	Pastore
Bennett	Hickenlooper	Potter
Bible	Hill	Purtell
Bricker	Holland	Revercomb
Bush	Hruska	Robertson
Capehart	Humphrey	Russell
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnston, S. C.	Smathers
Case, S. Dak.	Kefauver	Smith, Maine
Chavez	Kerr	Smith, N. J.
Church	Knowland	Sparkman
Clark	Kuchel	Stennis
Cooper	Lausche	Talmadge
Cotton	Long	Thurmond
Curtis	Magnuson	Thye
Dirksen	Mansfield	Watkins
Douglas	Martin, Iowa	Wiley
Dworshak	Martin, Pa.	Williams
Ellender	McClellan	Yarborough
Ervin	McNamara	Young
Frear	Morton	

NOT VOTING—21

Anderson	Hennings	Monroney
Bridges	Ives	Morse
Butler	Jenner	Murray
Byrd	Johnson, Tex.	Neely
Eastland	Kennedy	Payne
Flanders	Langer	Schoeppel
Green	Malone	Symington

So the bill (H. R. 7665) was passed.

Mr. MANSFIELD. 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. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, and Mr. YOUNG conferees on the part of the Senate.

ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight it adjourn to meet at 12 o'clock noon tomorrow.

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

ORDER FOR ADJOURNMENT FROM WEDNESDAY TO FRIDAY AND FROM FRIDAY TO MONDAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that the Senate will meet at 12 o'clock noon tomorrow, and the next meeting will be on Friday. When the Senate meets on Friday, it will convene and adjourn. There will be no speeches and no insertions in the RECORD.

So at this time I ask unanimous consent that on Wednesday, July 3, 1957, at the conclusion of its business on that day the Senate adjourn until 12 o'clock noon on Friday, July 5, 1957, and that immediately upon the convening of the Senate on that day the Presiding Officer shall, without the transaction of any business or debate, declare the Senate adjourned until Monday, July 8, 1957, at 12 o'clock noon.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

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

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. The Senator did not announce what the business for tomorrow will be.

Mr. MANSFIELD. I am coming to that.

For tomorrow, in addition to the announcements made last night, the Senate will consider Calendar No. 462, H. R. 6191, amending the Social Security Act relative to disability applications; and Calendar No. 341, S. 943, to amend section 218 (a) of the Interstate Commerce Act.

The Senate may consider Calendar No. 576, S. 1386, relating to power brakes on trains.

DELETION OF REQUIREMENT FOR REPORTS FROM CERTAIN PERSONS RELATING TO COLLECTION AND PUBLICATION OF PEANUT STATISTICS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 609) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirements for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the last sentence of section 1 of the act of June 24, 1936 (ch. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year, except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof, who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than 1 year, or be subject to both such fine and imprisonment."

Mr. ELLENDER. Mr. President, I have discussed the House amendment with the distinguished majority leader and with the distinguished minority leader. They have no objection to the immediate consideration of the amendment. The House amendment is technical only. It eliminates the renumbering of sections, which I understand will make the job of the compilers of the United States Code easier. The House proposal is satisfactory to both the State of Virginia and the State of Georgia.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

EXTENSION OF TIME FOR CONSTRUCTION OF TOLL BRIDGE ACROSS RAINY RIVER NEAR BAUDETTE, MINN.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn., which was, after line 12, to insert:

SEC. 2. The amendments made by the first section of this act shall take effect as of June 15, 1957.

Mr. THYE. Mr. President, the bill would extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn. The amendment of the House would make the bill retroactive to June 15, 1957. The majority leader and the minority leader are agreeable, and I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes.

ADDITIONAL COSPONSORS OF SENATE BILLS 2375 AND 2376

Mr. WATKINS. Mr. President, my colleague, the Senator from Utah [Mr. BENNETT] and I hereby request unanimous consent to add the names of several Senators as cosponsors of S. 2375 and S. 2376, bills to implement the President's long-range minerals program.

Colleagues who have indicated their desire to join as cosponsors of S. 2375 include Senators ALLOTT, BIBLE, CARLSON, CHURCH, GOLDWATER, KNOWLAND, KUCHEL, MAGNUSON, MALONE, and MURRAY.

Senators desiring to join as cosponsors of S. 2376 include: Senators ALLOTT, BIBLE, CARLSON, CHURCH, GOLDWATER, KNOWLAND, KUCHEL, MAGNUSON, MALONE, MONRONEY, and MURRAY.

We are gratified at this display of bipartisan interest in this proposed legislation, and invite any other of our colleagues who are interested to support this highly desirable legislation and to join us in urging expeditious action upon it by the Congress.

The PRESIDING OFFICER. Without objection, the names of the Senators indicated will be placed on the bills as cosponsors.

NEED FOR STABILIZING LEGISLATION FOR DOMESTIC MINERALS INDUSTRY

Mr. WATKINS. Mr. President, the urgency of the need for stabilizing legislation for our domestic minerals industry was strongly pointed up in an article in the financial pages of this morning's newspapers.

An Associated Press dispatch carried in the Washington Post announced a further reduction in the prices of copper and zinc at the custom smelters.

The price of copper was reduced one-half cent a pound to 28½ cents, and the price of zinc was cut the same amount to the distressingly low price of 10 cents a pound. As the article points out, this zinc price is some 3½ cents below the 13½-cent price that was held from early 1956 until the decline started some 2 months ago.

Members of Congress from minerals-producing States on both sides of the aisle have petitioned the House Ways and Means Committee to schedule hearings on the lead-zinc import tax proposal, in an effort to assist this industry before widespread unemployment is created in several producing sections of the country. I sincerely hope that the House committee can find a place in its admittedly crowded calendar to schedule these hearings and get this legislative action underway while there is still an opportunity to render first aid to ailing domestic industry.

I ask unanimous consent to have the article from the Washington Post of July 2 printed in the RECORD at this point.

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

COPPER, ZINC PRICES REDUCED

NEW YORK, July 1.—Nonferrous metal prices weakened again today with reductions of one-half cent a pound in custom smelters' prices for copper and zinc.

The dip in copper to 28½ cents a pound came after the Rhodesian Selection Trust announced a lowering of its price by 1¼ cents a pound to 27½ cents. This brings the RST fixed price about in line with fluctuations on the London Metal Exchange.

Major producers in this country held to their recently established price of 29¼ cents a pound for copper.

The cut in zinc brought that metal's price to 10 cents a pound, some 3½ cents below the 13½-cent price that lasted from early 1956 until about 2 months ago. Other zinc sellers were expected to follow the smelter action.

AGREEMENT FOR COOPERATION WITH THE FEDERAL REPUBLIC OF GERMANY, IN ACCORDANCE WITH SECTION 125 OF THE ATOMIC ENERGY ACT

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Federal Republic of Germany on behalf of Berlin, together with the accompanying correspondence. This agreement was signed on June 28, 1957, and was received at the Joint Committee on Atomic Energy on July 1. It is a standard research agreement which provides for the lease of up to 6 kilograms of uranium 235 contained in uranium and enriched up to the maximum of 20 percent of U–235.

This agreement is entered into in accordance with section 125 of the Atomic Energy Act, which was passed by the Congress earlier this year, and signed by the President on April 12 as Public Law 18 of the 85th Congress. In accordance with the provisions of that public law, the statutory guaranties are made by the Senat of Berlin and are approved by the British, French, and American commandants.

There being no objection, the agreement and accompanying correspondence were ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 28, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: In accordance with sections 123c and 125 of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed "Agreement for cooperation between the Government of the United States of America and the Federal Republic of Germany on behalf of Berlin concerning civil uses of atomic energy" together with an annex signed by the Berlin Senat containing all of the guaranties prescribed by the act.

2. A copy of the letter from the Allied Commandants (Kommandatura) to the Berlin Senat expressing nonobjection to the Senate's signing of the annex containing all of the guaranties prescribed by the act. The Department of State has informed us that this is the normal procedure by which the commandants register approval to the actions of the Berlin Senat.

3. A letter dated June 25, 1957, from the Commission to the President recommending approval of the agreement.

4. A letter dated June 27, 1957, from the President containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

In accordance with section 125 of the act, Berlin is defined as the areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors). This agreement, as executed, makes cooperation possible between the United States and Berlin on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, and agriculture and industry. Berlin, if it desires to do so, will be able to engage United States companies to construct research reactors, and private industry in the United States will be permitted within the limits of the agreement, to render other assistance to Berlin. No restricted data will be communicated under this agreement. The Atomic Energy Commission will be able to lease to the Senat of Berlin up to 6 kilograms of contained U–235 at any one time, plus additional quantity as, in the opinion of the Commission is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Berlin or while fuel elements are in transit.

You will note that article V of the agreement provides for the transfer of limited amounts of special nuclear materials including U–235, U–233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

Article VIII of the proposed agreement records the obligations undertaken by Berlin to safeguard the special nuclear material to be transferred by the Commission, and article IX of the agreement and the annex to the agreement contain the guaranties prescribed by sections 123 and 125 of the Atomic Energy Act of 1954, as amended.

The agreement will enter into force when the Governments of the United States and the Federal Republic of Germany acting on behalf of Berlin have exchanged notifications that the necessary statutory and constitutional requirements have been fulfilled.

Sincerely,

LEWIS STRAUSS, *Chairman.*

(Enclosures: 1. Agreement for cooperation with the Government of the Federal Republic of Germany on behalf of Berlin (3 certified copies). 2. Letter from Allied Commandant to Berlin Senat (3 certified copies) 3, Letter from President to Commission (3 certified copies). 4. Letter from Commission to President (3 certified copies).)

JUNE 25, 1957.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed Agreement entitled "Agreement for Cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany on Behalf of Berlin Concerning Civil Uses of Atomic Energy," and authorize

its execution. For purposes of the Agreement, Berlin is defined as the areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British and American sectors).

The Agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission an important and desirable step in advancing the development of the peaceful uses of atomic energy in Berlin in accordance with the policy which you have established. The Agreement would permit cooperation between the United States and Berlin with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture and industry. As provided in section 125 of the Atomic Energy Act as amended, the Berlin Senat, with the approval of the Allied Commandants, has made all of the guaranties prescribed by this Act, and these guaranties are contained in the Agreement and the Annex thereto.

No Restricted Data would be communicated under this Agreement. The Commission is authorized to lease to the Senat of Berlin up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy. The Senat of Berlin, if it desires to do so, may engage United States companies to construct research reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Senat of Berlin.

Following your approval and subject to the authorization requested the Agreement will be formally executed by the appropriate authorities of the Government of the Federal Republic of Germany acting on behalf of Berlin, and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS, *Chairman.*

THE WHITE HOUSE,
Washington, D. C.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of June 25, 1957, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany on Behalf of Berlin Concerning Civil Uses of Atomic Energy," and authorize its execution. For purposes of the agreement, Berlin is defined as those areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors). The agreement recites that Berlin desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the Government of the United States and the Senat of Berlin with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement and annex thereto contain all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement. The Commission is authorized to lease to the Senat of Berlin up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby—

1. Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed agreement for cooperation between the Government of the United States and the Government of the Federal Republic of Germany on behalf of Berlin enclosed with your letter of June 25, 1957; and

3. Authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this agreement will mark the beginning of a very productive program of cooperation between the United States and Berlin in the peaceful uses of atomic energy.

Sincerely,

DWIGHT D. EISENHOWER.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON BEHALF OF BERLIN CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America desires to cooperate with Berlin in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas Berlin desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist Berlin in such a program; and

Whereas the Government of the Federal Republic of Germany, as a party to this agreement, is acting on behalf of Berlin;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Berlin" means those areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors).

(c) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(d) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(e) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Senat of Berlin or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the Commission and the Senat of Berlin will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Senat of Berlin uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Senat of Berlin, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Senat of Berlin uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Senat of Berlin may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Senat of Berlin shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Senat of Berlin to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Senat of Berlin shall not at any time be in excess of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the

Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Berlin or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U–235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U–235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Senat of Berlin, or persons under its jurisdiction, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be sold or otherwise transferred to the Senat of Berlin by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Senat of Berlin, by reason of transfer of this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Senat of Berlin or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Berlin. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or Berlin may deal directly with private individuals and private organizations in other countries. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States of America will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Senat of Berlin and such persons under its jurisdiction as are authorized by the Senat of Berlin to receive and possess such materials and utilize such services, subject to:

(a) The provisions of article II.

(b) Applicable laws, regulations, and license requirements of the Government of the United States and the Senat of Berlin.

ARTICLE VIII

1. The Senat of Berlin will maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Senat of Berlin will maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States of America under this agreement by the Senat of Berlin or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Senat of Berlin decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Senat of Berlin will maintain records relating to power levels of operation and burnup of reactor fuels and will make annual reports to the Commission on these subjects. If the Commission requests, the Senat of Berlin will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic energy materials which the Senat of Berlin may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Senat of Berlin, the Senat of Berlin shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Senat of Berlin or to any private individual or private organization under its jurisdiction, the Senat of Berlin shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Senat of Berlin or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

The Senat of Berlin guarantees, as provided in the annex hereto, that:

(a) Safeguards provided in article VIII shall be maintained.

(b) No material, including equipment and devices, transferred to the Senat of Berlin or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Senat of Berlin except as the Commission may agree to such transfer to a nation and then only if, in the opinion of the Commission, such transfer falls within the scope of an agreement for cooperation between the United States and such nation.

ARTICLE X

At the expiration of this agreement or of any extension thereof the Senat of Berlin shall deliver to the United States of America all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at the expense of the Senat of Berlin and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

ARTICLE XI

This agreement shall enter into force on the date on which the Government of the United States of America and the Government of the Federal Republic of Germany have advised each other in writing that they have complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years. Such advice from the Government of the Federal Republic of Germany shall include a notification that the Senat of Berlin has adopted the provisions of this agreement and has made the guaranties specified in article IX above, as provided in the annex hereto, with the approval of the Allied Commandants (Kommandatura).

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this 28th day of June 1957.

For the Government of the United States of America:

C. BURKE ELBRICK,
LEWIS L. STRAUSS.

For the Government of the Federal Republic of Germany:

HEINZ L. KREKELER.

ANNEX TO THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON BEHALF OF BERLIN CONCERNING CIVIL USES OF ATOMIC ENERGY

With regard to the agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany on behalf of Berlin concerning civil uses of atomic energy, signed

The Senat of Berlin accepts the provisions of the agreement and makes the following guaranties:

(a) The safeguards provided in article VIII thereof shall be maintained.

(b) No material, including equipment and devices, transferred to the Senat of Berlin or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and no such material, including equipment and devices, will be transferred to unauthorized persons or beyond Berlin, except as the Commission may agree to such transfer to a nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States and such nation.

In witness whereof, the Senat of Berlin has caused this annex to be executed pursuant to duly constituted authority.

Done at Berlin, this 4th day of June 1957.

THE SENAT OF BERLIN,
OTTO SUHR,
DR. KLEIN.

ALLIED KOMMANDATURA BERLIN,
June 15, 1957.

Subject: Draft of a supplementary agreement to be concluded between the Government of the United States of America and the Government of the German Federal Republic (acting on behalf of Berlin) with a view to cooperation in the field of peaceful use of atomic energy. Declaration of Guaranties by the Berlin Senat.

To: The governing mayor, Berlin.

Reference. BK/L(57)17 of June 4, 1957.

DEAR MR. MAYOR: I have the honor to inform you that the Allied Kommandatura has no objection to the implementation of the above-mentioned agreement, presented in the Senat's letter of May 16, 1957 (reference Bund 2898–60–02), with the amendments mentioned in the Senat's letter of June 12, 1957 (reference Bund 2898–60–02).

The Allied Kommandatura reaffirms its approval of the Declaration of Guaranties executed by the Berlin Senat.

The Allied Kommandatura also wishes to remind you of the terms of BK/L(57)7, dated January 26, 1957.

Yours sincerely,

G. DMITRIEFF,
Chairman Secretary.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

JOINT RESOLUTIONS OF ILLINOIS LEGISLATURE

Mr. DIRKSEN. Mr. President, I present a joint resolution adopted by the Illinois Legislature on May 1, 1957, urging the enactment of legislation to bring about a modification of the provisions of the NATO status of forces treaties and other agreements under which the criminal jurisdiction over United States servicemen, civilians, and dependents is presently surrendered to foreign nations. I ask unanimous consent that the joint resolution be printed in the RECORD and appropriately referred.

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

Senate Joint Resolution 22

Whereas the members of our Armed Forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the Administrative Agreement with Japan and Executive agreements with other nations; and

Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen and because of the prejudice and animosity sometimes existing against members of our Armed Forces; and

Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each; Therefore be it

Resolved, By the Senate of the 70th General Assembly of the State of Illinois (the House of Representatives concurring herein), That the members of this general assembly deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; that it is the sentiment of this general assembly that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil; and be it further

Resolved, That we respectfully request and urge the President of the United States, by negotiation, and the Senate and House of Representatives of the United States, by enacting the legislation now pending or similar legislation directing such negotiation, to secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over the United States Armed Forces, their civilian components and the dependents of each; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to the President of the United States and to the Members of the United States Senate and House of Representatives from Illinois.

Mr. DIRKSEN. Mr. President, I also present a joint resolution adopted by the 70th General Assembly of the State of Illinois with reference to the definition of children in the Social Security Act, and the impact of this definition of benefits available for children in those States like Illinois which do not recognize the validity of common-law marriages. I ask unanimous consent that the joint resolution be printed in the RECORD and appropriately referred.

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

House Joint Resolution 29

Whereas the Social Security Act so defines the term "children" that in Illinois and many other States which do not recognize the validity of common-law marriages, social-security survivorship benefits are denied to children of a deceased father, who is a party to a common-law marriage, although it can be established that the father had lived with the children, supported them, acknowledged parentage on birth certificates, claimed them for income-tax purposes, and in other ways formally and informally acknowledged paternity of such children; and

Whereas there is a substantial number of these children in this and other States who are being deprived of benefits to which they should be entitled; and

Whereas in many cases the public aid and assistance agencies of the State must provide and care for these children at a cost to the States of millions of dollars; and

Whereas the definition of "children" in the Social Security Act should be so amended as to prevent further injustice and financial loss to these children, to enable them to receive the social-security survivorship benefits to which they are entitled and to relieve part of the financial burden which has been placed on this and other States: Therefore be it

Resolved by the House of Representatives of the 70th General Assembly of the State of Illinois (the Senate concurring herein), That this general assembly respectfully request the Senate and House of Representatives of the United States to enact legislation which will redefine the definition of "children" in the Social Security Act so that children of common-law marriages may be permitted to obtain survivorship benefits under the Social Security Act upon the death of the father of such children; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to every Member of the United States Senate and House of Represenatives from Illinois.

ADDITIONAL BILLS INTRODUCED

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

By Mr. HUMPHREY:

S. 2454. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee on Agriculture and Forestry.

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

By Mr. HICKENLOOPER:

S. 2455. A bill for the relief of Sari Rothmann;

S. 2456. A bill for the relief of Michael Carlyle Erickson;

S. 2457. A bill for the relief of Lucy Irene Henning; and

S. 2458. A bill for the relief of Victoria V. F. Farhat; to the Committee on the Judiciary.

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

S. 2459. A bill to amend section 402 of the Civil Aeronautics Act of 1938; to the Committee on Interstate and Foreign Commerce.

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

By Mr. DOUGLAS:

S. 2460. A bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; to the Committee on Banking and Currency.

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

S. 2461. A bill to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government; to the Committee on the Judiciary.

By Mr. JACKSON (for himself, Mr. MCCLELLAN, and Mr. YARBOROUGH):

S. 2462. A bill to prohibit certain communications with respect to adjudicatory matters pending before Government agencies; to the Committee on the Judiciary.

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

CONVEYANCE OF CERTAIN LAND TO VILLAGE OF NEW RICHLAND, MINN.

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill which provides that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn. This bill is a companion to H. R. 8385 introduced last week by Representative ANDRESEN of Minnesota.

The village officials of New Richland have requested legislation of this kind so that the village may acquire from the Federal Government an old hempmill plant contiguous to the village.

Mr. President, I earnestly hope the bill may receive favorable action during the present session of Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2454) to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn., introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938

Mr. BRICKER. Mr. President, on behalf of myself, and the Senator from Washington [Mr. MAGNUSON], I introduce, for appropriate reference, a bill to amend section 402 of the Civil Aeronautics Act of 1938. I ask unanimous consent that a statement, prepared by me, relating to the bill, may be printed in the RECORD.

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

The bill (S. 2459) to amend section 402 of the Civil Aeronautics Act of 1938, introduced by Mr. BRICKER (for himself and Mr. BRICKER), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. BRICKER is as follows:

STATEMENT BY SENATOR BRICKER

I have introduced, for appropriate reference, a bill to amend section 402 of the Civil Aeronautics Act of 1938.

This bill sets forth the principles which should govern the granting of air routes to foreign airlines.

The bill also directs the Civil Aeronautics Board to review annually the operations of foreign airlines in order to assure itself that these operations conform to the principles set forth.

This proposed legislation is necessary because Congressional policy appears not to have been followed by the Department of State. The Congress stated in the Air Commerce Act of 1926 and the Civil Aeronautics Act of 1938 the principles that should govern the grant of air transport rights to foreign airlines, but these have not governed in recent agreements with Germany and the Netherlands.

These grants have not only ignored the principles announced by Congress in the legislation referred to above, but they have also ignored the principles which have been stated by the executive branch as governing these aviation agreements. In 1946 the executive branch entered an agreement with the United Kingdom which set forth principles to govern the operation of foreign airlines to this country, known as the Bermuda agreement. Several of the routes granted to the Dutch and the Germans, I am informed, can be operated only in violation of those principles.

The Congress of the United States has constitutional responsibilities for the development of an air transport system adequate to the needs of foreign commerce, of the postal service and of the national defense. The Congress has relied on assurances by the executive branch that it has followed principles adopted in the statutes and in past agreements, but recent activities of the Department of State lead us to the reluctant conclusion that the Congress must again spell out its intent.

There is nothing new in the principles that are here stated because they are the substance of what has been written in more than 45 bilateral agreements with foreign countries since the Bermuda Agreement in 1946. The purpose of this bill, however, is to write them into the statute to make unmistakably clear the intention of the Congress that this policy be carried out in the award of air-route permits to foreign air carriers. The United States, as the leader of the Free World, has a duty both to itself and to others to maintain a strong international air-transportation system, at the lowest possible cost to the taxpayer. Under the American system, this should be accomplished by private-enterprise companies which pay salaries and wages commensurate with the American standard of living. The United States is committed to the Bermuda principles and no feasible substitute has been suggested, so this bill provides a means by which the Civil Aeronautics Board can give them effect.

Having committed itself to the Bermuda principles, the United States should see to it that they are adhered to. The second section of the bill gives the Civil Aeronautics Board additional tools to do the job. After foreign airlines have been awarded a permit to operate to the United States, some of them are able to exploit the United States traffic and thus gain advantages not contemplated in the agreement under which they have been admitted. Since these airlines do not file data with the Civil Aeronautics Board, the scope of their gains cannot readily be detected. Even when it becomes apparent, the Civil Aeronautics Board and State Department do not feel obligated to take action under the agreement.

The governments of foreign countries have enforced the Bermuda principles to restrict United States airlines; but, to my knowledge, in no instance has our Government enforced these principles.

Section 2 of the bill would require the Board to review "from time to time and at least annually * * *" all operations of foreign airlines to determine whether such operations accord with the principles set forth in section 1, and report to the President and the Congress "the conclusion reached by it on all such reviews and the action taken or proposed to be taken in consequence thereof." The Board is authorized to require foreign airlines to furnish such records and statistics as will enable the Board to carry out its duties under the bill.

This bill is the result of study and analysis begun 2 years ago when new routes were granted to the German airline. The disapproval expressed by members and committees of Congress at that time was ignored. In the past several months, further disregard of Congressional policy has made it imperative that the Congress take further steps to carry out its duties to promote an American air-transportation system adequate to the needs of our flag. This bill is offered to start the further hearings and investigations which are necessitated by the unjustified generosity of the State Department in granting air-transport routes.

PROHIBITION OF UNAUTHORIZED DISCLOSURE OF INFORMATION IN ADJUDICATORY PROCEEDINGS OF REGULATORY AGENCIES OF THE GOVERNMENT

Mr. JACKSON. Mr. President, in May and June of this year the Senate Permanent Subcommittee on Investigations held a number of hearings concerning a leak from the Civil Aeronautics Board which resulted in abnormal stock activity in Northeast Airlines on August 3, 1956. The members of the Civil Aeronautics Board met on the evening of August 2, 1956, and voted to award the New York-Florida run to Northeast Airlines. The decision was a secret one. On August 3, 1956, some 24,000 shares of Northeast stock were traded, whereas on the average day approximately 500 shares were traded. This Subcommittee ascertained that there were at least two leaks concerning this secret decision. One witness, a lawyer for Delta Airlines, testified that he had received an anonymous telephone call advising him of the vote. This call was received late in the evening of August 2. He related the news of this award to certain people. As a result, stock was purchased early on August 3. The subcommittee had evidence that another probable leak was the Executive Director of the CAB.

The hearings demonstrated a need for legislation in two distinct areas; one prohibiting the unauthorized disclosure of certain information by employees of these agencies in any adjudicatory proceeding, and the other, allowing the members of the Board freedom from influence in making decisions in any adjudication.

There is no criminal penalty relating to the willful disclosure of certain information by an employee of the CAB. They do have an agency regulation which prohibits the disclosure of such information by any officer or employee. James Durfee, the Chairman of the Civil Aeronautics Board, testified that, despite this regulation, leaks have been a great source of trouble to his Board, and he felt that this was a very serious reflection upon the integrity of his agency. It is very interesting to note that, while the subcommittee was in the process of investigating the leaks concerning the award of August 2, 1956, another leak occurred in CAB in December of 1956, involving an audit of Pan-American Airways.

In connection with our investigation, we heard testimony from Board members of the Interstate Commerce Commission, the Federal Communications Commission, the Securities and Exchange Commission, the Federal Trade Commission, and the Federal Power Commission. It developed that all of these agencies have some administrative rule or regulation prohibiting the disclosure of certain information.

However, only one of these quasi-judicial agencies—the Federal Trade Commission—has a criminal provision for improper disclosure of certain information. Significantly, testimony from officials of the Federal Trade Commission indicated that they felt that this criminal penalty had a very salutatory effect in preventing leaks.

I feel very strongly that the rules and regulations in these various agencies are not adequate. As a matter of fact, all of the agency representatives, who appeared before us, voiced no objection to legislation in this area, and some of the witnesses felt that it would be most beneficial. I am, therefore, introducing two bills. The first bill would prohibit the unauthorized disclosure of certain information in any adjudicatory proceeding by members, officers, and employees of regulatory agencies of the Government.

Regarding the second bill, this subcommittee ascertained by investigation that there are no criminal penalties protecting the commissioners from attempts to influence decisions in adjudicatory matters. There are various agency rules in existence which attempt to prohibit an individual from engaging in such tactics.

I feel that, in the exercise of their judicial functions, the members of the boards of these regulatory agencies are

entitled to the same immunity which, by long-established custom and tradition, is given to the judiciary. This immunity will provide a better climate for these officers in reaching fair and just decisions.

Once again, the representatives of the various agencies, who testified before this subcommittee, voiced no objection to legislation in this area.

The second bill I am introducing merely prohibits anyone, with intent to influence any adjudication, from making any oral or written presentation on any question of law or fact to any member, officer, or employee, without giving notice to all interested parties. The bill in no way curtails any interested party from presenting his views to the Commission and to the board, providing that all parties are first advised. It is only fair and just because it relieves the commissioners from undue influence.

Mr. President, I send the bills to the desk for appropriate reference and I ask unanimous consent they lie on the table until Monday next, so that any Member of the Senate desiring to join as a cosponsor of the bills may have the opportunity to do so before that time.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will lie on the desk until Monday next, as requested by the Senator from Washington.

The bills, introduced by Mr. JACKSON, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

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

S. 2461. A bill to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government.

By Mr. JACKSON (for himself, Mr. MCCLELLAN, and Mr. YARBOROUGH):

S. 2462. A bill to prohibit certain communications with respect to adjudicatory matters pending before Government agencies.

AMENDMENT OF CHAPTER 223, TITLE 18, UNITED STATES CODE, RELATING TO PRODUCTION OF STATEMENTS AND REPORTS OF WITNESSES—AMENDMENT

Mr. BRICKER submitted an amendment, intended to be proposed by him, to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, which was ordered to lie on the table and to be printed.

ADM. FELIX B. STUMP

Mr. REVERCOMB. Mr. President, it is gratifying to me, as I am sure it is to many citizens, to learn that this Nation's entire Far East military forces have been placed under the command of Adm. Felix B. Stump. Admiral Stump is a native of the State of West Virginia. Members of his family live there, and we of our State take a natural pride in the high position attained by him and in the patriotic service he performs.

The importance of the new responsibility which rests upon Admiral Stump is clearly evident from the fact that this change places the Army, the Air Force, and the naval forces in both the Asian and Pacific theaters under the command of one man. Thus Honolulu becomes the command post of nearly one-half million United States servicemen, more than 7,000 planes, and 400 ships, on guard between American and Communist coasts.

Admiral Stump's command covers 75 million square miles. It is bordered by 8,000 miles of Communist coastline—about 4 times the length of the Iron Curtain in Europe. It takes in several of the world's most potentially explosive areas, including Red China, Korea, and Vietnam. It embraces such friendly areas as Japan, Formosa, and the Philippines.

In addition to commanding United States forces in this vast area, Admiral Stump will also direct the American military advisory groups which handle training for some 1.7 million troops of friendly Pacific nations. He is also top United States military advisor in the seven-nation Southeast Asia Treaty Organization.

I have been acquainted with this outstanding West Virginian over a long period of years, Mr. President, and I know that our Pacific and Far Eastern forces are in capable hands. Admiral Stump is a plain-spoken American of rare ability and sterling character. He is not only one of the Nation's outstanding military men; he is also a diplomat of fine ability. I have the utmost confidence in his leadership in this strategic position of grave responsibility.

Upon assuming this new command, Admiral Stump was quoted by the press as saying:

> We have the forces now to contain an attack that occurs anywhere in the world.

Knowing Admiral Stump as I do, I feel that the American people can take a large measure of comfort in that statement. We hope and pray that this country will never have occasion to use this huge military force to resist aggression, but if forced to do so to protect our land from enemy domination, we can know that our Armed Forces, now under the command of one man in that area, are in capable hands.

TWO-PRICE WHEAT PLAN TO REPLACE ACREAGE RESERVE OF SOIL BANK

Mr. NEUBERGER. Mr. President, as many of my constituents realize, I have had grave misgivings for a considerable length of time about the acreage-reserve feature of the soil-bank program. Although I support the conservation-reserve phase of the program—with its emphasis on grasses and trees and ponds and other strengthening forces—I have regretfully concluded that the acreage reserve has not had a beneficial result.

Now this is confirmed by an illuminating article in the New York Times of June 16, 1957, by J. H. Carmical, agricultural expert for that great newspaper.

Mr. Carmical emphasizes that by taking many acres of wheat out of production, the Government not only has failed to control surpluses but, in addition, numerous rural trading centers in wheatgrowing areas have suffered a drastic decline in trade and business. All of this leads me to the conclusion that, more than ever, a genuine trial is merited for the two-price plan for wheat, under which domestic wheat for human consumption would have a supported price while the rest of the crop would seek its own level in the world market. Many Oregon wheatgrowers support this proposal.

I ask unanimous consent that the full text of the article by Mr. Carmical appear in the body of the CONGRESSIONAL RECORD.

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

SOIL BANK PROVES COSTLY IN WHEAT

(By J. H. Carmical)

The difficulty of holding down the production of wheat through the soil bank was illustrated in the June 1 report of the Department of Agriculture.

Despite the fact that a little more than one-fifth of the national allotment of 55 million acres for this year's wheat crop was withdrawn from cultivation by the soil bank, the prospective yield was put at 971 million bushels, or only 2.7 percent less than the 997,207,000 bushels harvested in 1956.

Reflecting largely the plentiful moisture in the last 2 months, the yield from the winter-wheat crop may be even greater than last year's, despite the much smaller acreage. The total yield was forecast on June 1 at 735,720,000 bushels, and the average yield at 23.6 bushels an acre. Last year, winter-wheat production amounted to 734,995,000 bushels, and the acre-yield was 20.6 bushels.

BANK GOT THE POORER LAND

Another factor in the high acre-yield is that generally farmers reserved their most fertile land for growing wheat and placed their less productive acres in the soil bank.

Based on June 1 conditions, the spring-wheat crop is estimated at 234,813,000 bushels, compared with 262,212,000 bushels last year. The acreage is down almost 20 percent from a year ago, but the crop is off to a good start. Moisture is ample, and if conditions continue favorable, many in the trade believe that the yield may prove even greater than now indicated.

Heavy rains, particularly in Kansas, may hold back the winter-wheat harvest, and some of it may be damaged by the excessive moisture. But chances are that any losses there will be more than offset by an improvement in the spring crop. In fact, the next report, as of July 1, may show some gain in the total wheat estimate.

In an effort to prevent the further accumulation of surpluses, the Department of Agriculture has contracted to pay farmers some $231 million for withdrawing about 12 million acres allotted to them for growing wheat. With the crop now forecast at only 26 million bushels below last year's, the cost to the Government may be figured at nearly $9 for every bushel of wheat held off the market through the soil bank. Of course the crop might have been much larger than last year's had it not been for the soil bank.

But the indirect cost to the economy of the wheat belt is even more. In addition to the loss in wheat proceeds from the land placed in the soil bank, the growers bought in their trading centers less of the equipment and supplies necessary to the production of wheat.

The money paid by the Government went to the landowner and not to the farmer who may have rented the land in the past or the laborer who may have seeded or harvested it.

The prospects of a normal crop and a decline in export demand already has resulted in a drop in the price of wheat to nearly 30 cents a bushel below the loan level. Unless there is a sharp rise in prices within the next few weeks, growers are bound to put wheat into the Government loan at a high rate. This would mean additional expenditures by the Government, but the losses would be small compared with the cost of the reduction in surplus through the soil bank.

The loan level on this year's crop is about $2 a bushel at the farm, or $2.32 at Chicago. The difference covers transportation costs. However, recently the Department of Agriculture announced the 1958 loan rate at about 22 cents a bushel below the present rate, or at 75 percent of parity, which is the lowest permissible under the law.

UNITED STATES DUE TO GET MORE

Because of the large surplus of wheat, the price in the open market generally has held just below the loan level in recent years. Now, with a reduction likely for the 1958 loan, lower rather than higher prices in the open market seem likely for next year. Under such circumstances, it is quite likely that farmers this year will take full advantage of the loan, and that by the next harvest virtually all the surplus wheat will be controlled by the Government.

This would mean a tight market situation from time to time, but plenty of wheat should be available at or near the loan level both from the growers, who may find it to their advantage to redeem their cereal, and from the Government, which may dispose of some of its huge holdings.

At present, there seems little likelihood of any drastic change in the farm laws. Recently, the House of Representatives approved a bill aimed at eliminating the soil-bank program for next year, but the Senate last week voted to restore it. The matter now must be ironed out in conference, and the belief is that the program will be continued.

REFERENDUM COMING UP

The national referendum to decide whether the wheat growers want marketing quotas next year is to be held this Thursday.

If marketing quotas are approved, as they have been in the last 4 years, the price support for the 1958 crop will be at a $1.78 a bushel to producers who do not exceed their farm acreage allotments. If the quotas are turned down, price support will be available only 50 percent of parity, or $1.18 a bushel.

Many farmers are dissatisfied with the low support price and many in the trade believe that the vote favoring marketing quotas will not be as high as in past years. However, the assurance of $1.78 a bushel is so much better than $1.18, that the growers are expected to produce the necessary two-thirds vote.

If farmers should reject marketing quotas a rather serious price disturbance probably would ensue. The carryover from previous crops on July 1 is expected to be about 950 million bushels, with all except about 75 million bushels held by the Government.

Some of this wheat has been held for 2 years or more, and deterioration normally is heavy after such a period. If wheat or any other commodity held by the Government is in danger of deteriorating rapidly, it may be sold in the domestic market below the loan level.

In addition to the huge carryover, the present crop will be in excess of requirements. The domestic consumption in a season, July 1 to the following June 30, is about 600 million bushels. Exports for the coming season are not expected to be more than 350 million bushels—probably less because of the increase of production in Europe. France is expected to reenter the export market after being a large importer this season.

Exports of wheat from the United States this season are expected to be around 526 million bushels, the largest on record. This stems in part from the poor yield in Europe in 1956 and stockpiling by many countries as a result of the Suez crisis.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 2, 1957, he presented to the President of the United States the following enrolled bills:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

ADJOURNMENT

Mr. WATKINS. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 9 o'clock and 25 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Wednesday, July 3, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 2, 1957:

DEPARTMENT OF AGRICULTURE

Don Paarlberg, of Indiana, to be an Assistant Secretary of Agriculture, vice Earl L. Butz, resigned.

FEDERAL COMMUNICATIONS COMMISSION

Frederick W. Ford, of West Virginia, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1957, vice George C. McConnaughey, term expired.

UNITED STATES DISTRICT JUDGE

Alfred A. Arraj, of Colorado, to be United States district judge for the district of Colorado, vice Jean Sala Breitenstein, elevated.

UNITED STATES ATTORNEYS

The following-named persons to the positions indicated:

Frank D. McSherry, of Oklahoma, to be United States attorney for the eastern district of Oklahoma for a term of 4 years. (Reappointment.)

William M. Steger, of Texas, to be United States attorney for the eastern district of Texas for a term of 4 years. (Reappointment.)

James L. Guilmartin, of Florida, to be United States attorney for the southern district of Florida for a term of 4 years. (Reappointment.)

Charles W. Atkinson, of Arkansas, to be United States attorney for the western district of Arkansas for a term of 4 years. (Reappointment.)

UNITED STATES MARSHAL

Emerson Ferrell Ridgeway, of Florida, to be United States marshal for the northern district of Florida for a term of 4 years. He is now serving in this office under an appointment which expires July 31, 1957.

COLLECTOR OF CUSTOMS

Chester R. MacPhee, of California, to be collector of customs in customs collection district No. 28, with headquarters at San Francisco, Calif. Reappointment.

Charles F. Brown, Jr., of Louisville, Ky., to be collector of customs in customs collections district No. 42, with headquarters at Louisville, Ky. (Reappointment.)

Frank Abelman, of Marquette, Mich., to be collector of customs in customs collection district No. 38, with headquarters at Detroit, Mich. (Reappointment.)

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Ferrell S. Tucker, Caraway, Ark., in place of Lee Rea, deceased.

Alvin M. Bridwell, Dumas, Ark., in place of W. I. Fish, retired.

Elouise H. Craig, Proctor, Ark., in place of M. T. Akin, deceased.

CALIFORNIA

Arthur R. Olson, Hilmar, Calif., in place of A. N. Renshaw, resigned.

George R. Jahnel, Lodi, Calif., in place of J. W. Koenig, deceased.

Clarence W. Needham, Plymouth, Calif., in place of C. G. Nance, removed.

CONNECTICUT

Walter A. Rollinson, Dayville, Conn., in place of John Welsh, retired.

Willard C. Huntley, Old Lyme, Conn., in place of N. C. Clark, resigned.

GEORGIA

Mary M. Pitts, Rabun Gap, Ga., in place of Miriam Dickerson, retired.

Edward J. Snow, Sr., Rebecca, Ga., in place of C. S. Young, retired.

HAWAII

Irene R. Afflerback, Spreckelsville, Hawaii, in place of E. J. Freitas, retired.

ILLINOIS

Wayne W. Bird, Galatia, Ill., in place of L. L. Riegel, retired.

Robert C. Peterson, Lynn Center, Ill., in place of R. L. Peterson, retired.

Charles R. Simmons, Venice, Ill., in place of D. J. Hallissey, deceased.

INDIANA

Harlan C. Pedlow, Bridgeport, Ind., in place of L. L. Locke, retired.

Raymond P. Steele, Connersville, Ind., in place of R. E. Nelson, deceased.

Paul R. Wadsworth, Rising Sun, Ind., in place of C. E. Pendry, resigned.

Gerald J. McCarty, Union Mills, Ind., in place of H. P. Childers, retired.

KANSAS

Hubert C. Holloway, Greensburg, Kans., in place of H. V. Luginbill, deceased.

MASSACHUSETTS

Russell G. McPhee, East Orleans, Mass., in place of G. F. Mayo, retired.

MINNESOTA

Lawrence D. Murphy, Circle Pines, Minn., in place of F. S. Petersen, resigned.

MONTANA

John W. Loughnane, Belgrade, Mont., in place of J. L. Weaver, deceased.

NEBRASKA

Paul O. Davidson, Alexandria, Nebr., in place of M. A. Brinegar, deceased.

Donald E. Adams, Cody, Nebr., in place of M. S. Yancey, retired.

Lester E. Murrell, Oshkosh, Nebr., in place of H. M. Morris, removed.

NEW JERSEY

Alexander Peter Campbell, Alpine, N. J., in place of V. M. Burkhardt, resigned.

Caroline K. Sheets, Bloomsbury, N. J., in place of S. E. Bellis, removed.

Robert Crater DeRemer, Glen Gardner, N. J., in place of Nellie Potter, resigned.

Ralph B. Speier, Seaside Heights, N. J., in place of A. W. Raymond, resigned.

Marjorie E. Houghtaling, Vernon, N. J., in place of A. E. Baldsin, deceased.

NEW YORK

Dorris S. Beaney, Hamlin, N. Y., in place of E. M. Martin, removed.

Charles P. Stephenson, Morristown, N. Y., in place of C. E. Scott, retired.

NORTH CAROLINA

Wallace K. Crawford, Hayesville, N. C., in place of F. R. Jones, retired.

Wilton McRae, Maxton, N. C., in place of C. B. Williams, retired.

OHIO

Lawrence R. Hazen, Ashland, Ohio, in place of C. L. D. Hartsel, retired.

Alice R. Smith, Parkman, Ohio, in place of H. P. Olmstead, retired.

OKLAHOMA

Lulu M. Klein, Butler, Okla., in place of J. E. Gwinn, transferred.

PENNSYLVANIA

Harry O. Campsey, Jr., Claysville, Pa., in place of M. D. Blayney, retired.

William J. Hlavats, Glassport, Pa., in place of P. E. Hutton, retired.

Claude B. Faust, Macungie, Pa., in place of F. E. Neumeyer, removed.

Henry L. Haines, Maytown, Pa., in place of M. E. Culp, retired.

Edward J. Miller, Newry, Pa., in place of Adam Hoover, retired.

Harold J. Niemeyer, Newtown Square, Pa., in place of S. S. Broadbelt, retired.

Claude B. Arnold, Rome, Pa., in place of R. K. Valentine, retired.

RHODE ISLAND

Richard M. Stanton, Wood River Junction, R. I., in place of E. A. Hill, removed.

SOUTH DAKOTA

Robert G. Chase, Parker, S. Dak., in place of G. L. Egan, retired.

TENNESSEE

Lee N. Ruch, Belvidere, Tenn., in place of Clyde Zimmerman, transferred.

Charles Edwin Graves, Knoxville, Tenn., in place of A. S. Garrett, retired.

TEXAS

Ernest H. Butts, Annona, Tex., in place of M. E. Russell, resigned.

John Sleeper, Sr., Elm Mott, Tex., in place of T. F. Gassaway, retired.

Herman S. Gray, Somerset, Tex., in place of Walter Kurz, retired.

VERMONT

Glenn T. Foster, Weston, Vt., in place of Raymond Taylor, retired.

VIRGINIA

Owen K. Blackburne, Lynchburg, Va., in place of J. H. Coleman, retired.

WASHINGTON

Theodore H. Biermann, Lind, Wash., in place of C. E. Schutz, retired.

WEST VIRGINIA

Emil E. Frye, Chapmanville, W. Va., in place of D. R. Toney, removed.

Mary Virginia Earman, Harpers Ferry, W. Va., in place of M. E. Marquette, retired.

Elner F. Stutler, West Union, W. Va., in place of Oma Corder, removed.

WISCONSIN

Charles A. Hall, Gresham, Wis., in place of L. C. Mader, deceased.

Roger W. Most, Prescott, Wis., in place of F. J. French, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 2, 1957:

DEPARTMENT OF THE TREASURY

Robert Bernerd Anderson, of New York, to be Secretary of the Treasury.

COLLECTOR OF CUSTOMS

Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio.

COMPTROLLER OF CUSTOMS

Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.

WITHDRAWALS

Executive nominations withdrawn from the Senate, July 2, 1957:

POSTMASTERS

William W. Boyd, Sherrodsville, in the State of Ohio.

Franklin B. Spriggs, Arnold, in the State of Maryland.

Edith M. Casey, New Caney, in the State of Texas.

Wesley D. Banks, St. Matthews, in the State of South Carolina.

Jackson T. Potter, Winnabow, in the State of North Carolina.

Blaine E. Moyer, Kreamer, in the State of Pennsylvania.

Ted M. Anderson, Batesville, in the State of Arkansas.

Evelyn R. Howard, Montmorenci, in the State of Indiana.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 2, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou eternal and gracious spirit, we know that for guidance and understanding, for patience and perseverance, for joy and peace, we need the wisdom and strength of the Lord God Almighty.

Grant that daily, in this Chamber, we may bear witness that we are coveting and cultivating earnestly those ideals and principles which are curative and creative in the building of a nobler civilization.

Give us a glorious vision of the kingdom of truth and righteousness and may we make its consummation and fulfillment the object of all our hopes and labors.

Hear us in the name of the Captain of our salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

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

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation.

COLOMBIA'S STORY

Mr. PORTER. 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 Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, a nation of 12 million inhabitants last May emerged from 8 years of dictatorship and is now on the road to democracy. This nation, Colombia, from which I lately returned, needs and deserves the full and enthusiastic support of the United States.

During the dictatorship, 200,000 Colombians were killed. Yet the Conservative and Liberal Parties united last March to organize passive resistance to the dictator, Rojas Pinilla, and force his downfall with a minimum of bloodshed. Great credit must also be given to the Colombian Catholic clergymen, especially to the courageous and distinguished Cardinal Luque, who dared publicly to speak out against the dictator's crimes.

The dictator is gone. The press, including the great El Tiempo, is again free. The political parties have agreed to lay aside partisanship during the transition period. The military junta has declared itself to be only an interim government and has pledged that free elections will be held in due course.

Dr. Eduardo Santos, former President of Colombia and the owner of El Tiempo, asked me to tell Colombia's story in the United States, this story of a fine people emerging from the degradation of dictatorship into the dignity and decency of democracy.

Mr. Speaker, it is in our best interest and in conformity with our oldest traditions to foster democracy all over the world. Certainly, in this crucial period of transition in Colombia, we should make haste to provide generous support: moral, intellectual, and financial.

THE FARM PARITY PROGRAM

Mr. McGOVERN. 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 South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, in last Friday's issue of the CONGRESSIONAL RECORD, my distinguished colleague from South Dakota [Mr. BERRY], whom I had notified I would speak today, charged that the Democratic Congress, rather than the Secretary of Agriculture, is responsible for the current crisis in agriculture. Said Mr. BERRY:

> If the Democratic Party really wants a program of farm supports at 90 percent of parity, they can pass a law providing supports at that level, and the Secretary of Agriculture has no alternative, except to put that law into effect.

Now, Mr. Speaker, there can be no doubt of my South Dakota colleague's knowledge of Secretary Benson's activities. Within the last 60 days the administrative assistants of two members of my State's congressional delegation, including Mr. BERRY's assistant, have joined Mr. Benson's personal staff. I do not, therefore, question our colleague's ability to defend Mr. Benson, but I do question his interpretations of who is responsible for the failure of the 90 percent of parity farm bill. It is difficult to understand how our colleague could have forgotten that only a year ago the Democratic Congress passed a 90 percent of parity farm bill.

Unfortunately, the President vetoed that bill in spite of his 1952 pledge at Brookings, S. Dak., that he would continue the Democratic 90 percent of parity farm program. Now I am wondering if our colleague can give us any reason at all to think that the President has had a change of heart and would now sign farm legislation of the type he vetoed last year. Just to keep the record straight, it should be pointed out that the Secretary of Agriculture is now authorized by the Congress to set farm price supports at 90 percent of parity.

METALS CRISIS DEEPENS

Mr. EDMONDSON. 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 Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, today's edition of the Wall Street Journal carries news of continued worsening of the already grave metals price situation confronting our Nation's miners, a situation which daily adds to the long list of mine shutdowns across the Nation.

According to the Journal article, the domestic price for zinc in this country has now fallen to 10 cents a pound, the lowest price on zinc since May of 1954.

Significantly, zinc prices in this country have fallen the disastrous total of 3½ cents since May 6 of this year, one of the most precipitous price declines in history.

At the same time, and indicating the scope of the problem, copper prices both here and abroad have fallen to the lowest point in 4 years.

The Wall Street Journal says the zinc price emergency stems from several causes:

First. World overproduction.

Second. Sharply curtailed demand.

Third. Reduced Government purchases of zinc through its domestic buying program and its barter deals for foreign origin zinc and lead in return for surplus agricultural products.

An additional factor within the United States, not mentioned in the Journal, is the continued heavy volume of imported zinc appearing upon the United States market, which has been coming into our country at a record-breaking rate for many months.

This is a problem on which representatives of mining States are urgently requesting consideration by the House Ways and Means Committee, which has before it a number of bills aimed at metal import control or reduction.

Unless some action is taken soon, by either the Congress or the administration, this Nation may soon be a world power without a domestic metal mining industry, and no world power in that condition has ever survived as a world power.

THE LATE GENERAL PIERRE JACOBSEN

Mr. WALTER. 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 Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, it is my sad duty to inform the House of the sudden, tragic death of a great international public official, Gen. Pierre Jacobsen, Deputy Director of the Intergovernmental Committee for European Migration, who was killed yesterday in Geneva, Switzerland, when a train struck his car at a grade crossing.

Many Members of the House knew well Pierre Jacobsen and many of us who had the privilege of working with him since 1947 had become not only fond of him but learned to admire his unusual capabilities and his devotion to the high office with which many nations had unanimously entrusted him.

Pierre Jacobsen was a native of Denmark, where he was born in 1917. He acquired French citizenship and served with General de Gaulle's resistance forces with courage that became legendary in the famous French Maquis. He was raised to the rank of a General of the French Army, the youngest Frenchman ever to attain that rank.

At the end of the war, Pierre Jacobsen joined the International Refugee Organization serving first in Germany and then in Geneva, Switzerland. His great heart and his enlightened humanitarianism was placed at the disposal of the suffering masses of people known to the world as displaced persons.

When we created the Intergovernmental Committee for European Migration in Brussels, Belgium, in 1951, we were fortunate indeed to obtain the services of Pierre Jacobsen. The 27 nations which are now banded together in the ICEM mourn the death of their great servant and the refugees and migrants of the whole world realize well what a terrible loss they have suffered.

We, the Members of Congress who have been associated with the international migration movements realize that we have lost not only a wonderful friend and a great international official, but also a human being whose departure will deprive the world of a man who knew what international cooperation is and what are its responsibilities.

I wish to express my deepest sympathy to the bereaved family of Pierre, and to France and Denmark alike, two countries which have lost a son and an adopted son, respectively, a son who has added to the glory of both countries.

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

Mr. WALTER. I yield to the gentleman from Maryland.

Mr. HYDE. Mr. Speaker, I should like to join with the gentleman from Pennsylvania in his expression of sympathy to the family of Pierre Jacobsen and the expression of deep regret at his loss. His loss is not only a great one to his country but to the world. I had the opportunity to meet Mr. Jacobsen on several occasions. I was greatly impressed with his ability and devotion to duty. In these troublesome times the world can ill afford to lose a statesman of his character.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

ADJOURNMENT TO FRIDAY AND MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Friday next, and that when the House meets on Friday next it adjourn to meet the following Monday.

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

There was no objection.

FACILITATE THE PAYMENT OF GOVERNMENT CHECKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1799) to faciltate the payment of Government checks, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, an identical bill, with the exception of one amendment, passed the House on yesterday under suspension of the rules. I was not aware at the time that a similar Senate bill was on the Speaker's desk, and that is the reason for this action. I move to strike out all after the enacting clause of the Senate bill and to substitute therefor the text of the House bill (H. R. 8195) as it passed the House on yesterday.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause of S. 1799 and insert the text of H. R. 8195 as passed by the House.

The amendment was agreed to.

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

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, lines 1 and 2, strike out "two sentences" and insert "sentence."

Page 3, lines 8 and 9, strike out "If the Secretary of the Treasury approves, the interest on such bonds may be deferred." and insert "The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 290) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, after "Loucacos", insert "and."

Page 1, lines 7 and 8, strike out "Evangelos Demetre Kargiotis, and Hsun-Tiao Yang."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMMIGRATION AND NATIONALITY ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 288) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, strike out "Carapia Gaytin" and insert "Carapia-Gaytan."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 307) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 4, after line 16, insert:

"SEC. 7. For the purposes of the Immigration and Nationality Act, Kerttu Poutiainen Mayblom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee."

Page 4, after line 16, insert:

"SEC. 8. For the purposes of the Immigration and Nationality Act, Paolina Toscano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1925, upon payment of the required visa fee."

Page 4, after line 16, insert:

"SEC. 9. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of John William Forbes Petch and Mrs. Tsuma Ueda. From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF ERNEST HAGLER

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3558) for the relief of Ernest Hagler, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "for" and insert "or so much thereof as may be necessary for the."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Z. A. HARDEE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4159) for the relief of Z. A. Hardee, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That notwithstanding any period of limitations or lapse of time, claims for credit or refund of overpayments of income taxes for the taxable years 1945 through 1948 made by Z. A. Hardee, of Enfield, N. C., may be filed at any time within 1 year after the date of the enactment of this act. The provisions of sections 322 (b) 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this act within such 1-year period."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORITY TO DECLARE RECESS TO RECEIVE THE PRIME MINISTER OF PAKISTAN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on July 11, 1957, for the Speaker to declare a recess for the purpose of receiving the Prime Minister of Pakistan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRIVATE CALENDAR

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

PETER V. BOSCH

The Clerk called the bill (S. 189) for the relief of Peter V. Bosch.

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

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

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

There was no objection.

PHYLLIS L. WARE

The Clerk called the bill (H. R. 2302) for the relief of Phyllis L. Ware.

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

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

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

There was no objection.

RAMON TAVAREZ

The Clerk called the bill (H. R. 4335) for the relief of Ramon Tavarez.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 to Ramon Tavarez, of 25 Monument Walk, Fort Greene Project, Brooklyn, New York City, N. Y., in full settlement of all claims against the United States for personal injuries, and all expenses incident thereto sustained as a result of the shooting of the said Ramon Tavarez by a guard on the United States naval base (known as Ensenada Honda), Geiba, Puerto Rico, on April 18, 1948. Such claim is not cognizable under the Federal Tort Claims Act: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

ORVILLE G. EVERETT AND MRS. AGNES H. EVERETT

The Clerk called the bill (H. R. 5288) for the relief of Orville G. Everett and Mrs. Agnes H. Everett.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orville G. Everett and Mrs. Agnes H. Everett, Vincennes, Ind., the sum of $5,000. Payment of such sum shall be in full settlement of all claims of the said Orville G. Everett and Mrs. Agnes H. Everett on account of the death of their son, Robert V. Everett, who was killed in the course of his duties as a flight instructor at Riddle-McCay Training Field, Union City, Tenn., on January 22, 1943, while instructing an aviation cadet: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

CERTAIN ALIENS

The Clerk called the joint resolution (H. J. Res. 339) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

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

Resolved, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Pietro Rosa and Mrs. Elisabeth Ottilie Trout, nee Zirkenbach, may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9), (17), (19), and (31) of the Immigration and Nationality Act, Francisco Ponce-Cruz may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (1) and (4) of the Immigration and Nationality Act, Peter Walsh may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9), (12), (17), and (19), of the Immigration and Nationality Act, Mrs. Alicia Romero de Ramirez may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (31) of the Immigration and Nationality Act, Juan Perez-Ramirez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Gerard Phillip Dunn may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Departments of State and Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 1, line 4, after the name "Pietro Rosa" insert the following: "Fiorindo Francesco Nappo, Anthony Bauer, Leslie A. Stuart, Antoine Hagenaars."

On page 1, line 10, after "(a)" strike out "(9)."

On page 2, after line 11, insert new sections 4, 5, 6, and 7, to read as follows:

"SEC. 4. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Gumaro Rubalcava-Quezada (also known as Gumero Rubalcava-Quezada and Gelasio Juaregi-Lopez) may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

"SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Mrs. Maria Guadalupe Aguilar-Buenrostro de Montano (also known as Victoria Rosas de Montano) and Eva Magalhaes y Aguirre (also known as Eva Pugliese) may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (23) of the Immigration and Nationality Act, Maria Leister De Angelo may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

"SEC. 7. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Gisela Ilse Beyer may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That her marriage to her United States citizen fiance, Sgt. Alber M. Braga, shall have occurred within 6 months after the enactment of this act."

On page 2, line 12, renumber "SEC. 4" to read "SEC. 8."

On page 2, line 18, renumber "SEC. 5" to read "SEC. 9."

On page 2, line 23, renumber "SEC. 6" to read "SEC. 10."

On page 3, after line 2, add a new section 11 to read as follows:

"SEC. 11. Notwithstanding the provisions of section 212 (a) (17) and (31) of the Immigration and Nationality Act, Antonio Hernandez-Gomez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act."

On page 3, line 3, renumber "SEC. 7." to read "SEC. 12."

The committee amendments were agreed to.

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

HERBERT C. HELLER

The Clerk called the bill (S. 1169) for the relief of Herbert C. Heller.

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

Be it enacted, etc., That the Civil Service Commission is authorized and directed to pay, out of the civil-service retirement and disability fund, to Herbert C. Heller, of Wilton, Conn., an amount equal to interest at 3 percent per annum compounded annually, on the refund of retirement deductions which was due him upon his separation from Government service, from the date of such separation to the date of payment of such refund, such payment having been delayed for a period of approximately 11 years because of an error in the computation of the length of his allowable service.

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

MALOWNEY REAL ESTATE CO., INC.

The Clerk called the bill (H. R. 1339) for the relief of the Malowney Real Estate Co., Inc.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Malowney Real Estate Co., Inc., of Springfield, Ohio, the sum of $14,425.26: *Provided,* That no interest shall be paid on such sum. Payment of such sum shall be in full settlement of all claims of the Malowney Real Estate Co., Inc., against the United States, for income taxes erroneously collected for the years 1944 and 1945: *Provided further,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. WALTER. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WALTER: On page 2, line 1, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

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

FRANK A. SIMMONS

The Clerk called the bill (H. R. 2752) for the relief of Frank A. Simmons.

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

Be it enacted, etc., That Frank A. Simmons, chief boatswain, United States Navy, retired 326805, is hereby relieved of all liability to refund to the United States the sum of $1,242.09. Such sum represents the aggregate amount of overpayments of retired pay by the United States to the said Frank A. Simmons, contrary to law but without fault on his part, for the period from November 1, 1954, to April 19, 1955, both dates inclusive, by reason of his receipt, in good faith, of compensation incident to his civilian employment at the Memorial Golf Course, Marine Corps Air Station, El Toro (Santa Ana), Calif., while in a retired status. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be allowed for all amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Frank A. Simmons, a sum equal to the aggregate of all amounts which have been repaid by him to the United States, or which have been withheld by the United States from amounts otherwise due him from the United States, by reason of the liability of which he is relieved by the first section of this act: *Provided,* That no part of the amount appropriated in this section in excess of 10 per centum thereof shal be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

KENNETH F. AILES

The Clerk called the bill (H. R. 3344) for the relief of Kenneth F. Ailes.

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

Be it enacted, etc., That sections 15 to 20 of the Federal Employees' Compensation Act are hereby waived in favor of Kenneth F. Ailes, Vallejo, Calif., and his claim for compensation for personal injuries alleged to have been sustained in or about February or March 1947 while he was employed as a sheet-metal worker by the Department of the Navy at the naval operating base, Guam (now naval base, Marianas), shall be acted upon under the remaining provisions of such act in the same manner as if such claim had been timely filed, if such claim is filed within 60 days after the date of the enactment of this act: *Provided,* That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of such medical or hospitalization expenditures which may be deemed reimbursable.

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

ROBERT B. PETERMAN

The Clerk called the bill (H. R. 5365) for the relief of Robert B. Peterman.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Robert B. Peterman, master sergeant, United States Army, retired (Army serial No. R-691177), the sum of $77.55. The payment of such sum shall be in full settlement of all claims of the said Robert B. Peterman against the United States on account of additional retired pay due him for the period beginning June 1, 1942, and ending August 31, 1943, both dates inclusive, his claim therefor having been disallowed because not received in the General Accounting Office within 10 full years after such claim first accrued: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

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

MICHAEL S. TILIMON

The Clerk called the bill (H. R. 6166) for the relief of Michael S. Tilimon.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ARTHUR L. BORNSTEIN

The Clerk called the bill (H. R. 6530) for the relief of Arthur L. Bornstein.

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

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur L. Bornstein, 25 Powellton Road, Dorchester, Mass., the sum of $1,764.93. Such sum represents reimbursement to the said Arthur L. Bornstein for paying out of his own funds judgments rendered against him in courts of Massachusetts, under date of August 3, 1956, arising out of an accident occurring when he was performing his duties as a motor vehicle operator in the post office motor vehicle service at Boston, Mass.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

RAYMOND R. SANDERS VAN SERVICE

The Clerk called the bill (H. R. 6664) for the relief of Raymond R. Sanders Van Service.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $150.50 to Raymond R. Sanders Van Service, of Springfield, Mo., in full settlement of all claims against the United States. Such sum represents the cost of transportation charges for the moving of the household goods of Alfred Wayne Chittenden, United States Army, bill of lading WQ 16050777 from Springfield, Mo., to Oklahoma City, Okla., on November 23, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemd guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 2, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

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

WALTER H. BERRY

The Clerk called the bill (H. R. 6961) for the relief of Walter H. Berry.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter H. Berry, of Washington, Ind., the sum of $1,097.30, in full satisfaction of his claim against the United States for salary for the period May 10, 1947, to September 2, 1947, during which he was erroneously separated from his CAF–7 civil-service position at the United States Naval Ammunition Depot, Crane, Ind.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 11, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

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

NICOLAOS PAPATHANASIOU

The Clerk called the bill (S. 528) for the relief of Nicolaos Papathanasiou.

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

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act Nicolaos Papathanasiou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

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

LOUTFIE KALIL NOMA

The Clerk called the bill (S. 749) for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama).

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

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

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

The Clerk read as follows:

Amendment offered by Mr. WALTER: Strike out the period at the end of the bill, substituting a colon therefor, and add the following: "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

The amendment was agreed to.

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

EVANGELOS DEMETRE KARGIOTIS

The Clerk called the bill (S. 1212) for the relief of Evangelos Demetre Kargiotis.

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

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Evangelos Demetre Kargiotis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

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

RICHARDSON CORP.

The Clerk called the bill (H. R. 1473) for the relief of Richardson Corp.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,601.10 to Richardson Corp., of Rochester, N. Y., in full settlement of all claims against the United States. Such sum represents drawback of tax on the distilled spirits alleged to have been used in the manufacture of nonbeverage products during the quarter April 1 to June 30, 1955: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

HARRY N. DUFF

The Clerk called the bill (H. R. 1695) for the relief of Harry N. Duff.

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

Be it enacted, etc., That, notwithstanding the statute of limitation, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Harry N. Duff, of Denver, Colo., for injuries sustained as the result of military service, and his eligibility for retirement for physical disability. The court shall have such jurisdiction if suit is instituted within one year after the date of the enactment of this act.

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

CARL J. WARNEKE

The Clerk called the bill (H. R. 3720) for the relief of Carl J. Warneke.

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

Be it enacted, etc., That, notwithstanding any statute of limitation, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Carl J. Warneke, of Chicago, Ill., for disabilities sustained as the result of exposure to mercury and arsenic contact while working with the War Production Board, Chicago, Ill., during 1944. Such suit may be instituted at any time within 6 months after the date of enactment of this act: *Provided*, That proceedings for the determination of such claim, and appeal from, and payment thereon, shall be in the same manner as in the case of claims over which the Court of Claims has jurisdiction as now provided by law.

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

REAL PROPERTY IN SAN JACINTO, TEX.

The Clerk called the bill (H. R. 4768) to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same.

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

Be it enacted, etc., That the United States hereby release, remises, and quitclaims all right, title, and interest of the United States in and to the following described tracts of land situated in the county of San Jacinto, Tex., to the person or persons who would, except for any claim of right, title, and interest in and to such land on the part of the United States, be entitled thereto under the laws of the State of Texas: *Provided, however*, That if such persons are unable to agree with the United States as to the title to, and possession of, and the description of the property to be quitclaimed by the United States, jurisdiction is hereby conferred on the United States District Court for the Southern District of Texas, Houston Division, to adjudicate such controversies, and the parties hereinafter named in groups 1 through 6, respectively, are hereby granted permission and authorized to bring suit or suits in said court against the United States of America for the title and possession of, and for damages to, the following described tracts of land, numbered 1 through 6, respectively, in the corresponding numerical order:

GROUP ONE

G. A. Ott, F. M. (Marion) Ott, James E. Faulkner, and Jeff Cochran.

GROUP TWO

T. R. (Tom) Bowen and wife, Mrs. T. R. (Tom) Bowen, Sylvester Bowen, and James E. Faulkner.

GROUP THREE

Elizabeth McMurrey, a feme sole, individually and as administratrix of the Estate of V. W. McMurrey, deceased, and James E. Faulkner.

GROUP FOUR

W. G. Mizell and wife, Mrs. W. G. Mizell, and James E. Faulkner.

GROUP FIVE

Rachel Faulkner, James E. Faulkner, and Elgin Matthews.

GROUP SIX

Bevel Enloe, Ben Brown, Minnie Cherry and husband, Manuel Cherry, B. E. Whitton, J. F. Whitton, C. E. O'Briant, Barney O'Briant, James Whitton, T. V. Yeager, Wilmer Yeager, Cassie Yeager, Gladys Lilley and husband Alvin Lilley, George Enloe, Jim Enloe, Ed Enloe, T. F. Enloe, Carrie Vickery and husband J. A. Vickery, Della Ott and husband G. A. Ott, Ernestine Puckett and husband Floyd Puckett, Lucille Mosely and husband Thosmas Mosely, Ethel Thomas and husband Bruce Thomas, Helen Lilley and husband Jamie Lilley, Birtie Lilley, a feme sole, Udell McIlvain, Robbie Alvin (Mickey) McIlvain, Celestia Fowler and husband J. C. Fowler, Sidney Whitmire, Clyde Whitmire, Claude Whitmire, Dolly Grimme and husband H. A. Grimme, Bonita Perdon and husband Earl Perdon, R. L. Whitmire, Rose McMillan, Lee McMillan, Odis Matthews, Ruby Plander, George H. Plander, Dorothy Plander, Eddie Plander, L. C. Matthews, Trulee Matthews, Arvil Matthews, Jermina Blicham and husband Robert Gene Blicham, Mrs. Dorothy Matthews, a feme sole, Bobby Jean Matthews, David Matthews, Jewell Edna Matthews, Annie Mae Shean, L. D. Shean, Clareed Taylor, F. W. Taylor, Pauline Taylor, W. H. Taylor, Ruth Driver, Billey Driver, Margaret Simmons, W. F. Simmons, J. V. Hickman, Elmer Hickman, Ernest Hickman, and James E. Faulkner.

TRACT ONE

Being an undivided one-half interest in that certain 160 acres of land, more or less, in and a part of the James W. Robinson league or survey, situated in San Jacinto County, Tex., described in a deed from H. W. C. Bittick and wife A. B. (Bell) Bittick to I. I. Ott, bearing date of October 7, 1897, and recorded in volume Z, page 545, Deed Records of San Jacinto County, Tex., and also that land described in a deed from J. N. Bittick and Alma Bittick to Clara Ott, dated November 2, 1903, and recorded in volume Z, page 548, Deed Records of San Jacinto County, Tex., and also that land described in a deed recorded in volume Z, page 544, Deed Records of San Jacinto County, Tex., and in an instrument of conveyance from G. A. Ott to James E. Faulkner and Jeff Cochran, dated April 12, 1950, and recorded in volume 55, pages 483, et seq., Deed Records of San Jacinto County, Tex., to which deeds, instruments and records reference is here made for a full and complete description of said land and for all purposes, such land being more particularly described by metes and bounds as follows, to wit:

Beginning on the south boundary line of said Robinson league 707 vrs from the southeast corner of same, it being the southwest corner of the J. S. (A) Finn survey established by retracing the boundaries originally marked on the ground, a pine mkd X brs S 44 W 6 vrs, a sweet gum brs W 84 vrs;

Thence S 49½ W 750 vrs to a stake from which a magnolia brs S 25 E 4.2 vrs; another brs N 41 W 5.4 vrs;

Thence north 40½ W 920 vrs to a stake from which a pin oak 20 in in dia brs S. 53 E 3.2 vrs another 16 in in dia brs S 27 W 3.2 vrs;

Thence north 49½ E 530 vrs to west bank of Winters Bayou a stake from which a sycamore 6 in in dia brs S 70 W 5.8 vrs another brs W 20 E 7.4 vrs:

Thence down and with the meanderings of said bayou, general course S 84½ E 633 vrs to a stake from which a sweet gum 18 in in dia brs N 63 E 4.8 vrs and a magnolia 15 in in dia brs S 69 E 8.6 vrs to a stake;

Thence S 66 E at 622 vrs intersected said league line a stake from which an ash 16 in in dia brs S 53 W 5 vrs and a red oak 10 in in dia brs northwest 7.6 vrs;

Thence S 49½ W with said Robinson league or survey line to the place of beginning, containing 160 acres of land, more or less.

TRACT TWO

That certain tract of land composing thirty-two and one-tenth acres of land, being a part of the L. A. Gosse six hundred and forty-acre survey situated in San Jacinto County, Texas, in the New Hope community about sixteen miles south of Coldsprings, Texas, more particularly described by metes and bounds as follows, to-wit:

Beginning at the southwest corner of said L. A. Gosse survey, same being common with the southeast corner of the William Dobie survey on the north boundary line of the D. M. Bullock survey, an iron car axle stake for corner from which a pine 3 in in dia mkd X brs S. 9 W. 1.6 vrs, a sweet gum 3 in in dia mkd X brs N. 62 W 2.1 vrs, a sweet gum 6 in in dia mkd X brs N 18 E 2.5 vrs and a pine 6 in in dia mkd X brs E 3.9 vrs;

Thence N 2 W 204 vrs to a 1" X 3" iron bar stake painted red for corner, from which a 50-inch black gum brs N 80 W. 4.3 vrs a white oak 20 in in dia brs N 30 W 8 vrs and a pine 4 in in dia brs S 52 E 3.3 vrs;

Thence N 88 E along an old fence row at 889 vrs a stake for corner from which a 2 in iron pipe painted red brs N 83 E 4.3 vrs, a white oak 14 in in dia mkd X in fence corner brs S 86 E 5.4 vrs, a ½ inch iron pine brs S 85 E 6 vrs, a 3 inch pine brs N 24 E 2.3 vrs;

Thence S 2 E 207 vrs to a stake for corner on the south boundary line of said L. A. Gosse survey on the north boundary line of the James Patterson survey (abstract No. 243), from which a sweet gum 20 in in dia mkd X brs S 10 W 2.7 vrs;

Thence West with said Gosse south boundary line, same being also the north boundary line of said Patterson survey 97.2 vrs to the common corner of the David M. Bullock survey and the James Patterson survey on the South Gosse boundary line (same being the NEC of said Bullock survey and the NWC of said Patterson survey) a stake for such common corner from which a pine 3 in in dia mkd X brs N 48½ W 1 vr; a double Fork Pin Oak mkd XX brs S 79 E 5 vrs and a pin oak 3 in in dia mkd X brs S 1 W 1.4 vrs (old original witness and bearing trees gone);

Thence continuing with said L. A. Gosse South boundary line, same being common with the David M. Bullock survey North boundary line S 88 W 793 vrs to the place of beginning, containing 32.1 acres of land.

TRACT THREE

Those certain tracts of land situated in the BBB & C RR Co. Survey (Abst. No. 82) and the George Taylor League or Survey (Abst. No. 292) and being the same lands conveyed to Jim McMurrey by G. I. Turnley, by deeds dated July 9, 1917, March 1, 1918, and March 6, 1918, respectively, and recorded in Volume 12, pages 247, 248, and 311, respectively, of the Deed Records of San Jacinto County, Texas;

Those two certain tracts conveyed to Jim McMurrey by J. M. Hansbro under dates of March 2, 1918, and April 13, 1918, recorded in Volume 12, pages 251 and 241, respectively, of the Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of February 26, 1918, from L. T. Sloan to Jim McMurrey, recorded in Volume 12, page 246, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of March 25, 1918, from C. W. Robinson to Jim McMurrey, recorded in Volume 12, page 346, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of April 2, 1918, from J. W. Merrell et al. to Jim McMurrey, recorded in Volume 12, page 344, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of record in Volume 12, page 401, Deed Records of San Jacinto County, Texas, from Helen M. Jessup et al. to Jim McMurrey.

Reference to above deeds and the records thereof being here now made for a full and complete description of said land(s) and for all legal purposes.

TRACT FOUR

Being 11.3 acres, more or less, out and a part of the Wm. R. Goode League or Survey (Abstract No. 136), more particularly described by metes and bounds as follows, to-wit:

Beginning at the Southwest corner of the James Youngblood or what is known as the Boyd or James Youngblood 180 acre tract out of and a part of said Wm. R. Goode Survey, and which corner is West 150 vrs and North 75 vrs from the Northeast corner of the L. R. Pearson 953 acre tract, and which

is also an "L" corner of the Wm. R. Goode Survey, said corner being in an old field;

Thence north following the West line of said 180 acre tract at 319 vrs pass the southeast corner of said Youngblood 50 acre tract, and the northeast corner of the Hiram Purkerson 50 acre tract out of the said 180 acre tract, and continuing north at 849 vrs pass the northeast corner of the Youngblood 50 acre tract at 1100 vrs to the old original corner of the Boyd or James Youngblood 180 acre tract, a stake from which a gum 22 in in dia brs S 40 E 12 vrs this point and corner being the beginning point or corner of the 11.3 acres involved and described in Clause No. 3701, styled "Foster Lumber Company vs. W. G. Mizell" in the District Court of San Jacinto County, Texas, and therein decreed to the said W. G. Mizell;

Thence north 77 vrs to a stake from which a pine 5 inches in diameter brs N 82 W 2 vrs and a pine 5 in in dia brs S 75 E 3.3 vrs, this point being 149 vrs south of the south line of the P. H. Cannon 963 acre tract out of said Goode Survey;

Thence east along and following the old divisional line through the Goode survey to a stake for corner on the West bank of the San Jacinto River, from which a pin oak 20 in in dia brs S 35 W 6 vrs, this distance being 829½ vrs;

Thence south along the following the meanders of said River to the northeast corner of the old original Boyd or Youngblood 180 acre tract, a corner on the Bank of the old River at the northeast corner of an old field;

Thence west along and following the old original north line of said Boyd or Youngblood 180 acre tract 829 vrs to the place of beginning, containing 11.3 acres of land, more or less, and being the same land awarded and decreed to the said W. G. Mizell and described in a judgment rendered and entered in cause No. 3701, styled "Foster Lumber Company vs. W. G. Mizell" on the 16th day of February, 1926, by the district court of San Jacinto County, Texas, recorded in Volume J, pages 332, et seq., minutes of the said District Court, reference to which is here now made for all purposes.

TRACT FIVE

Being 49.4 acres of land, more or less, of the Watson Estate, a part of the Vital Flores League or Survey (Abst No. 14) situated about 8 miles southwest of Coldsprings, Texas, bounded on the Northwest by the Grover Ellisor Estate (formerly the old John Henry Kirby Tract), on the northeast by the old R. D. Denson and Santa Fe Tie & Lbr Co. (U. S. A.) tract, on the south and southeast by the U. S. A. forest lands, and on the west and southwest by the paved farm-to-market road leading from Evergreen to Cleveland, Texas farm road No. 2025, and more particularly described by metes and bounds as follows, to-wit:

Beginning at corner No. 7 of a 267 acre (more or less) U. S. A. forest tract known as said government's tract "J13" being the most northern corner of land formerly owned by Lila Cochran and H. S. Lilley, a 1" iron pipe stake for corner witnessed by marked and blazed bearing trees; (said corner being on the common boundary line between said Vital Flores and the James Rankin, Jr., surveys);

Thence north 50 W with said Common boundary line of and between said Flores and Rankin surveys, it being the line, 723 vrs to the stake for corner from which a 20 in sweet gum mkd X brs S. 31 W 10 vrs, and a 10 in sweet gum mkd X brs S 83 W 6 vrs, and a 20 in forked pine mkd X brs N 77 E 3 vrs, said corner being common with the most eastern or northeastern corner of said old Kirby (Ellisor) tract;

Thence S 40 W 415 vrs with the southeast boundary line of said old Kirby (Ellisor) tract, it being the line to stake for corner in the right-of-way of said Paved farm road, same being a northern corner of the old J. O. H. Bennett tract;

Thence S 36 E with and down said Farm Road, it being the line 345 vrs to a stake for corner in the northwest boundary line of said U. S. A. forest tract where same intersects said road, said corner being N 77 E 240 vrs from corner 6 of said U. S. A. "J13" tract, said stake and corner being witnessed by mkd and blazed bearing trees;

Thence N 77 E with the Northwest boundary line of said U. S. A. tract "J13" it being the line 630 vrs to the place of beginning, containing 49.4 acres, more or less.

TRACT SIX

An undivided one-half interest in the following 80 acres of land, more or less, being a part of the James W. Robinson League or survey, Abstract No. 45, situated in San Jacinto County, Texas, more particularly described by metes and bounds as follows:

Beginning at the southwest corner of a 32 acre tract owned or formerly owned by A. J. Bruner, said corner being a 20 in black gum mkd X;

Thence S 16 deg 54' West along the southerly projection of the West line of the said Bruner 32 acre tract, a distance of 473 vrs to a point for the southwest corner of the herein described tract;

Thence south 77 deg 52' East 953.3 vrs to a point for corner;

Thence north 17 deg East 473 vrs to the Southeast corner of the P. L. Robberson 32 acre tract, being a concrete monument marked J–364 (or J–365) from which monument a 6" Pin Oak mkd U. S. B. T. brs South 6 West 12.1 vrs and a 9" pine mkd U. S. B. T. brs S 72 W 20 vrs;

Thence north 72 deg 44' West with the south line of the said Robberson 32 acre tract, 385.4 vrs to the southwest corner of same, being the southeast corner of the W. A. Johnson 16 acre tract;

Thence north 78 deg 01' West with the south line of said W. A. Johnson 16 acre tract and the south line of the aforesaid Bruner 32 acre tract, a total distance of 568.7 vrs to the place of beginning, containing 80 acres of land, more or less.

With the following committee amendment:

Strike the language contained in lines 3 to 9, inclusive, on page 1, and lines 1 through 13 on page 2 of the bill and insert: "That jurisdiction is hereby conferred notwithstanding the lapse of time, laches, or statutes of limitation, on the United States District Court for the Southern District of Texas, Houston Division, to hear, determine, and render judgment on the claims and controversies of the parties hereinafter named in groups 1 through 6, respectively, concerning the title and possession of, and for damages to the land included within the following described tracts of land, numbered 1 through 6, respectively, in corresponding numerical order; and those parties are hereby granted permission and are authorized to bring suit or suits in said court against the United States of America for the title and possession of, and for damages to the land included within the tracts described herein."

The committee amendment was agreed to.

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

FILOMENA AND EMIL FERRARA

The Clerk called the bill (H. R. 4174) for the relief of Filomena and Emil Ferrara.

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

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

MAJ. HAROLD J. O'CONNELL

The Clerk called the bill (H. R. 6492) for the relief of Maj. Harold J. O'Connell.

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

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

WIDOW AND CHILDREN OF JOHN E. DONAHUE

The Clerk called the bill (H. R. 4986) for the relief of the widow and children of John E. Donahue.

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

Be it enacted, etc., That in the administration of the Civil Service Retirement Act of May 29, 1930 (as in effect on June 24, 1954), John E. Donahue, deceased, former employee of the Department of Agriculture, shall be deemed to have been retired on June 24, 1954, pursuant to section 6 of such act, and to have elected at such time, pursuant to section 4 (b) of such act, to receive a reduced annuity and an annuity after death payable to his widow, Mary E. Donahue. The benefits payable to the widow and children of John E. Donahue shall not be paid unless an amount equal to the amount paid from the civil service retirement and disability fund pursuant to section 12 (f) of the Civil Service Retirement Act of May 29, 1930 (as in effect on June 24, 1954), on account of the death of John E. Donahue, is redeposited in such fund within 6 months from the date of enactment of this act with interest thereon at the rate of 3 percent per annum for the period beginning on the date on which such amount was paid from such fund and ending on the date on which such redeposit is made.

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

MRS. LYMAN C. MURPHEY

The Clerk called the bill (H. R. 6528) for the relief of Mrs. Lyman C. Murphey.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lyman C. Murphey, Avondale Estates, Ga., the widow of Lyman C. Murphey (Veterans' Administration claim No. XC3862082), a sum equal to the amount which would have been paid to, or on behalf of, the two minor children of the said veteran for the period beginning January 25, 1945, and ending March 8, 1953, both dates inclusive, if a claim for pension, by or on behalf of such minor children, had

been filed with the Administrator of Veterans' Affairs within 1 year after the death of the said Lyman C. Murphey, and had been allowed: *Provided*, That no part of the amount paid under this section in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The Administrator of Veterans' Affairs shall certify to the Secretary of the Treasury the sum which is to be paid to Mrs. Lyman C. Murphey under the first section of this act.

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

LAND CONVEYANCE IN PRAIRIE COUNTY, ARK.

The Clerk called the bill (H. R. 2259) to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.

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

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed, upon payment to the United States of the sum of $175, to convey to Clayton F. Ames and Maxine R. Ames, his wife, of West Memphis, Ark., all right, title, and interest of the United States in and to the real property part of the southeast quarter of the southeast quarter of the northwest quarter, section 17, township 4 north, range 4 west, of the fifth principal meridian, in the northern district of Prairie County, Ark., more particularly described as follows:

Commencing at the quarter corner on the north line of said section 17, which point is the intersection of centerlines of an east and west county road and a county road bearing south 00 degrees 50 minutes west, run thence south 00 degrees 50 minutes west along the centerline of said county road a distance of 2,170.2 feet to the point of beginning; run thence south 77 degrees 21 minutes west a distance of 311.2 feet to the northeast bank of Spring Lake; thence following the meander line of the northeast bank of Spring Lake in a southerly direction to the point of intersection with the south line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17; thence run easterly on the south line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17 to a point at the southeast corner of the northwest quarter of said section 17; thence run north on the east line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17 to the point of beginning.

With the following committee amendment:

Page 1, line 4, after the word "directed", insert "upon payment to the United States of the sum of $175."

The committee amendment was agreed to.

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

GRANTING OF THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Clerk called the resolution (H. Con. Res. 194) approving the granting of the status of permanent residence to certain aliens.

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

Resolved by the House of Representatives (the Senate concurring), That the Congress approves the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8155735, Aikler, Mirko alias Emilio Federico Aikler.
A-10170961, Apanowicz, Boleslaw.
A-10035418, Baldois, Marija.
A-9825049, Bonk, Pawel Frank or Paul Bonk.
0300-462272, Chang, George Teh-Lai.
A-8888549, Chang, Sen Dou.
A-9694446, Chang, You Ding also known as Ah Za Wang.
A-8205758, Chao, Beatrice Jung-Chuan.
A-6694109, Chen, Chi Ta.
A-6851660, Chen, Joseph Yeh also known as Chang Bao Chen.
A-7202753, Cheng, Liang.
A-8103705, Chi, Li.
A-6457533, Chin, Ming Liang.
V-184674, Choy, Shih Hung.
A-7439685, Choy, Shew Ming Elp.
A-7835335, Ding, Joan Jo-An.
A-7274682, Dunn, Sally Sung-Lih.
A-8933695, Gay, Ng Seow or Manuel Kaua.
A-7388015, Hildeshaim, Mojsze.
A-8846028, Hildeshaim, Ita.
A-8938343, Huang, May Sze-Chin.
E-094444, Kai, Choung.
A-6954733, Kao, Hsiang-Sung.
A-8960635, Kao, Li-Nan Kwan.
A-9694263, Kilt, Low Ah.
A-6026549, King, Hsien Tsu.
T-1613805, King, Eosin Chu.
T-1613806, King, Linda.
A-10170902, Kolumbic, Vjekoslav.
A-10170901, Kolumbic, Stanislav.
A-7366623, Ku, Feng Shen.
A-9804796, Lau, Foo Kwai.
A-2201853, Lee, John Koo.
A-8891582, Lee, Ronald Shao Nan, also known as Shao Nan Lee.
A-10130368, Li, Thomas Chang-Jen.
1300-128711, Low, James, also known as Lau, Yuk.
A-9709772, Low, You, or Low Yow, or Low Cheu.
A-8301804, Lusik, Valev Valentin.
0300-301304, Maerz, Alla.
E-094647, Nee, Fred, also known as Nee Kao Hong.
A-8956186, Pettersson, Sing Ye, also known as Sadie Sing Yee Pettersson (nee Romahn), (nee Wong), Sing Yee.
A-9562348, Que, Cheng Sim.
A-9825046, Reichel, Stefan.
A-9542507, Siew, Wong.
A-8055441, Stark, Simon.
A-10052787, Sun, Chi Fong Tyen.
A-1006432, Sun, Eeh-John.
A-7243268, Svagna, Silvo.
0300-457385, Tan, Annie Hsu.
A-7277350, Tang, Edward Yau Chien, formerly Wau Chien Tang.
A-7143030, Tawil, Esther.
A-6694206, Teng, Celia, or Celia Hsi-Lee Tseng, or Celia Marie Teng.
A-7462147, Wu, Edith Hsiu-Hwei.
A-6699876, Wu, Irene Hsueh.
A6986541, Yu, Alex Shih-Ge.
A-10465773, Yung, Nee Shu.
A-10465771, Ming, Wen Lyna Hsu.
A-7882493, Yung, Richard Chih Shin.
E-084466, Chang, Ming Wah.
A-7174560, Chen, Ming Li.
A-7274978, Chu, David Bao-Shan.
A-10436781, Chu, Foong Nan.
A-7141139, Hsu, Immanuel C. Y. also known as Chung Yueh Hsu.
A-7118843, Huang, Siu-Lien.
0300-401127, Kai, Chan.
A-9562508, Kwee, Wah Kia.
A-7837182, Liu, Hsing Yueh (Fred).
A-6848619, Sun, Hen Teh.
A-6967368, Tao, Samuel Shao also known as Shao Ming Tao.
A-7096300, Tso, Chih Hui or Sister Mary Evangelist Tso.
A-6848002, Wang, Julia (nee Julia Chin Yun Ho).
A-7356395, Geng, George Yuen-Hsioh.
A-10085249, Hsia, Chen.
173/427, Keung, Liu Chung.
A-8996626, Kolumbic, Kresimir.
173/426, Liu, Suey Har Lee.
173/428, Liu, Boy Foon (Betty).
173/429, Liu, Dung Koon (John).
173/430, Liu, Dung Non (Billy).
0300-288731, Liao, Suzanne also known as Liao Kia-Pao.
A-10060260, Libe, Kalju.
A-7279631, Paszternak, Riza.
A-8000633, Shannir, Kasim Ismail.
0300-467737, Tsing, Min-Ye.
0300-346587, Tsing, Su-Tsen.
A-6258475, Wang, James Chia-Fang.
0300-458459, Yang, Helen Cheng Chao.
0300-468334, Yen, Grace Chuin Ying.
0300-468332, Yen, Alice Hua Ying.
A-0946127, Yen, Yang-Chu James.
0300-459487, Behrs, Amalie formerly Amalie Kiviranna (nee Amalie Pavel).
A-10087975, Chien, Pien Kiang.
A-9783058, Chin, Chi Tien.
A-1693463, Fan, Paul Hsiu Tsu.
A-1003405, Fan, Joyce Sik-Ho Wang.
A-7396740, Hsu, David Pin.
A-7444631, Lee, Lester Shin Pei.
0300-462434, Liang, Maisie Mei-Hsi.
A-6703208, Lin, Sping.
A-7606419, Liu (Vera), Hsi Yen (nee Wong-Quincey).
A-6271443, Liu, Vi Cheng.
A-9825070, Luzny, George.
A-7286973, Mui, Daniel Fook Kee.
A-9825053, Pustulka, Boleslaw.
A-7805943, Shane, Catherine Yen (nee Shih-Ping Yen).
A-10401836, Sheng, Hung Tao.
A-9825073, Sokolowski, Witold Stanislaw.
A-7967355, Sung, Zei Ling.
A-8038957, Sung, Chi Wha (Gladys).
A-8038959, Sung, Chi Ming (Mary).
A-8038960, Sung, Chi Chang (John).
A-8132662, Sung, Chi Tak (James).
A-8038958, Sung, Chi Ching (Thomas).
A-10188700, Sung, Chi Kwan (William).
A-9825136, Trykowski, Jan Zygmunt.
A-8285563, Wai, Angli.
E-118826, Wai, Fong Yok also known as Yok Wai Fong, Fong Yok Square.
A-9669272, Wee, Foo Kia.
A-8190602, Wee, Lee Sung.
A-7417146, Yang, Ah Poa.
A-10237804, Yee, Lee.
A-10088693, Yip, Kiu or Pip Kiu also known as Wing Yip.
A-6940537, Bailey, Flower also known as Te Ling Chang and Chank Te Ling.
A-7190921, Cerny, Helena.
0300-371967, Chao, Tsung-Hu Lee also known as Polly Tsung-Hu Lee Chao.
0300-381266, Chao, Grace Yao-Ping.
0300-371975, Chao, Faith Yao-Yu.
0300-371968, Chao, George Yao-Tung.
A-8103763, Cheng, Helen formerly Helen Mien-Mien Yu.
A-6847996, Cheng, Lu I.
A-7952707, Genger, Josef.
A-6503242, Grabie, Majer.
A-7292660, Grabie, Mariasza or Masha.
A-7292661, Grabie, Morris or Mojsze Towia.
A-6405954, Hsu, Eugene (Ting Chen).
A-7057890, Hsu, Kenneth Jing-Hwa.

A-7092721, Laing, Yung also known as Laing Yung.
A-10073320, Lee, Dong Sep.
V-1505818, Ng, Seid Young also known as Wu, Seid Young also known as Wu, Chung Poh.
A-10138853, Sang, Mon Loy alias Wen Lai Sung.
A-9015504, Seng, Foo Ah.
A-9094621, Sung, Woo Chen.
A-6848699, Tang, Philip Jen-Chien.
0300-461961, Wang, Eleanor Bei-Lee.
A-7386139, Wang, Samuel Chia-Cheng.
A-9634988, Wee, Lee Sung.
A-6500397, Berger, Herman also known as Mikulas Federweisz.
A-7367968, Berger, Kalman.
A-6396664, Chen, Wen-Chao.
A-6845070, Chen, Mary Lilia (Ch'un Jen), (nee Chao).
A-9634307, Juat, Tan Chin.
A-6953077, Langer, Abraham Leopold.
V-885058, Li, Hsien-Kuan Hugo.
V-885059, King, Wei-Lien.
T-357493, Lee, Barbara (Bei Bei).
0300-469349, Li, Tsung Jen.
A-10245429, Li, Teh-Chieh Kuo also known as Tah-Chieh Kuo.
A-10245428, Li, Jackson also known as Jee Sen Li.
A-6848144, Loh, Yu-Cheng also known as Eugene Loh.
A-8015357, Moh, Jim or James Chin.
A-10210252, Pao, Peter Sien-Kwei or Sien Kwei Pao.
A-2023266, Suksdorf, Juri Johannes.
A-6404843, Tsai, Wu.
A-9825090, Witkowski, Stanislaw.
0300-376850, Yen, Flora Chow.
A-7248479, Ching, Tao Pu.
A-9825103, Cielenkiewicz, Ryszard Emil.
A-10077721, Hop, Leung or Long Hop.
A-4949822, Ing, Wen Pei.
A-6171332, Mo, Sung Shen.
A-6448785, Mo, Chen Wei.
E-094520, Ng, Hing also known as Wu Yu Wah.
A-8091377, Pyn, Lee also known as Lee Ping.
A-8893285, Yen, Esther Kwang Tzu.
A-6806304, Yu, Shih-Cheng also known as Michael Shih-Cheng Yu.
A-6806306, Yu, Ya-Ming (nee Chai), also known as Lucia Ya-Ming Yu.
A-10625693, Chang, Fu Yun.
A-6848003, Chen, Yun Chieh or James Y. Chen.
A-7805944, Dao, Therese Tsu-Yin.
A-8055411, Dembitzer, David.
0400-58439, Huang, Yu-Kuan (Chen Ching Chen).
A-7988129, Jakobovits, Victor.
A-10130803, Kung, Edward Yen Chung.
A-7364794, Lee, William Wei-Yen (Li, Wei-Yen).
A10075777, Liu, Ah Fong or Liu Ah Fong.
A-6847867, Loo, Shu Hsin or Mary Agnes Loo or Agnes Shu-Hsin Jen.
0300-461048, Lu, Nora Ellen.
0300-458294, Sze, Wu Fook.
A-6847791, Tung, Charles Pao-Chun also known as Tung Pao-Chun.
0300-78518, Wu, Lily also known as Yu Sue Wu also known as Oij Eng.
A-7028494, Wu, Judith also known as Teh Jean Wu.
A-8106443, Chao, Yung Lai.
A-8955828, Chu, Hai-Chou.
0300-433720, Huang, Wen Shan.
0300-456285, Huang, Lun Kun (nee Cheng).
0300-456286, Huang, Yen Fu.
A-10237798, Kalnins, Arvids Bruno.
A-6712043, Lam, Jean Lu.
A-7897506, Lebovits, Laszlo.
A-7274352, Lin, Chun Chia.
A-9825066, Lojewski, Czeslaw Bogdan.
A-7955278, Sun, Zee Ah.
A-10060602, Tsing, Jan Sing.
A-7418206, Yang, Sam Yuan-Chen.
A-7805945, Wang, Helen, also known as Mary Helen Therese Want.
A-6624719, Wang, Shou Ling also known as Daniel Wang.
A-7835259, Wu, Grace Ho-Lan or Grace Wu.
A-10035417, Balodis, Paulis Voldemars.
A-10073947, Behrsin, Roman.
A-10353028, Chang, Ta-Chung.
A-6848442, Chen, Shee-Ming or Chen Shee Ming.
A-7286660, Chung, Lynn.
A-8065296, Gabor, Robert alias Robert Goldstein.
A-8065297, Gabor, Elizabeth nee Fischer.
A-9825108, Jurkiewicz, Jerry formerly Jan Jerzy Jurkiewicz.
A-7560713, Koo, Hai-Chang Benjamin presently known as Benjamin Koo.
A-10075053, Lee, Esther Pei-Cheng Lim formerly known as Esther Pei-Cheng Lim.
A-6967296, Ma, Chen-Luan.
A-9825075, Ptaszynski, Kazimierz.
0300-466218, Sing, Charles also known as Wang Kao Chee also known as Wong Go Pse.
A-7319016, Stein, Stanley Marian.
E-118715, Taw, Ngiam Seng.
A-6448797, Wang, Philip Iching.
A-6975681, Yang, Thaddeus Wen-Hsien.
A-6855648, Yang, Grace Kwei-Ying (nee Liu.)
A-7228327, Yung, Lydia Chih-Jui or Lydia Yung.
A-8847641, Dan, John Si-Kiang.
A-6142220, Hsu, Charlotte Chien.
A-8845236, Loo, Jen Wan (Marie) (nee Lee).
A-6818128, Lorincz, Jeno Eugene.
A-7364796, Muna, Nadeem Mitri.
A-10075751, Yin, Jen Ching or Charles Yin.
A-6967530, Zee, Chong Hung.
A-6224481, King, Gloria Euyang.
A-6958561, Fu, Florence Luan-Fei.
A-6849456, Hwang, Ming Chao.
A-8094862, Janoyan, Hagop Apraham.
A-6142216, Lieu, Tse-Hsien.
0300-425930, Modzelewska, Jadwiga.
A-8106741, Modzelewski, Sgmunt Jan.
A-9029161, Nicolaou, Ion Dimitrios or John Nicolau.
A-9541479, Tani, Johannes.
A-10416361, Weinberg, Hersel formerly Zvi Weinberg.
A-9765919, Cecco, Frank or Francesco Cecco.
A-6986579, Yi, Shu Ping.
0300-426380, You, Wong.
A-8102693, Anabtawi, Samir Nazmi.
A-11048303, Chu, Ting Chi.
A-10237098, Chu, Grace Hsi.
A-7983212, Chu, Rosalind.
A-10394745, Chu, Constance Pamela.
A-10237100, Chu, Kay.
A-10257554, Kovacs, Imre.
A-10259309, Zmurek, Andre Michael.
A-8217527, Zmurkowa, Irena Helena nee Wasilkowska.

With the following committee amendment:

Page 3, line 10, strike out all of line 10.

The committee amendment was agreed to.

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

SYLVIA OTTILA TENYI

The Clerk called the bill (H. R. 1424) for the relief of Sylvia Ottila Tenyi.

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

Be it enacted, etc., That, for the purposes of section 205 (a) and section 203 (a) (3) of the Immigration and Nationality Act, Sylvia Ottila Tenyi shall be held and considered to be the child of Irene Tenyi Petercsak as such term is defined in section 101 (b) (1) (A) of the said act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert "That, for the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Sylvia Ottila Tenyi shall be held and considered to be the child of Irene Tenyi Petercsak, a lawfully resident alien of the United States."

The committee amendment was agreed to.

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

GILBERT B. MAR

The Clerk called the bill (H. R. 1677) for the relief of Gilbert B. Mar.

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

Be it enacted, etc., That, notwithstanding the provisions of section 316 of the Immigration and Nationality Act relating to the required periods of residence and physical presence within the United States, Gilbert B. Mar may be naturalized at any time after the date of the enactment of this act if he is otherwise eligible for naturalization under the Immigration and Nationality Act.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Gilbert B. Mar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 22, 1948."

The committee amendment was agreed to.

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

ADMISSION IN THE UNITED STATES OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 373) to facilitate the admission into the United States of certain aliens.

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

Resolved, etc., That, for the purposes of section 101 (a) (27) (B) of the Immigration and Nationality Act, Clelia Cusano Puglia, Magoji Nakashima, and Eiju Nakashima shall be held to be classifiable as returning resident aliens.

SEC. 2. For the purposes of the Immigration and Nationality Act, Yotsu Yusawa Heim shall be deemed to be a nonquota immigrant.

SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Zmirah Mittelman shall be held and considered to be the minor alien child of Haim Mittelman, a citizen of the United States.

SEC. 4. In the administration of the Immigration and Nationality Act, Anna Marie Deutch, the fiancée of Edgar F. Sill, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Anna Marie Deutch is coming to the United States with a bona fide intention of

being married to the said Edgar F. Still and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Anna Marie Deutch, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Anna Marie Deutch, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Anna Marie Deutch as of the date of the payment by her of the required visa fee.

SEC. 5. For the purposes of sections 203 (a) (2) and 205 of the Immigration and Nationality Act, Anna Rossetti shall be held and considered to be the mother of Mrs. Leroy R. Kohne, a citizen of the United States.

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

RELIEF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 368) for the relief of certain aliens.

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

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Guillermina Peralta Anderson, Rodrigo Eulalio Santa Ana-Alvarado, Rose Hannah Cox Fransone (nee Garbutt), and Heleene Garbut shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 2. For the purposes of the Immigration and Nationality Act, Juan Ysais-Martinez and Mrs. Inge Johnson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That, except in the case of beneficiaries entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 3. For the purposes of the Immigration and Nationality Act, Purificacion de Peralta, Orietta Giardino, Irma Flora Bissessar, Bessie Yu (nee Huang), Mohamed Abdul Kerim, and Hans J. Bernick shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the case of Irma Flora Bissessar. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 4. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds, which may have issued in the case of Ludwik Kwasniewski. From and after the date of the enactment of this act, the said Ludwik Kwasniewski shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

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

WAVING CERTAIN PROVISIONS OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 367) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

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

Resolved, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Eva Glockner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Hjalmar Johansen may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Josefa Kujawa may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Emmy B. Heinrichmeier, the fiancée of Sgt. James W. Goetsch, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Emmy B. Heinrichmeier is coming to the United States with a bona fide intention of being married to the said Sgt. James W. Goetsch and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Emmy B. Heinrichmeier, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Emmy B. Heinrichmeier, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Emmy B. Heinrichmeier as of the date of the payment by her of the required visa fee.

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Willem Fransen and Stefanie Emilie Geiger Conrad may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Maria de Jesus Alfaro de Martinez may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 2, line 7, after the word "act", insert the following: "Christa Riblet (nee Friese) and."

On page 2, line 7, after the words "may be issued", strike out the words "a visa" and insert in lieu therof "visas."

On page 2, line 8, after the words "residence if", strike out "she is" and insert in lieu thereof "they are."

On page 3, line 10, after the name "Fransen", insert a comma and strike out the word "and."

On page 3, line 10, after the name "Conrad", insert the following: "and Bastiaan Van Leeuwen."

The committee amendments were agreed to.

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

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE FAIRVIEW CEMETERY ASSOCIATION, INC., WAHPETON, N. DAK.

The Clerk called the bill (S. 1352) to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

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

Be it enacted, etc., That the Secretary of the Interior shall convey to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak., all right, title, and interest of the United States in and to the real property described in section 2, together with all improvements thereon upon payment by such association to the United States of the fair market value of the property as determined by the Secretary of the Interior.

SEC. 2. The real property referred to in the first section of this act is situated in the county of Richland, State of North Dakota, and is more particularly described as follows:

North half of the southeast quarter of the southeast quarter of section 6, township 132 north, range 47 west, fifth principal meridian, comprising 20 acres.

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

SALE OF CERTAIN LANDS OF THE UNITED STATES IN WYOMING TO BUD E. BURNAUGH

The Clerk called the bill (H. R. 1826) to authorize the sale of certain lands of

the United States in Wyoming to Bud E. Burnaugh.

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

Be it enacted, etc., That Bud E. Burnaugh, of Green River, Wyo., is hereby granted the right to purchase the south half of the southeast quarter of the southeast quarter of the northeast quarter, section 8, township 18 north, range 107 west, sixth principal meridian, Wyoming, for a period of 1 year beginning on the date of enactment of this act. The sale authorized by this act shall be made in accordance with the applicable provisions of the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938, as amended (43 U. S. C., sec. 682a, and the following).

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

CLEARING TITLE TO CERTAIN INDIAN LAND

The Clerk called the bill (H. R. 1259) to clear the title to certain Indian land.

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

Be it enacted, etc., That the United States hereby disclaims on behalf of itself and any Indian allottee, or his heirs or devisees, any interest in the eighty-six and eight one-hundredths acres of land in Miami County, Kans., the title to which was quieted by judgment of the district court of Miami County, Kans., in the case of Rutherford and others against Wah-Pon-Ge-Quah and others (No. 15734).

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

MORRIS B. WALLACH

Mr. HYDE. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 2674) for the relief of Morris B. Wallach, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

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

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

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to credit to the annual leave account of Morris B. Wallach, in addition any annual leave to which he is entitled, 83 hours of annual leave to remain available until used. Such amount of annual leave is equal to so much of the annual leave accumulated by Morris B. Wallach as an employee of the Department of Labor in an overseas position as was lost to him as the result of a ruling of the Comptroller General.

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

DEAUTHORIZATION OF CERTAIN RIVERS AND HARBORS AND FLOOD-CONTROL PROJECTS

Mr. McGREGOR. 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 Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I have today introduced a bill to deauthorize rivers and harbors and flood-control projects which have been authorized prior to 1946. This deauthorization would apply only to those projects which have not been started, funds have not been granted for either survey or construction. The total estimated cost for this group of projects is $4.9 billion, broken down according to project classification as follows:

Classification	Number of projects or units	Total estimated cost
Active	223	$2,560,471,000
Deferred	156	1,316,351,000
Inactive	422	1,043,219,000
Total	801	4,920,041,000

The projects covered in the tabulation were all authorized in 1946 and prior years and have not been placed in a construction status.

The Corps of Engineers has classified the active projects as projects which have some merit but no funds have been appropriated to initiate construction. Projects classified as deferred are the ones where conditions have materially changed and a restudy would be necessary to establish their need and economic justification under present conditions. Projects classified inactive are due to changed conditions affecting their engineering feasibility or economic justification, all of which are very doubtful.

You will note the total number of projects is 801, estimated cost $4,920,041,000. If at any time these projects are deemed to be necessary it would be very easy to have them reauthorized providing the benefits of the cost ratio are adequate and they are proven necessary. The bill reads as follows:

That any authorization by the Congress for the construction or planning of a project for flood control or river and harbor improvements under the jurisdiction of the Secretary of the Army shall expire (1) at the end of the 10-year period beginning on the date such construction or modification was authorized by the Congress, or (2) on the date of the enactment of this act, whichever is later, unless, before the expiration of such 10-year period, or before the date of the enactment of this act, whichever is applicable, funds are appropriated by the Congress for the planning or construction of such project.

If we of the Congress are sincere in our attempt to stop spending we should recognize that money cannot be appropriated for expenditures unless it has been authorized. We should stop authorizing new projects unless they are absolutely necessary and essential and deauthorize those which are not needed.

BACK TO THE CONSTITUTION

The SPEAKER. Under the previous order of the House the gentleman from California [Mr. ROOSEVELT] is recognized for 60 minutes.

Mr. ROOSEVELT. Mr. Speaker, if Congress is going to properly consider the questions raised by the Supreme Court in its recent decisions, legislation which has been indicated by the Supreme Court as necessary for definiteness of purpose and as a guide to the judiciary should be enacted and undoubtedly will be. However, in our hurry to act, we should not overlook the fundamental principles touched by these decisions. The problem is to achieve needed national security without trampling on the rights of individuals—rights which so clearly mark democracy with the stamp of freedom.

Because one's own thoughts are often better expressed by others, I am going to ask unanimous consent at this point to include in the RECORD the full reproduction of an editorial published in the Christian Science Monitor on Wednesday, June 19, 1957. It embodies my own thoughts and I cannot help but feel that as we go forward to implement these historic decisions of the Supreme Court, we will all need the guidance of these basic principles. Definite action is necessary and desirable. Ill-considered and unsound legislation will only raise serious and more difficult problems for the future.

The SPEAKER. Without objection, the gentleman may extend the editorial referred to.

There was no objection.

(The editorial referred to follows:)

BACK TO THE CONSTITUTION

I. IN REGARD FOR INDIVIDUAL RIGHTS

One great concern of the framers of the United States Constitution was that in setting up a government strong enough to unite and protect the people they should not create an oppressor. For extra surety they added the Bill of Rights to guard the citizen against official tyranny. The latest Supreme Court decisions remind us that to be effective their work requires continued support by the people and the courts.

Three major rulings announced Monday have one common denominator—they uphold individual rights against all branches of the Federal Government. Thorough understanding of this should halt hasty misconceptions that the Court is being "soft on Communists" or is moving "further along the New Deal road." While liberals will hail the Court's action, its opinions are basically and soundly conservative. For they mark an emphatic return to constitutional guaranties of liberty.

The Court has restored a balance which had been upset in recent years by the cold war and popular fears for national security. It was necessary to erect defenses against subversion. But some of the weapons hurriedly shaped or recklessly wielded to save America from communism were perilously similar to totalitarian measures for enforcing conformity. Emphasis on individual rights is a fundamental opposition to totalitarian emphasis on the supremacy of the state.

The Court is only saying that freedom can be defended by methods of freedom—even if that means granting new trials to Reds. Public opinion in America has largely recovered from a period of hysteria, but the Court is restoring the balance formally and legally by going back to the Bill of Rights.

Similarly, it is plain that this latest expression of judicial leadership has no kinship with New Deal federalism. For where that

was all in the direction of extending Federal powers these latest decisions limit and censure official interference with individuals. They do not throw down New Deal social legislation. They simply say that civil liberties must be safeguarded.

In a fourth decision the Court struck at a State legislature's delegating general and sweeping powers to investigate subversion. But the main force of this striking series of decisions is directed at Federal authorities.

The rulings are drawing some criticism as crippling the Nation's defenses against communism. But justice and freedom are their own best bulwarks against Red tyranny. And success of the free-enterprise system is the basic defense against communistic economic theories. The FBI and the courts can deal effectively with espionage.

Congress retains investigating authority fully adequate for legislation. And some of the Congressmen who object to the decisions might well reexamine their own aims in supporting abuses which did not begin or end with the McCarthy censure. Of course, no branch of government takes kindly to curtailment of its powers. But to set some limits on usurpation is one reason constitutional checks and balances exist. The Court's most recent action will cause many an American to be grateful that it has the independence and the courage to call Congress and a former Secretary of State to book.

Jefferson, chief advocate of adding a "declaration of rights," declared that this would give the Court a base for resisting not only legislative or executive usurpation but also mob pressures. The public in a hurry can be very annoyed with the brakes the Court supplies, as when it threw down 12 New Deal projects in 3 years. Some portions of the public have recently attacked the Court as being an uncontrolled usurper itself, declaring it has legislated States rights out the window. But historically there is no evidence that the Court long thwarts the people's will. It does, as in these cases, act as a brake and balance wheel, and as a necessary guardian of the Constitution.

II. IN THE LEGISLATIVE AND JUDICIAL

"Congress shall make no law * * * abridging the freedom of speech or of the press; or the right of the people peaceably to assemble." So in part reads the first amendment.

How this amendment might apply to the rights of the individual as against the concern of society with Communist conspiracy has been a question to which only the Supreme Court could give a conclusive answer. It has now done so—with respect to legislative investigations and to the Court's application of legislation, the Smith Act in particular.

John T. Watkins, labor leader, had been cited for contempt by the House Committee on Un-American Activities for refusing to name former associates who, he was convinced, had severed communistic contacts.

In reversing his conviction the High Court took account of the broad powers inherent in investigation as a part of the legislative process. But those powers are not unlimited. Congress, it declares, has no power to expose for exposure's sake. Investigations conducted to punish are indefensible. Any probing into the private affairs of individuals must be clearly justified solely as an adjunct to the legislative process.

The first amendment, says the Court, can be invoked where such justification is lacking. But Congress by exercising a measure of added care can get the information it needs. That, says the tribunal, is a small price to pay for preserving constitutional government.

In ordering retrials of nine Communist leaders and freeing five others the Supreme Court helpfully sharpened the distinction between advocacy as mere abstract doctrine and advocacy which incites to illegal actions. The first, says the Court, is within the free speech protection of the first amendment; as is the second, it refers to its 1950 ruling upholding conviction of the 11 top Communist leaders.

It will be recalled the Court then pointed out that the defendants' advocacy was coupled with their leadership of a highly organized conspiracy, with rigidly disciplined members subject to call * * * The lower courts, it finds, in these latter cases did not sufficiently differentiate for the jury which kind of advocacy is forbidden by the law.

Thus as regards lawmaking and lawinterpreting the High Court has drawn clearer lines around this area of freedom.

III. IN THE EXECUTIVE BRANCH

The Court's ruling that Asian expert John Stewart Service was wrongfully discharged from the State Department in 1951 hinges on a technical point. But implicit in it is a warning to the executive branch of the Government not to be swayed by the temper of the moment to ignore rules it has set up to safeguard the rights of its employees.

The Service case itself goes beyond the narrow point of law to which the Justices limited their 8 to 0 decision.

Before being dismissed by Secretary of State Dean Acheson, Mr. Service had undergone what amounted to septuple jeopardy. In 1945 he was accused of violating the Espionage Act in giving information to the editor of Amerasia magazine. A grand jury refused to indict him. Six times thereafter he was cleared of risk charges, three times by the State Department itself, three times by the Loyalty Security Board of the Department. Then the Loyalty Review Board of the Civil Service Commission reversed the last Loyalty Security Board clearance, finding "reasonable doubt" of loyalty and recommending dismissal. Mr. Acheson immediately complied.

A Federal district court opinion on another case subsequently cut much of the ground from under the Secretary of State's action by ordering wiped from the record the review board finding—which was Mr. Acheson's sole basis for dismissal.

But despite the reason for firing having been expunged, the firing itself stood valid until the current Supreme Court decision. In this, Justice Harlan found that according to the State Department's own rules the Secretary of State might not countermand a decision of the loyalty board which had been upheld by the Deputy Under Secretary of State.

Civil service regulations prevent the firing of a Government servant on narrow political grounds. The current Court decision backs up the protection of a job special departmental rules. Beyond this, the Service case shows the need for what might be called crisp executive procedures to assure that security cases are given an impeccable initial probe which either leads to discharge of an employee or assurance against further interference short of the introduction of new evidence.

THE PROBLEM OF RETAINING SKILLED MILITARY PERSONNEL

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes 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. VAN ZANDT. Mr. Speaker, throughout history many nations have built mighty armies and naval armadas. This country is no exception. But traditionally during peacetime the United States has maintained small military forces and then mobilized as rapidly as possible during periods of tension.

The rumbling of the Russian bear—underscored by radioactive particles drifting out of Siberia—has changed our outlook. Advancing technology has changed the very nature of global strategy. The vapor trails left by supersonic planes high over the polar icecap have changed the timetable. Time and space factors have been reduced sharply.

Concurrent with the dramatic changes in technology, this country's role in the world political scene has changed. The events of almost two decades of war have catapulted this Nation into an inescapable position as the leader of one-half of a divided world.

The keystone of the defense of the Free World now rests on the ideological, moral, economic, and military power of this country. The defense forces of the United States have assumed a new and vital significance in world affairs.

It is now clearly apparent, or should be, to everyone that the level of our defense capability must be maintained on a high plateau indefinitely. In doing so, our military forces must evolve rapidly with—and often provide the incentive for—the phenomenal technological pace of the age.

It should not, therefore, be any surprise that recent defense costs are unparalleled in our peacetime history. In a rapidly rising economy the cost of defense has increased geometrically.

The demands of this order of defense on our national resources are enormous. Obviously, if military capability of this order must be maintained, then there must be devoted to the task a full measure of talent for efficiency and economy in its creation and employment.

We must, at any given moment, be able to secure the maximum output from the weapons in the arsenal. Equally important, this Nation cannot afford to get less than the most for its defense dollar.

Today we are not getting a full dollar's worth of defense for each dollar invested, and we are not getting—and cannot get—maximum output from the weapons on hand.

At a time when we should be leading from a strong position, and at a time when we should be keeping our guard up, that guard is slipping dangerously low. It is slipping because we just do not have the proper balance between the high-quality and fantastically complex weapons, on the one hand, and the qualitatively outstanding manpower required to maintain and operate that equipment, on the other.

Let me cite the situation in just one of our tremendously important elements of defense: the Strategic Air Command.

The situation was outlined for my benefit on several of my visits to SAC Headquarters in Omaha last year. At that time, I was fully informed of the gravity of the situation with respect to SAC's manpower problem, which has been recently emphasized by Gen. Curtis E. LeMay, commander of the Strategic Air Command, in a memorandum to his key officers. In it he said he wanted to

make sure that there was no misunderstanding about what his and his command's problem was.

General LeMay said, "I consider the most challenging and important problem in the command today to be our failure to retain our skilled personnel."

This is why General LeMay is so worried.

He knows that the Strategic Air Command must be ready to go, at any time. And I emphasize—at any time. SAC's crews must be ready and able to retaliate on a moment's notice. That means that they must be fully capable of around-the-clock operation. It also means that they must be capable of operating their equipment under any extreme of climatic conditions, as the time and requirements may dictate.

He also knows that his ability to perform that mission is fading. He knows it is fading, rather than increasing, because the quality of the combat crew force is regressing.

Here are the facts of this tragic situation:

SAC's current requirement for officers totals 29,500. The command now is short 2,000 of those officers. This is a pure quantitative shortage.

On the quality side—of the officers now assigned to SAC—only 56 percent are fully qualified to do their jobs.

This is the twofold officer problem in SAC. First, a pure numerical shortage; and, second, critical qualitative shortcomings. This is the situation which is causing SAC's combat capability to slip rather than increase as it should be doing with the delivery of increasingly effective weapons.

In the combat crew force, one-fourth of all the crews are not combat ready. They are not ready because of inexperience resulting from instability. There just are not enough career-minded young officers willing to remain in the military service long enough to attain the qualitative standards required.

More than half of the combat crews in SAC have at least one member who has a fixed expected date of separation. General LeMay is extremely concerned because 1,230 of his vitally important combat crews have officer members who may soon leave the service.

He knows from experience that unless there is an early and drastic change for the better, he is going to lose the combat capability of 923 crews by the end of this year.

Specifically, SAC expects to lose 1,134 combat B–47 pilots and 688 observer-navigators from its B–47 strike force by the end of December 1958.

Mr. Speaker, I ask every Member of this Congress to reflect seriously on this important question. How can we logically authorize vast sums of money for new, more effective and more complex bombers, tankers—and, soon, missiles—for the Strategic Air Command, without also giving General LeMay and the military leadership the kinds of management tools they must have to develop the human element of defense on a par with the weapons?

There is more than the B–47 force involved here. With the B–47, SAC must maintain an aerial refueling capability to get the intercontinental range they need. Even the B–52 requires tanker support.

In the SAC tanker force today, there are 739 KC–97 tanker pilots who will be lost during the next 2 years. Nearly 1,000 navigators/radar observers will be completing their trip on the training treadmill during that same period. These latter experts are the men who must first guide the tankers to a pinpoint location on the globe—and then guide the fuel-thirsty bombers to that point and arrange for the contact to transmit the range-giving fuel.

The impact of this mass exodus of highly skilled and potentially career-motivated group of officers on the ability of SAC—our power-packed retaliatory force—should be clear. It is crippling.

But there is another factor here which must be reckoned with. What is all of this costing the American taxpayer?

Between January and the end of October of this year, SAC will have 3,033 officers eligible for separation. It is important to note that some 88 regular Air Force officers, who will, based on previous experience, resign their commissions, are included in that total. Eighty-eight officers who have worked hard, and who have indicated their desire to devote their lives to this important task, will be driven from the service.

In addition, 320 career Reserve officers are expected to leave. The remaining 2,625 are young, vigorous, capable officers who will not stay in uniform 1 day longer than is required by law.

SAC estimates that it costs $200,000 to train an individual pilot or navigator. This cost does not include the training received after assignment to a SAC crew.

That means that by October of this year $346 million worth of trained officers will leave SAC, which means that the taxpayers of this Nation will be spending another $346 million to train their replacements.

Now, I want to emphasize that I have been talking about just one command of the Air Force—just one component of the military forces of the Nation—and only about the officers in that command.

Geared together as a hard-hitting, power-for-peace team, the global strike force of the Air Force, the airborne pentomic divisions of the Army, the nuclear-powered submarines and supercarriers of the Navy, the vertical envelopment concepts of the Marine Corps, give this Nation a military might such as we have never known before. Never before has any nation dedicated such overwhelming strength so sincerely and expressly for peace as has the United States.

To be effective, these forces must have nothing less than qualitatively superior management. In the military, that management comes from the officer corps. The examples of what is happening in SAC could be repeated almost verbatim for every command in every service.

Mr. Speaker, we now have an opportunity to do something about this grave national problem. We now have an opportunity to stop the tragic slippage in our military preparedness program and simultaneously conserve billions of the dollars now being wasted.

I am referring, of course, to the recommendations of the Defense Advisory Committee on Professional and Technical Compensation, commonly called the Cordiner Committee. I am also referring to H. R. 7574, which I have introduced to enact the modernized compensation system, which is one part of the Cordiner Committee's recommended plan.

There seems to be a general belief that this bill provides a general, across-the-board pay raise for military personnel. In connection with that belief, here is what Mr. Cordiner said during his press conference in Washington, D. C., on March 26:

> Because of inadequate information, many people have been led to believe that the Committee's recommendations are nothing more than a general pay raise for military personnel, adding still more to the oppressive costs of national defense and to the current forces of inflation. Nothing could be further from the truth, and nothing could be further from the Committee objectives.

In support of Mr. Cordiner's statement, I have determined that only slightly more than one-third of the members of the military services—or those with technical backgrounds—will realize an immediate pay raise from this law. The remaining two-thirds—composed of nontechnical personnel—would not change. In fact, approximately 22 percent of the military people would get a pay cut if it were not for the traditional saved-pay provision written into all military pay laws.

Increases in pay which will accrue in coming years under this law would go to people who qualify for new and higher rates of pay on the basis of outstanding performance. Most certainly, these increases for deserving people will be more than offset by the resultant savings in materiel, operating and training costs, and the numbers of people required to achieve a given level of national security.

If the recommendations of the committee and the legislation which would enact the compensation portions of the program are not in fact a pay raise, then what are they?

The recommendations of the Cordiner Committee, though dealing to a great extent with compensation, in reality constitute the basis for sweeping changes in the management and development of personnel in the military services. These recommendations constitute a fundamental design for putting the Defense Establishment on a sound business footing—on a modernized basis so as to provide for markedly improved productivity in the form of increased defense capability—with fewer people and at considerably less cost.

It is my personal opinion that the compensation recommendation advanced by the Committee did not go far enough. By the Committee's own admission, there was no effort whatsoever to make overall adjustments in pay for military personnel to reflect the increases in living costs.

The Committee's effort was devoted to the task of overhauling the basis on

which pay is awarded so that subsequent actions might be taken intelligently to make proper adjustments in the general levels of compensation.

In his speech here in Washington on Armed Forces Day, Mr. Cordiner said:

While I am personally convinced that any human undertaking can be kept manageable through proper organization and leadership, I realize that the problems of national defense pose unusual challenges to managerial skill, both in the size of the operation and in the number of factors that must be considered. This has not been fully recognized by the public or by the Government, because the top officers who must provide leadership in this great operation—here in Washington and in the field—are perhaps the most underpaid executives in the Nation. This must be obvious to everyone who stops to think of the difficulty, scope, and responsibility of their work.

Mr. Speaker, my purpose here today has been to focus attention on this important responsibility. I have endeavored to point out the seriousness of the manpower situation in one of our most important defense commands, the Strategic Air Command, and to emphasize how this problem is damaging our capacity to defend the Free World and, at the same time, is causing defense costs to be considerably higher than necessary. My purpose here today is to urge once again, as I have urged repeatedly before, that early and earnest consideration be given to this aggravating and dangerous situation with a view toward enacting the proposed legislation, H. R. 7574, as soon as possible since it is the first step in providing the kind of modernized management tools required to build an improved National Defense Establishment at a reduced cost to the Nation.

H. R. 6017

Mr. HENDERSON. 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 Ohio?

There was no objection.

Mr. HENDERSON. Mr. Speaker, some months ago I introduced H. R. 6017, a bill designed to provide more jobs for persons past middle age by offering employers a tax incentive to employ more than the normal amount of persons past that critical age.

I should like to bring to the attention of the House the extreme importance of this legislation and the critical need for some positive action to be taken. The current issue of Readers Digest contains a very excellent article on the subject of "Forty-Plus," the problems of employment faced by persons past middle age.

The discouragement, frustration, and helplessness of our older unemployed is one of the greatest social evils facing American civilization. It is responsible for the swollen unemployment and relief rolls which we face in an era of prosperity.

I should like to urge that hearings be commenced on H. R. 6017 at the earliest possible date.

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. ABERNETHY, for 30 minutes, on Friday next.

Mrs. ROGERS of Massachusetts, for 5 minutes today, and if the time is not used, to have her remarks extended in the RECORD.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE.

Mr. WALTER and to include an article from the U. S. News & World Report.

Mr. DAGUE.

Mr. SAYLOR.

Mr. GRIFFIN.

Mr. MILLER of Nebraska.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; to the Committee on Armed Services.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, New Mexico;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska in the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the insurrectors during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (6 Stat. 15), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 12 o'clock and 33 minutes p. m.) the House, pursuant to its previous order, adjourned until Friday, July 5, 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:

1004. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize the disposal of certain uncompleted vessels"; to the Committee on Armed Services.

1005. A letter from the Director, International Cooperation Administration, transmitting an interim report for the fiscal year 1957 on major changes in the mutual-security program as required by section 513 of Public Law 665, 83d Congress, pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TRIMBLE: Committee on Rules. House Resolution 308. Resolution for consideration of H. R. 4520, a bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska; without amendment (Rept. No. 679). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 309. Resolution for consideration of H. R. 8240, a bill to authorize certain construction at military installations, and for other purposes; without amendment (Rept. No. 680). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 310. Resolution for consideration of H. R. 8364, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; without amendment (Rept. No. 681). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 8504. A bill to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROWN of Georgia:

H. R. 8505. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 8506. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York; to the Committee on Ways and Means.

By Mr. KEOGH:

H. R. 8507. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York; to the Committee on Ways and Means.

By Mrs. KNUTSON:

H. R. 8508. A bill to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties; to the Committee on Agriculture.

By Mr. McGREGOR:

H. R. 8509. A bill to provide for the expiration of certain authorizations by the Congress for projects for flood control or river and harbor improvements; to the Committee on Public Works.

By Mr. McINTIRE:

H. R. 8510. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. MURRAY:

H. R. 8511. A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PATTERSON:

H. R. 8512. A bill to amend section 510 of the Mutual Security Act of 1954 to provide for procurement of commodities under that act within the United States; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. R. 8513. A bill to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8514. A bill for the relief of Hiroshi Sato and his wife, Tari Sato; to the Committee on the Judiciary.

By Mr. DAGUE:

H. R. 8515. A bill for the relief of Mrs. Masako Witmer; to the Committee on the Judiciary.

By Mr. KILBURN:

H. R. 8516. A bill for the relief of Roukous Salimon Roukous; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 8517. A bill for the relief of Armand Tchilinguirian; to the Committee on the Judiciary.

By Mr. MERROW:

H. R. 8518. A bill for the relief of Mrs. Celinda Shephard; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. R. 8519. A bill for the relief of the law firm of Frazier & Frazier; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 8520. A bill for the relief of Mara Zorich; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

European Shoot Moth Infestation

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. GRIFFIN. Mr. Speaker, an emergency condition now exists in National, State, and private forests of lower Michigan, and particularly in several counties of the Ninth Congressional District.

I bring this situation to the attention of Members of the House not only as a call for assistance, but also as a warning, because the European shoot moth which is threatening the northern Michigan forests also poses a threat, according to the United States Department of Agriculture, throughout the general area from Massachusetts south to Virginia, and west to Illinois and Michigan, and Nova Scotia, southern Ontario, and British Columbia.

Seriousness of the problem in my district is evidenced by the following resolution which I have just received from the board of supervisors of Wexford County:

Whereas the European shoot moth infestation has developed into a serious menace to the pine trees of northern Michigan and has ruined hundreds of acres of plantations; and

Whereas the menace has got beyond the control of counties and individuals: Therefore be it

Resolved, That the Federal share-the-cost programs of ASCC and the soil-bank program in the planting of pine trees plantations be discontinued until such time as there is control of the European shoot moth and that all other possible funds be made available for the control of this menace; further be it

Resolved, That the Federal Government, State government, and State highway department make an all-out effort in the control of said European shoot moth in their respective plantations; and further be it

Resolved, That a copy of this resolution be sent to Hon. ROBERT P. GRIFFIN, United States Representative; Hon. Charles A. Boyer, State representative; Hon. John Minnema, State senator, 27th District; and to the several counties of the State of Michigan, asking that they get behind this movement before it is too late.

At a regular meeting of the Wexford County Board of Supervisors the above resolution was adopted by the following vote: Yes 21; Absent 2.

WALTER H. EDWARDS,
Wexford County Clerk.

Mr. Speaker, I have learned from Dr. Richard E. McArdle, Chief of the Forest Service of the United States Department of Agriculture, that the European pine shoot moth, an insect native to Europe was introduced into the United States accidentally and was first found in damaging numbers affecting Scotch pine plantations on Long Island about 50 years ago.

Unusual habits of this shoot moth make control of the pest very difficult. The larvae are concealed within the tips of the lateral twigs on the trees and are vulnerable to insecticidal sprays only for a short period in any given year. Time of vulnerability in Michigan is right now.

Studies of methods and materials for effective control of the shoot moth have been under way by several of the States and by the Federal Government for the past several years. In recognition of the exceptional severity of the pest infestation in lower Michigan, the Forest Service of the United States Department of Agriculture is at present making a study of the problem in the Cadillac area.

Findings from this study will be utilized in planning for control of the European shoot moth throughout the widespread area which it has infected.

In view of the seriousness of this situation, and the threat to thousands of acres of national, State, and local forest lands, I plan to return home for a personal inspection, with regional officials of National and State forestry departments of the infected area.

Mr. Speaker, I believe that the European shoot moth is so severe a threat to this Nation's great forests that all possible action should be taken to stamp it out immediately.

Veterans' Administration Benefits Claims May Need Judicial Court or Review Action

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. SAYLOR. Mr. Speaker, there is legislation pending before the Committee on Veterans' Affairs on which I have the good fortune to serve as a member, which would provide for the determination through judicial proceedings of claims for compensation resulting from disease or injury incurred in or aggravated while serving in the active military or naval service. I refer to H. R. 1006.

Similar to this bill in purpose is H. R. 834 and H. R. 4746. The first bill would confer jurisdiction upon the Court of Claims to review claims for benefits under laws administered by the Veterans' Administration; the second bill would confer jurisdiction upon the United

States Court of Appeals for the District of Columbia to review decisions for veterans' benefits. Both of these proposals are pending before the Judiciary Committee and during the last Congress hearings were held on similar measures.

I fear that unless we can experience better decisions from the Board of Veterans' Appeals, it will be necessary to take action to pass one of these measures and provide judicial court or review of decisions of the Veterans' Administration.

Of course, I realize that this would place quite a burden on the courts and it might be necessary to set up a special court comparable to the Tax Court. I am sure that all Members of Congress realize that such a step might have to be taken if more equitable decisions are not forthcoming from the Veterans' Administration.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mrs. KEE. Mr. Speaker, while the rest of the country welcomes vacation time, the only official indications of summer's arrival in Washington are the weekend sunburns decorating distinguished noses at Monday session of the Congress—they have usually faded from view by Wednesday or thereabouts—and the heat and humidity for which the Nation's Capital is noted. Nor does the warmth occasionally generated under the Capitol dome help the outdoor temperature very much, as Members of Congress wrestle with national and international problems in a world grown stranger and stranger.

If that elusive individual, the so-called average citizen—to whom politicians and statisticians are so fond of referring, but whom I have still to meet—begins to feel more and more like Lewis Carroll's famed Alice in Wonderland, in that things keep getting curiouser and curiouser—small wonder.

Today, the business executive and the labor leader are being exhorted—according to the President's latest press conference—to serve as statesmen while Government officials and Members of Congress are called upon to act like business executives and members of the board of directors.

Times are so good, we are told, that inflation has become an alarming threat to the national economy and the individual's pocketbook. Some Government policies, it is acknowledged, are at fault in bringing about this upward flight of price pressures, but this is in part due, the President is quoted, to the "deliberate policy to bring the farmer his own share of the national income."

Mr. Speaker, I am not certain that I care too much for this explanation for it would seem to me that our farmers have enough of their own troubles without having to shoulder any of the blame for our present runaway cost of living. Based upon returns for the first quarter of this year projected at the annual rate, total net farm income will reach $11.7 billion in 1957. This represents a very slight improvement over 1956, when it was $11.6 billion, but is still a far cry from the $16.1 billion reached in 1951 or the $15.1 billion total of 1952.

Moreover, it is to be noted that the Secretary of Agriculture, in a recent speech delivered in Knoxville, Tenn., is quoted as still urging low-income farm people to seek income opportunities off the land.

A dollar—

Mr. Benson is quoted as stating—

will buy just as much health, just as much education, just as much good living if it is earned in off-farm employment as if it is earned growing crops or livestock.

This is like the old-fashioned recipe for rabbit stew: "First catch the rabbit." These people have still to earn that dollar in the highly skilled labor market demanded today.

The Secretary should have added: "That is, provided the skills used in making the land produce on a farm can be converted to making a machine produce in a factory."

Entirely aside from the moot question of whether we wish to see the Nation's agriculture turned from the hands of the small and independent farmer and over to big business, General Motors-type commercial propositions, it would seem that either the farmer is being blamed unjustifiably for our price rises, or the administration's efforts to help him are resulting in extremely costly failures for the whole country.

On the other hand, is it not barely possible, as businessmen in the Fifth District of West Virginia have pointed out, and as I duly reported in last week's Keenotes, that, with interest payments on the national debt more than double what they were prior to 1953, and interest rates on short-term Government bonds up from 1 to 3 percent in the same period, it is the administration itself which is doing everything that will tend to promote inflation?

One thing is certain. The average citizen—whoever he is and wherever he may be—and I strongly suspect he is every one of us—is finding it more and more difficult to accept as fact the statement that he is enjoying his rightful share in the general national prosperity.

Mr. Speaker, I have never been one for statistics. Indeed, I have a tendency to regard them with strong suspicion. I know that if my net income is $50 per week, while that of my right-hand neighbor is $100 and my left-hand neighbor is $150, the average net income for all three of us is $100. But this does not give me an extra $50 a week to spend, nor does it stretch the dollars that are in my pocket to meet the higher prices I must pay for the necessities of life my family must have to live.

Consequently, it is very difficult to convince me that because the national personal disposable income has increased more than $32 billion since 1954, this has put an extra dime in my pocket. No more has it benefited the retired worker living on his OASI benefits, the retired civil-service worker struggling along on a pension geared to pre-World War II prices, the white collar employee working on a fixed salary, the factory worker who does not have a cost-of-living escalator clause in his union contract, or the small-business man who has to raise his retail prices to take care of his inflated overhead costs.

Mr. Speaker, somewhere along the line of our complex economic structure, some of the cogs are not meshing as they should. I am neither an economist nor a statistician—and I only wish that I were a financial wizard. But I do know that the problem of halting inflation is not one to be put upon the shoulders of the business community or labor. The business executive has a responsibility to his stockholders and investors to show as high a profit sheet as he can. The labor leader has a duty to his union members to secure for them the highest wages he can procure at the bargaining table.

It is Government, both the executive and legislative branches, which has the great responsibility to look out for and to promote the general welfare of all the people and which, hence, must find the means to establish a stable economy—to check inflation—as it has the means to prevent depression. Surely, we have not lost our native ingenuity, our inventiveness, and our foresight to the extent that we cannot cope with this problem without passing the responsibility, the burdent or the hardship along to any segment of our people.

Dulles Declares Our Independence

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. DAGUE. Mr. Speaker, nothing could have been more reassuring to Americans who cherish the sacred principles upon which our Nation is built than is Secretary Dulles' declaration that we will have no traffic—commercial or ideological—with the gangster nation which is Communist China. And coming on the eve of our National Day of Independence, it serves to reaffirm our basic renunciation of tyranny and our independence of those other nations of the so-called Western bloc who are prepared to sell their birthright for the temporary and nebulous benefit of trade with Peiping.

Our naivete and our unfamiliarity at the time with communistic disregard for truth and honor may explain away our recognition of Communist Russia in 1933. After almost 25 years, however, of lies and equivocation and with thousands of our own boys lying dead, and millions of other free peoples either dead or enslaved, as the result of Communist savagery, we cannot longer plead ignorance of their aims and philosophy.

In the first instance, it was only through connivance on the part of Communist sympthizers in our own Government that the Chinese Reds were elevated to a place of dominance over Chiang Kai-shek. And it was in Korea that we saw the fiendish brutality and utter ruthlessness of a murderous regime that now seeks to do business with honest people and through that avenue worm its way into a place in the United Nations.

We do not have to stretch our memory very far to recall when it was thought to be socially smart to traffic with bootleggers and gangsters during the prohibition era. Today it would appear that there are those who like to think of themselves as internationalists or one-worlders who see nothing immoral in trafficking with a group of international gangsters who deny all Divine authority and whose word is not worth the time it takes to utter it. Indeed, Pope's Essay on Man gives us the best possible summation of the attitude currently displayed by some people who should know better:

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

Secretary Dulles has struck exactly the right note for July 4, 1957. We declared our independence of tyrants in 1776, and it is just as well that we reaffirm our independence of some of our so-called allies and let them know that our honor is not an item that fluctuates with the various winds—I repeat, winds—of international economics.

As a matter of fact, I wish the Secretary had gone one step further and served notice on the world that when Communist China takes her seat in the United Nations she can have the seat which will on that instant be vacated by the United States.

Discussion on Hells Canyon

EXTENSION OF REMARKS
OF

HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1957

Mr. MILLER of Nebraska. Mr. Speaker, the Hells Canyon project has been before the Congress since 1950. It was defeated in the Senate last year by a vote of 51 to 41. It passed the Senate on June 21, 1957 by 45 to 38. The bill has been heard several times before the subcommittee in the House. In the 82d Congress, controlled by the Democrats, there was almost unanimous vote in the committee to indefinitely postpone the bill. During the 83d Congress, when I was chairman of the Interior and Insular Affairs Committee, there was no request for a hearing. In the 84th Congress there were rather lengthy hearings. The printed record shows 523 pages. The subcommittee finished hearings in the 85th Congress on July 2 and voted, 15 to 12, to strike the enacting clause. I believe the full committee will sustain this action.

FEDERAL POWER COMMISSION

The Federal Power Commission, which is an arm of the Congress, held hearings of more than 1 year's duration, covering some 20,000 pages of testimony, on the question of a high Hells Canyon Dam. There has been much complaint about the FPC and its action. The committee should remember that the FPC—Federal Power Commission—is a body created by the Congress. The five members are appointed by the President on a bipartisan basis and they must be approved by the Senate.

There has been much spleen vented against Mr. Kuykendall, a member of the Commission. Some people blame him for everything that has happened. I would remind my colleagues that he is but one member of this bipartisan board that made the unanimous decision on Hells Canyon.

Mr. Speaker, the FPC engineering staff made a 44,000 man-hour study of the entire Hells Canyon problem. The findings were presented to the Commission by the engineers with numerous supporting exhibits. It seems to me there is no agency in Government which is in a better position to give a fair and impartial judgment, on all the questions raised, than the FPC. The five members are a bipartisan group. They have no ax to grind. Their only job is to consider, under the Federal Power Act, which is the best plan for development.

No committee of Congress would have the time or patience to hold such exhaustive hearings. It should be remembered that after the board made its ruling that the Idaho Power Co. should have a license to build three dams on the Snake River, those who opposed the license appealed to the Supreme Court to overrule that decision. The courts, after reviewing all of the evidence and facts surrounding the case, ruled against those who favor a high dam. The courts upheld the right of the Federal Power Commission to issue these licenses.

The FPC found the three dams licensed by the Commission to the Idaho Power Co. will produce 767,000 dependable kilowatts. This figure compares to 785,000 kilowatts for the proposed Government dam. The Commission said, "the ratio of power benefits to power costs of the 3-dam plan is greater than that of the 1-dam plan."

The Idaho Power Co. has gone forward under its license with the construction of the Brownlee and Oxbow Dams and will be producing power late in 1958. They have spent or contracted to spend up to this date about $50 million. Cancel their permits and the Government would be liable and this would be added to the cost of the high dam.

The Idaho Power Co. will do certain things under the Hells Canyon scheme at no expense to the United States. They will not be reimbursed or will there be an actual Federal tax loss. There are funds for fish protection facilities. There will be a million acre-feet of flood control at no cost to the Government. The Idaho Power Co. has gone ahead in good faith and spent nearly $50 million. The people of the area are desperately in need of power. They will be paying taxes to the Federal Government over a 50-year period of about $283,126,300. The States of Idaho and Oregon over the same time will receive $200 million in taxes.

SIZE OF DAMS

If the Congress authorizes the high Federal dam, certainly the Idaho Power Co. would be in the Court of Claims for damages.

Mr. Speaker, every Member of Congress has received mail stating that the Idaho Power Co. would be building three runt or pygmy dams that would not serve the purpose and use wisely the water of the Snake River.

Well, let us look at these so-called runt dams. The Brownlee that is now nearly half completed is 395 feet high. That is 107 feet higher than the Capitol dome. The Oxbow which will be constructed next will be 205 feet high. That is twice as high as the Bonneville Dam. Hells Canyon, which is to be built on about the same site as the proposed Federal Hells Canyon, will be 320 feet high and that is about twice the height of Niagara Falls. In fact, Mr. Speaker, the so-called hydroelectric heads of the high dam and the three proposed dams, according to the engineers is 602 feet. They are exactly the same.

The three dams will produce about the same amount of power as that produced by the one federally constructed dam. These are electric power projects. There is little or no irrigation or flood control water in either the high dam or the three-dam proposal.

TAX WRITEOFFS

There have been some harsh words said about the so-called tax-write off provisions given to the Idaho Power Co. Personnally I have always been opposed to these so-called "tax writeoffs." However, there have been more than 21,000 such certificates issued in the last 10 years; 927 of the certificates were in the power field. Every State has had tax writeoffs except one. There is nothing illegal, dishonest, or immoral about the procedure. Indeed, if I were a stockholder in the Idaho Power Co. and the president and the board failed to take advantage of the tax writeoffs, I would want to get a new set of officers. This tax writeoff has been blown up all out of proportion. Quite a number of these tax writeoffs were in the States of Oregon and Washington. I did not hear either the junior or senior Members of the other body from Oregon complain about the writeoffs in their own States. It seems to be wrong only when it comes to the State of Idaho. There certificates were granted as a matter of public policy. The policy was established by the Congress itself. If the law is wrong it should be corrected. The Congress is responsible for that correction.

THE STORY OF LICENSES

There has been nothing sudden about the granting of this license to the Idaho Power Co. The first plans were made in 1946. They applied for permits in 1947. That was 10 years ago. All of this was

done up and above board. They made formal application for a license, the first in 1950 and again in 1953. Then, after the longest hearings in history a bipartisan board issued the license. The Commission said this when they issued the license:

> Most of what we have already said indicates that the applicant's three-dam proposal is best adapted to a comprehensive plan of development as required by section 10 (a) of the Federal Power Act.

That was the Commission's findings. It was in the public interest.

COURT DECISIONS

The opponents went to the United States Court of Appeals twice and were rejected. They carried their appeal to the Supreme Court of the United States on two occasions. Each time the courts, after reviewing all of the evidence, held that the licenses issued to the Idaho Power Co. were valid. The company under these court decisions have proceeded and will have the Brownlee Dam completed and producing power in 1958. The Oxbow Dam will be completed in 1960 and, under their license provisions, Hells Canyon should be completed in 1962.

COST OF DAMS

It has been estimated that the cost of one high Federal dam would be about $356 million. When the smaller dams and power lines that must be built downstream to firm up the power are built, the total cost would be $700 to $800 million. Four of the downstream dams have not been authorized. The cost of the three dams by the Idaho Power Co. is about $133 million. They will produce about the same amount of power.

My colleagues should understand that the Pacific Northwest, in the last 20 years, has received about one-fifth of all moneys appropriated for reclamation. I cannot believe that now we should make available another $100 million each year for 7 or 8 years to complete this high Federal dam particularly so when there is a private enterprise group now constructing the needed power facilities.

PRIVATE VERSUS FEDERAL POWER

Some people seem to have the idea that all electric power should be generated by the Government. That is a mistaken idea. Public power should be generated by the Government in areas where private capital is not available. There is no reason for the Government to develop power projects unless those projects are too big for the people to handle.

Now let me state my policy so there will be no misunderstanding. I am from Nebraska, the only completely public power State in the country. I believe in public power where public power is necessary.

I know there are many sincere people in the United States who feel that the Federal Government should develop all of the power sites now existing on the rivers. They have a feeling that these power sites and the water belong to the people; that the Government ought to build power units and then let private power companies come and get the power. There are other sincere people who feel the Government should go so far as to build transmission lines for the power. I respect their views. I would point out, however, that if the Federal Government should do this for power, why not for steel, build the locomotives, control the food, and all other private enterprise systems now existing in the United States. This would be socialism in full swing.

In my opinion there is room enough in this country for both private and public power systems. Our America became great because free men and women were able to go ahead and do the things they want to do with a minimum amount of Government interference. In my humble opinion, our America cannot remain great and strong by expecting the Government to do so many things for people that they could do for themselves.

I did support the great power network on the Missouri and Colorado Rivers because private enterprise was not able to develop these water sites. That is not true of the Snake River. The Hells Canyon is far different than the Colorado or Missouri Rivers. I would say that if private capital were not available, then the Government should step in.

Again I say I believe in free enterprise, one of the foundations of our American way of life. I believe that people should do things for themselves when it can be done. I believe the Government should aid the people in projects which the people cannot handle alone.

In Nebraska it would have been impossible to construct the farflung network of powerlines without Federal aid. We have a great power system. The REA's have extended lines throughout the rural areas so that practically every farmer who wants power can have it. This was done through Federal funds which are now being repaid to the Government over a period of years.

However, private capital is available in the Hells Canyon case. In fact, private capital is now being used in the construction of the first of three dams. There is, then no concrete reason for the Government to step in and furnish Federal funds in competition with free enterprise.

I believe in projects which are an investment in the future of America. I have endorsed and voted for many public-power projects, irrigation projects, flood-control projects, and others where help from the Government is needed.

The high dam would take 6 to 8 years for completion. What will the people of the Northwest do for power in the interim?

The Hells Canyon case should be resolved, once and for all time. There is no sense in this continuing controversy which is wasting time and inflaming tempers. We have heard the arguments—pro and con. The time has come for decision.

Are we going to uphold the studied decision of the Federal Power Commission? Do we believe in free enterprise or are we going to demand the right to socialize every segment of society? Why should we spend $700 million of the people's money when there is private money to do the job?

Mr. Speaker, the Christian Science Monitor of June 25 in an editorial entitled "Beyond the Bonds of Reason," said in part:

> The Senators—many of them milling around excitedly, shaking hands, slapping backs, and otherwise congratulating each other on a splendid victory they had just won. And what was this great achievement 40 Democrats and 5 Republicans were so proud of? They had just voted to spend a great deal of the taxpayer's money to do a job already under way at no taxpayer's expense. Specifically, they had voted to build a Federal dam at Hells Canyon, thereby flaunting the considered opinion of the administration, the Federal Power Commission, and indeed, of the Senate itself last year. In the process they would wash out the 3 dam sites, 2 for which the Idaho Power Co. has already spent $18 million.

A few weeks ago the country listened to Nikita Khrushchev, the Russian dictator, who remarked that our grandchildren would be living in a state of socialism. The actions of the 40 Democrats and 5 Republicans in their vote on Hells Canyon must have given the Russian dictator a wry smile for here was socialism in full action. If the Government is to supply the electric energy for people why not the automobiles, steel, coal, and our food. That would be Rusisa and that would be socialism.

COST AND SELLING PRICE OF FEDERAL POWER

Mr. Speaker, another unfortunate feature in the Pacific Northwest, and I have studied this problem for several years, is the fact that all Federal dams are selling about half of their electric energy at less than the cost of production. Many of these contracts were entered into under the Truman-Chapman-Strauss regime. They are long-term contracts with no right to the preference customer.

The sale of the Bonneville Power Administration for the fiscal year 1955–1956 were as follows:

Total sales, 1955, 21,828,500,000 kilowatt-hours at an average per kilowatt-hour of 2.34 mills.

In 1956, the total sales amounted to 25,973,700,000 kilowatt-hours at 2.32 mills.

The power developed at the high dam will be sold at a cost to every State and taxpayer in the Union. It will be a form of subsidy. It is cheap Federal power paying no taxes. The power will be sold at less than the cost of production. This 4-mill power will be fed into the Bonneville system where it is sold at an average rate of about 2.4 mills.

In conclusion, Mr. Speaker, to put a stop to this hydroelectric construction now under way, which would develop more than one-half million kilowatts of power, and add 1 million acre-feet of flood control storage would be disastrous to the Northwest. Much of this power will be on the line in 1958. There is a real shortage of power. Some of the defense plants last year and even early in this year, were closed down because of a shortage of power. This additional power is desperately needed now. It will take from 6 to 8 years for any power to develop out of the Federal high Hells Canyon Dam.

LACK OF ELECTRIC POWER

What will those who favor the Federal dam say to the farmers when they lack power for pumping or for running their farms? What will they say to the laboring group when the factories are shut down because they lack sufficient power? Do they want to impose a shutdown on this industrial and farm growth making a delay of 6 to 8 years before Federal power could possibly come on the line? What will they say about the great tax loss? These are a few of the problems that the proponents of the high dam should answer. They should also tell the REA's and farmers under the Chapman-Strauss regime why long term contracts were let to private concerns at less than the cost of production with no preference or withdrawal clause for the power when needed by the REA.

Mr. Speaker, I have gone into considerable detail on the pros and cons of the development of power on the Snake River. In the past there has been much emotion in trying to solve the problem. I hope my colleagues will look at the facts in cold, hard logic. When that is done, there is little doubt but what they and the country will come to the conclusion that the three dams to be built by the Idaho Power Co. will best serve the interests of the Pacific Northwest.

Labor Answers Your Questions

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio dialog between Mr. A. J. Hayes, AFL–CIO vice president, and the Senator from Oregon [Mr. MORSE] and myself.

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

LABOR ANSWERS YOUR QUESTIONS

(An AFL–CIO public service radio series, program No. 9, Labor's New Broom, No. 1. Guest, A. J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO vice president, and president of the International Association of Machinists. Panel, Senator PAUL DOUGLAS, of Illinois; Senator WAYNE MORSE, of Oregon. Moderator, Harry W. Flannery. Running time, 13:30)

Mr. FLANNERY. Labor answers your questions.

Labor is front-page news these days because of racketeering within the ranks of labor. People are asking questions. They want to know whether the Congressional investigations help to clean out the racketeers. They want to know whether many labor officials are among the offenders. They want to know what labor itself is doing about it.

In this program, labor answers your questions. Here to discuss the situation is the chairman of the AFL–CIO ethical practices committee and two Members of the United States Senate who have been active in Congressional investigation procedures. The chairman of the AFL–CIO Ethical Practices Committee is Al J. Hayes, who is also an AFL–CIO vice president and the president of the International Association of Machinists. The Senators are PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon.

The broadcast comes from the office of Senator DOUGLAS in the Senate Office Building here in Washington.

Mr. Hayes, will you begin by saying whether Congressional investigations are helpful or not helpful in carrying out the AFL–CIO Ethical Practices Codes.

Mr. HAYES. Well, of course, Mr. Flannery, in connection with Congressional investigations, organized labor is for democracy and we are, therefore, for Congressional investigations.

And we are no more opposed to Congressional investigations in connection with the affairs of labor unions than we are in connection with any other matters that Congress should properly investigate. With regard to the investigation of practices in the labor movement, we feel that the investigations thus far have been of material assistance to us. We're convinced that even the ethical practices committee and the AFL–CIO council could not have brought out all of the things that have been disclosed so far by the Douglas committee and by the McClellan committee.

I say that with some reservations, however, where we are opposed to inquisitions. We are opposed to investigations that are not objective, that are conducted for the purpose of punitive legislation.

Mr. FLANNERY. Senator Douglas?

Senator DOUGLAS. Well, I'm very glad to have Mr. Hayes say this because a Congressional committee has two powers that a voluntary organization cannot have, namely, it has the power of subpena, and it has the power to put witnesses under oath; these are great advantages. We found them to be very helpful in our investigation of health and welfare funds.

I do want to say, however, that any Congressional committee should be very careful of the rights of individuals whom they summon before them or who are reflected upon. We followed the practice of sifting all evidence in executive hearings before they were brought out in public so that there would not be indiscriminate name dropping and indiscriminate smearing.

Secondly, if we found that someone was going to be adversely reflected upon by the testimony of another witness, we notified him in advance that this was going to happen, and gave him a cordial invitation to appear with the right of making a statement immediately following any adverse reflection upon him. All witnesses were given the right of counsel. And counsel were permitted not merely to advise the witnesses, but also to make statements in their own behalf.

We've tried to make it possible for witnesses who might be put on the spot to get their story across to the public at the same time that our questioning got across to the public, so that both sides would have the right of equal access to public opinion.

Mr. FLANNERY. Senator Morse, I think you've been rather active in connection with procedures of these committees?

Senator MORSE. Yes; I have, but before I discuss that point I want to say something personally to Al Hayes on this program. I want to say that Al, you and George Meany and the other officials of your great labor organization, have performed some great acts of labor statesmanship in recent weeks in connection with the house cleaning that you are carrying on within the ranks of labor.

Senator DOUGLAS, Wayne, I want to join in that and say that it is one of the most encouraging developments in American life, and I only wish that other groups would evidence the same desire for the good name of their organizations and their professions that the AFL–CIO has done.

Senator MORSE. I know you share that view, Paul, but I have said so many times on the floor of the Senate and elsewhere in America—that the democratic processes of the American labor movement will take care of the racketeering and the communism and the crooks within the labor field—but that we, the Congress, have the duty to help strengthen your arm. And that's why I think these Congressional hearings are so important. I'm glad to have you, Al, go on this program and say to the American people that labor welcomes these Congressional investigations. I knew that was your position, but I agree with Paul and I agree with you they should be conducted with fair procedure.

Now I want to make this point very quickly: For 10 years I have been urging some reforms in procedures of Congressional investigations, along the line of procedures that PAUL DOUGLAS in his investigation work has voluntarily applied. But I think that they ought to be required as a matter of Senate rules.

And here they are very quickly:

Whenever a Senate committee brings a charge against any person that involves an allegation of crime, then, I think, certain basic procedural guaranties should automatically attach themselves to that hearing:

1 (as Paul indicated). The right to be represented by counsel.

2. The right to have a bill of particulars, or in other words, an indictment; that somebody not be hailed before a Senate committee for example and not know what he's in there for until he gets in the committee room.

3. The right to put on your case in your defense in an orderly way with the assistance of counsel, and not be interrupted by a Senator when he sees he doesn't like the answer he's getting, and stop you in the middle of a sentence and not even let you complete your sentence. He should have the right to put on—as we lawyers say—a case in brief in an orderly fashion. And

4. The right to be confronted by your accusers and cross-examine them.

Now that's been my criticisms of Congressional committee hearings and investigations when charges of crime have been involved. And I'm going to continue to fight for that kind of reform.

Now having said that, I want to say that at the beginning of the McClellan committee hearings I said let's have a thorough going investigation of corruption in American unionism, and let the chips fall where they may, but let me quickly add I also pointed out when you get into any of these charges, whether its racketeering or bribery or any of the others, you've got to have two people for racketeering and bribery; you've got to have an employer on one side of the deal, and a crooked labor leader on the other side of the deal. And I've been urging an equal investigation of the collusive activities of crooked employers along with crooked labor leaders.

Mr. FLANNERY. Mr. Hayes?

Mr. HAYES. Well, Senators, first of all let me express my appreciation for the nice things that you have said about the federation and some of us in the federation; we certainly appreciate that. But I think that I ought to add that while we are the first to admit hat we need the aid and assistance of investigating committees in order to ferret out the things that are wrong in the trade-union movement, I don't think we ought to mislead the American public to believe that because of the disclosures thus far in the Douglas investigation and the Mc-

Clellan committee investigations, that the entire labor movement is corrupt.

Senator DOUGLAS. No; no.

Mr. HAYES. That is not true. The fact of the matter is that only a very, very small segment of some of the leadership in the trade-union movement is currupt. Unfortunately, the publicity that the disclosures have received thus far has misled many of the people and the public who have no other source of knowledge to believe that most of the trade-union movement is corrupt. And that isn't true. The publicity has not been balanced off with information from the other side of organized labor's ledger; organized labor has made a great contribution to our society.

Senator MORSE. But I would like to comment on something else that Al Hayes said earlier when you pointed out that only a small percentage of labor leaders are in the corrupt class, just as only a small percentage of employer representatives are. I have said so many times that 99 percent of labor leaders and employer representatives are dedicated men and women.

I want to say a word now to representatives of other groups listening to this program—if you are a lawyer, if you are a doctor, if you are a teacher, or farmer, businessman, consumer generally. I'd have you always remember that your standard of living that you enjoy today wouldn't be what it is if we hadn't had the great, free American labor movement through our history; because the right of free men and women to organize and bargain collectively for better wages, hours and working conditions, in my judgment, has been fundamental in the raising of America's standard of living to what it is today; because when you don't have that kind of organization, you have exploitation of the workers because of the frailty of human nature that creeps into employers. It's just to be expected and, therefore, in spite of all this castigation labor is getting these days, I am going to raise my voice again in warning the American people—watch out for an antilabor drive in this country because it is not against labor alone, it is against you no matter what economic group you belong to.

Mr. HAYES. I might comment in connection with the statement that I made, and that you just repeated, about not all labor being corrupt, that the American public probably doesn't know what these statistics are: There are 136 unions affiliated with the AFL–CIO, and those 136 national and international unions have 16,000 full-time paid officers. In addition to that, there are more than 60,000 officers of local unions, and of this number, that does not include some 500,000 shop committeemen and stewards and local representatives, but of this entire number in the Douglas committee hearings and the McClellan hearings thus far, testimony has been submitted to indicate that 13 may be guilty of some wrongdoing. I am sure that there are more than 13; but assuming there are more, the significance is that the 13 that have thus far had testimony presented against them which indicates they may be guilty, and the additional number that there may be, is still a very, very small percentage of the total number of representatives of the trade-union movement.

Senator MORSE. Oh, I was just going to talk with Paul on this program about the code of ethical practices Al Hayes has laid in front of us here this morning. I am going to put them in the CONGRESSIONAL RECORD today, but I wish every American citizen could read your own proposals, Al, for a code of ethical practices, because it is clear proof of what Paul and I have been saying: labor itself will do a great housecleaning job once these facts are brought to light.

Mr. FLANNERY. Thank you, gentlemen. Because of time, we shall have to continue this discussion in another program. We shall again present Al J. Hayes, president of the International Association of Machinists, vice president of the AFL–CIO, and chairman of the AFL–CIO ethical practices committee; and Senators Wayne Morse, of Oregon, and Paul Douglas, of Illinois. Next week, we will discuss the AFL–CIO ethical practices codes themselves. Copies of the AFL–CIO ethical practices codes, now six in number, will be mailed free to any interested listener. Just write "codes" together with your name and address on one side of a postal card and mail to AFL–CIO Radio, Washington, D. C. That's AFL–CIO Radio, Washington, D. C.

Remember, next week, Mr. Hayes and Senators Morse and Douglas discuss the AFL–CIO's "new broom"—the ethical practices codes.

This is Harry W. Flannery speaking for the American Federation of Labor and inviting you to be with us next week at this same time to continue this discussion on labor's "new broom" in the public service series, presented with the cooperation of this station, Labor Answers Your Questions.

Freedom of the Press

EXTENSION OF REMARKS
OF
HON. RALPH W. YARBOROUGH
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may have printed in the CONGRESSIONAL RECORD an address delivered by me to the Texas Press Association State Convention at San Antonio, Tex., on June 29, 1957.

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

FREEDOM OF THE PRESS

(Address by Senator RALPH YARBOROUGH, delivered to the Texas Press Association State convention at San Antonio, Tex., June 29, 1957)

Members of the fourth estate, fellow Texans, I am very pleased that you asked me to meet and talk with you here today. I want you to share that pleasure, so let me say, right here at the beginning, that I didn't use to be in the newspaper game, myself. This ought to give you relief, if not a pleasurable feeling. I understand from my friends in your profession that this makes me a rare specimen, if not a unique one.

I do plead guilty to having earned my first dollar turning an old Washington hand press on the Chandler Times for my old friend and your former president, R. T. Craig, of Athens. But your profession requires men of special training and I was never able to qualify as a newspaperman.

I've been in Washington less than 60 days but I've learned some new procedures and had some old truths reaffirmed. Among these old truths is the fact that Texas is fortunate in having a Speaker in the chair of the National House of Representatives. This Texas Speaker is no ordinary Speaker; he is longest in point of service of any of the Speakers who have graced that chair. In my opinion, Speaker SAM RAYBURN is the greatest Speaker of the House of Representatives in the entire history of this Nation. This is not merely the verdict of partisan politics. Impartial historians approve this verdict.

Historians have pronounced him the ablest legislator ever developed by the American legislative system. SAM RAYBURN is always on the side of the people. His service to Texas and the Nation would fill volumes and in time these volumes will be written by a grateful people.

And in the majority leader of the Senate, LYNDON JOHNSON, Texas has as able a parliamentary leader as has ever represented this State there. Energetic, astute, and resourceful, he seems to be everywhere in the Senate Chamber at the same time.

Texas is fortunate in having the leaders of both Houses of Congress from this State.

I am especially pleased to be here with you today, because you are meeting in San Antonio. This lovely city is to me, as it is to all Texans, a dear and special shrine. Here, we Texans lost a battle, but won the time to win freedom. From the ashes of the devoted dead of the Alamo, a new flame of liberty fired the hearts that won liberty for Texas.

Freedom is a curious commodity. It must be preserved over and over again—and in many ways. Won at an Alamo, a San Jacinto, a Yorktown on this day, it must be resaved at a Marne, an Iwo Jima, a Normandy beach, a 38th parallel on the next. And freedom must also be secured over again every day, in a thousand and one ways in a thousand and one places—mostly in ways far less spectacular than in battles and wars.

Now I do not believe that freedom for all is something distinct from freedom of the press. Rather, I believe that the ramparts of freedom are continuous, and that a breach anywhere is a threat to the whole citadel.

But I do believe, with Thomas Jefferson, who said, "our liberty depends on freedom of the press, and that cannot be limited without being lost," that the press has a special function in the defense of freedom that has to be exercised earlier and oftener than the average citizen is called upon to exercise his.

As I see it, the press' theater of war for the preservation of freedom is within the hearts and minds of the people. It is not the press' function to fight the conventional battles and wars, though it does much to assure victory in them. Rather, the press' function becomes supercritical—to use an adjective of the bombmakers of the atomic age—precisely at the moment when the artillery falls silent, the cruisers slip in to their moorings and the bombers come in to their landing places.

Because this is true, freedom of the press is always under attack. Those who would take away all our freedoms have read Jefferson, too; they, also, have learned that the place to begin to destroy our freedom is by seeking to limit freedom of the press. Our history is studded with examples:

You are all familiar with the martyrdom of John Peter Zenger. You know that it was not until 1721, when James Franklin successfully launched the independent Hartford Courant, that a newspaper could be printed without being licensed by the Government and carrying on its masthead the words: "Published by authority."

You know that in 1798 the Federalists in the Congress, angered by independent reporting of their activities, passed the Sedition Act, sending many a newsman to prison for the free exercise of his profession.

Yes, as newspaper men and women, you all know all of the historic attempts at limiting freedom of the press. But did you also know that on June 21, 1957—a week ago yesterday—a presidential commission recommended to the President and to the Congress, legislation which, in my opinion, is a dangerous to press freedom as the Sedition Act?

Buried in the 800-page report of the President's Commission on Government Security—the Wright Commission—is this recommendation to Congress:

"That Congress enact legislation making it a crime for any person willfully to disclose without proper authorization, for any purpose whatsoever, information classified 'secret,' 'top secret,' knowing, or having reasonable grounds to believe, such information to have been so classified."

The proposed bill would make disclosure a felony punishable by up to 5 years in prison and by a fine up to $10,000. These penalties would apply to any person disclosing information—the bill does not specifically mention writers or editors or publishers—even though his intentions are to help, rather than to harm, his country.

The only test under the proposed bill is whether the disclosed document had been classified by a Government official.

Why did the Commission recommend this bill? There already are laws under which newspapers can be prosecuted for knowingly publishing information harmful to the Nation. The test of these existing laws is whether there is intent to do harm to the country, not whether a bureaucrat somewhere has decided a document should be classified.

In my opinion, the proposed bill is an extension of a dangerous threat to freedom of the press contained in a letter written on May 17, 1954 by President Eisenhower to Defense Secretary Charles Wilson.

This letter, which I thought the press never protested strongly enough, was written during the Army-McCarthy hearings. Its aim was to prevent Army Counsel John Adams from testifying as to conversations with Deputy Attorney General William P. Rogers and Assistant to the President Sherman Adams.

The letter was couched in very broad terms and talked of the rights of the executive branch of our Government to keep certain things confidential. This was the place where danger to the press lurked. Almost immediately after the letter was written, executive department agency heads in our Federal Government began applying the precedent set by the letter.

Budget Director Rowland Hughes, using the precedent, refused to allow witnesses to be questioned and certain papers to be produced in connection with handling of the now-famed Dixon-Yates contract. Hughes, citing the letter, said records and conversations involved in reaching decisions within his department were confidential.

Logically extended, the Eisenhower-Wilson letter gave to the head of every executive agency, and those acting for him, a precedent for making confidential anything they pleased to cover up.

Here was a parasol under which Government heads could stand any time an information seeking reporter or, for that matter, a congressional investigating committee, asked him questions.

Many times since the letter was written, reporters and congressional investigators have heard this phrase: "We consider that information to be confidential under the President's May 17, 1954, letter to Defense Secretary Wilson." Bureaucrats using this phrase and its variations have not pleaded that the Nation's security is involved or that information-seekers were after loyalty files, or diplomatic papers or so-called raw investigative files. They simply and arbitrarily said: "Confidential."

This has caused a slowdown in the ability of the Congress to secure information pertinent to its necessary investigations. And gentlemen, I believe you must face the fact that when the power of the Congress to investigate is limited, so is the power of the press to get answers to the questions it asks.

No question of the intent of President Eisenhower is involved here. He stated that the letter he wrote to Wilson would not be used to cover up improper acts. But what about our next President and the next and the next?

No all-out fight was made by either the press or the Congress to outlaw the precedent set in the Eisenhower-Wilson letter, although such a fight should have been made, on a purely nonpartisan, nonpolitical basis.

And now, we are faced with the recommendation of the Wright "Commission on Government Security" of June 21, 1957.

Let us assume that no fight is made against this proposal, either. Let's assume that it has long been the law of our land. What would have happened in the past few years, had such a law been on our statute books?

Here are but a few of the stories of critical national interest which you could never have printed:

The story of the late Bert Andrews, of the New York Herald Tribune, that President Franklin Roosevelt had agreed at Yalta to allow entrance of the Ukraine and Bylorussia to the United Nations. This story was published and no one has ever questioned but that its publication was in the Nation's best interests.

The series of stories by Paul Anderson of the St. Louis Post-Dispatch which led to the full disclosure of the infamous Teapot Dome scandals could not have been published, had this proposal been our law.

Arthur Krock of the New York Times in the early 1930's could not have printed stories informing this Nation that its Government intended to go off the gold standard and to initiate the NRA.

The New York Times in 1945 printed a series detailing the plans of the United States, the Soviet Union, Great Britain and France to form the United Nations. It could not have done so, had this new proposal been law.

I have already mentioned Dixon-Yates. Had the new proposal been law, the Dixon-Yates scandal would never have seen the light of day. And there are many, many others which I could cite. Had this recommendation been law, the tax writeoff granted Idaho Power Co. in the Hells Canyon cases would have been completely hidden from the public.

At this point, I should like to make it clear that I am not condemning the whole report of the Commission on Security. Many of its recommendations are admirable, notably a prosal that henceforth persons accused shall have the right to be confronted by their accusers.

But the proposal that would allow bureaucrats to cover their tracks—even their illegal acts—by the simple process of stamping "classified" on a document, cannot be condemned strongly enough. It is dangerous, not alone to the press, but to all of us because it strikes at the basic right of our citizens to know what their Government is doing. If enacted into law, it would form perfect protection for a series of Dixon-Yates and Idaho Power Co. deals—the sky would be the limit and the people, the press and our democratic way of life would be the losers.

This is a proposal that must be fought—and that fight must be led by men like yourselves. It is a primary duty of newspapers to seek always for access to information about our Government. The burden of proof should always be on the Government to prove why information should not be made public. The press should never be forced to prove why it is entitled to have information about the Government. If the press is ever forced into a position of having to prove its right to access to information, the press will be throttled—and so will the rest of us.

May I now for a moment look at the other side of the press coin, the face of the coin that is responsibility—responsibility to exercise freedom?

Often, to us outside your profession, it appears that editors and publishers in their zeal to defend press freedom often overlook abuses of that freedom.

From the outside, it seems that the mantle of press freedom has been stretched rather wide at times. But, happily, I think, most of the press is itself aware of these shortcomings. I remember reading a speech made by Henry Luce, publisher of Time-Life-Fortune. He said: "That freedom which we so uncritically demand is often nothing more than freedom to pander. If we pander to sensuality that is bad enough. But there may be an even greater danger in the fact that freedom of the press is also freedom to pander to ignorance, to pander to mediocrity, to pander to group passions and prejudices, to pander to hatred and meanness, to pander to all that is unlovely in a democracy."

I know that you, yourselves, are aware of the ease with which the trust that is freedom of the press can be abused. The selection of news to be included or omitted, the treatment of facts in a news story, the headlines given that story, the twist applied by the choice of descriptive adjectives or descriptive phrases—all these offer opportunities for distortion of the truth by the press.

Perhaps this distortion is not always a sin of commission. It may be the result of ignorance or simply of carelessness, but the result is the same. Sometimes it seems to us who must read as we run that the traditional slogan, "all the news that's fit to print" has been altered to "all the news that fits."

I said at the beginning of this talk that I believed the place where the press must fight for the liberty of all of us is within the hearts and minds of the people. I wish to repeat this here, because I do not think that this nation will perish when it loses its fleets and its armies, but only when it loses its certainty that its high mission and destiny is linked with freedom and liberty—the freedom and liberty for which Travis and Bowie and their little band died not so very far from this spot. If we lose that certainty, that is the moment when we shall surrender, not to Russian or Chinese invaders, but to self-destructive panic.

To buttress this Nation against this danger is the noble call of the journalist, the lawyer, the statesman, the industrialists, the theologian, the educator—all of us—doctor, lawyer, merchant, chief.

There is no single repository of the people's liberties; these liberties are not dependent upon one class or one occupation, but upon a general climate of opinion, what the late Justice Holmes called: "a brooding omnipresence in the sky" which is everywhere and nowhere. These liberties are wrapped up in the beliefs and hopes of all of us, sometimes vague and shapeless, sometimes clearly understood, always called forth when, in Lincoln's words, "the mystic chords of memory" call them forth, and appeal to our better natures.

You here are the opinion-makers and therefore must act always when freedom and liberty is in peril—and not just your freedom and liberty.

The press and the people will be free together or they will be enslaved and destroyed together, for liberty like ours is indivisible. Texas is a land of outspoken men, typified in the press by men like H. M. Baggerly, Elton Miller, Ernest Joinex, and Archer Fullingham. I do not believe the Texas press will see this muzzle clamped over its sources of news without protest. Yours is the opportunity to strike new blows for liberty in this generation.

Address by Hon. Chapman Revercomb, of West Virginia, Before State Convention, Veterans of Foreign Wars, Clarksburg, W. Va.

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address delivered by me before the State convention of the Veterans of Foreign Wars at Clarksburg, W. Va., on June 21, 1957.

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

ADDRESS BY SENATOR REVERCOMB BEFORE STATE CONVENTION OF THE VETERANS OF FOREIGN WARS, AT CLARKSBURG, W. VA., JUNE 21, 1957

I consider it a distinct honor to be invited to meet with you on the occasion of your 35th convention. The Veterans of Foreign Wars has a long and distinguished record of supporting those American principles we all hold high. I congratulate you on the significant part you have played in public affairs. I applaud your labors for improvements to your communities, your State, and your Nation.

I speak to you today on a subject which I consider of primary importance—America's security in the nuclear age.

There is no question in my mind but that the Nation's security is still the No. 1 problem facing the Government at this time. I need not remind this audience of the grave responsibility that rests upon the United States for I know of no group of American citizens more deeply conscious of the need for strong defenses than those who are assembled here. That responsibility is thrust upon America because of our high concern for the preservation of the kind of life which has been our heritage and which you yourselves have defended so valiantly.

The one question uppermost in our minds today is: How can we best assure security for ourselves and conditions that will lead to peace in the world?

Disarmament talks are much in the news and we all hope that something constructive will come from these discussions. The United States may well explore sound ways to slow down the world armaments build-up—but I say to you in all earnestness that any agreements to this end can be achieved only if all nations that may be arrayed against each other willingly and sincerely agree to limitations. Moreover, any such agreements must carry assurance of a foolproof inspection.

I feel that such ironclad safeguards are imperative for our own security. We cannot afford to rob ourselves of the power to deter aggression so long as there exists in the world the present danger of destruction by an enemy.

Much is being made today of the danger of radiation fallout from nuclear explosions. It is generally conceded, however, that explosions up to this time have resulted in little danger. I think the scientists are warning us of what may happen if there are too many of these explosions. If such explosions occur to a point where the atmosphere would be saturated with fallout, unquestionably there would be terrible danger, maybe destruction, to the human race. This we must prevent.

At the same time, we must consider the danger of annihilation by an enemy using nuclear weapons. Suppose this country were to end all H-bomb tests. Could we have any assurance whatsoever that a country which has violated agreement after agreement in the past would abide by an atomic limitation treaty unless there be an ironclad system of international inspection?

We must seek every possible means of averting war—but to stop further H-bomb tests without assurance of controlled and inspected disarmament could well spell disaster.

I also call your attention to the proposal being advanced in some quarters that this country relax its present trade restrictions with Communist China. This proposal, to my mind, is a dangerous move and could have serious consequences in southeast Asia and the Far East.

The Chinese Communists have not shown the slightest sign of becoming peaceful. Therefore, to add to their war potential by enabling them to industrialize rapidly would not only be a breach of faith with friendly Asian countries which are resisting Communist domination, but it would also strengthen a country whose Government is unfriendly to us.

It is my conviction that our best assurance of preventing a catastrophic war in the years ahead lies in a strong defense force and real military alliances with friendly nations. If the United States took any other course, I fear we would see one friendly nation after another fall. And we know quite well that, left standing alone, this counry, with all its power, resources, and industrial potential, would have an exhausting experience to try to remain a free nation for long. This, I submit, is a harsh reality that must be faced, for we cannot close our eyes to the fact that this threat exists today.

Nearly every American is convinced, I believe, that the leaders of this country are dedicated to the task of achieving conditions in the world that will lead to peace. In his second inaugural address, President Eisenhower said it is our firm purpose to build a peace with justice in a world where moral law prevails. I quote his words:

"The building of such a peace is a bold and solemn purpose. To proclaim it is easy; to serve it will be hard, and to attain it we must be aware of its full meaning and be ready to pay its full price."

The price we are paying for today's peace is high. More than 60 percent of the Federal budget is for our protection. But the price of war is many times higher. Not only in dollars but in a far more priceless possession—the lives of Americans. I say to you in all sincerity that we must not lessen our efforts at a time when the Western World is growing stronger and the danger of war seems to be receding.

Our defense dollars, let us remember, are being spent not only for our present protection but for insurance for the future. We must think of them as buying time—time to work toward easing the international tensions, time to establish a more certain and secure peace. But as long as there is loose in the world a country or a power that would destroy us we must remain geared to meet it with force if need be. If we falter at that point, or lessen our efforts, we run a grave risk of losing everything we hold dear.

Therefore, in the interest of our own security and self-preservation, we must continue military alliances with friendly nations. We should, I believe, out of necessity, continue military aid to our allies but the time has come when economic aid must be placed on a loan basis.

It is heartening to me—and I know it must be satisfying to you—to know that the new Mutual Security Act passed by the Senate provides for a development loan fund for development assistance to those friendly nations in need of economic help.

I have urged time and time again that economic aid, when necessary to other lands, be in the form of sound business loans—and it must come as heartening news to Americans throughout the length and breadth of this land to know that at last Congress is recognizing the fact that while we want security, we also have a regard for our own people, their property, and their money.

Direct military aid to allies will continue, but loans to friendly nations requiring economic development aid is far better than grants, handouts, or giveaways. This is far better for the American people, and it is far better for the people receiving such assistance. There is still contained in the bill direct gifts in some instances—but a new and wholesome step has at last been taken—and I hope to see soon all economic help abroad upon a secure and sound basis as we now provide for development operations in the present bill.

There is increasing evidence, that together with our present allies, we are growing stronger all the time and may soon reach the point where would-be aggressors will not dare risk war.

This is the whole aim of our foreign policy. As to defense measures, I believe it to be a sound one. It has kept this country out of a shooting war for more than 4 years, it has undoubtedly kept some of our allies from falling to communism.

And as the anti-Communist alliance grows stronger, as the danger of war recedes, we all look forward to the time when the billions we are now spending for defense can be diverted to internal improvements in our own country, or turned back to the people in the form of tax relief.

I am convinced, however, that the best way to avert war during this fateful era of uncertain peace is to maintain strong defenses and firm military alliances until international tensions have eased and the threat of aggression has diminished. Any other course could well lead to our downfall.

Together, we continue to stand for a strong country, where a free people may be secure and left alone to make their way and make their contributions to mankind's betterment.

The Administration's Civil Rights Program

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. KUCHEL. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a letter to me from the Attorney General dated May 31, 1957, relating to the proposed civil-rights legislation.

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

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 31, 1957.

HON. THOMAS H. KUCHEL,
United States Senate,
Washington, D. C.

DEAR SENATOR: Thank you for the letter of May 15 signed by you and Senator CASE requesting the comments of the Department of Justice relative to the minority report filed

by Senators ERVIN and JOHNSTON in opposition to S. 83 (the administration's civil-rights program) and particularly to their discussion of their jury trial amendment. In addition to the comments which follow, may I particularly call to your attention the statement of the American Civil Liberties Union opposing such an amendment to require jury trial in contempt proceedings arising under the proposed civil-rights legislation. This statement was reprinted in the CONGRESSIONAL RECORD for May 22, 1957, at pages 7369–7371.

The proposed legislation seeks merely to apply long-established civil procedures for enforcing Federal laws to civil-rights cases where experience has shown the need for civil remedies. In urging Congress to authorize the Government to institute civil suits for preventive relief in civil-rights cases we are requesting the right to use procedures long available to the Government as a means of enforcing other types of Federal laws. Ever since the adoption of the Sherman Act in 1890 the Department of Justice has been empowered to institute proceedings in equity to prevent and restrain civil violations of the antitrust laws, as well as to bring criminal prosecutions. The Department of Labor uses the injunctive process as a means of enforcing the Fair Labor Standards Act. The Interstate Commerce Commission, the Civil Aeronautics Board, the Securities and Exchange Commission, the National Labor Relations Board, the Atomic Energy Commission, and other Government agencies have similar authority to use civil remedies in addition to criminal prosecutions. In none of these fields are jury trials required in contempt cases.

There are valid reasons for the ever-increasing use of civil suits for preventive relief as a means of enforcing Federal law. Judicial determination of the validity of a course of conduct in advance aids the Government in its primary purpose of preventing violation of law. It also aids the defendant since he can litigate the legality of his proposed conduct without the necessity of taking action at the risk of a criminal conviction if he guesses incorrectly.

All of these reasons exist in the civil rights field, particularly in connection with the protection of the right to vote. The primary interest of the Government is in making it possible for all citizens to vote without discrimination based upon race, creed, or color, not in punishing local officials for denying such rights. Often it is not clear whether the particular conduct of a registrar of voters, for example, does constitute a violation of Federal law. Under present law the Government can only wait until the harm has been done—the rights to vote denied—and then proceed with a criminal prosecution as a means of testing the validity of the registrar's action. The registrar himself is often caught between community pressures to discriminate and the fear of Federal criminal prosecution with no way to resolve the issue in advance. With civil remedies authorized, the Government will often be able to obtain a judicial ruling in advance of the election which will determine the legality of the proposed conduct of the registrar, removing from him the necessity of risking criminal prosecution and effectively protecting the constitutionally guaranteed right of citizens to vote without discrimination based on race, creed, or color.

Suits for preventive relief under the proposed legislation will be governed by the traditional rules of procedure which have always applied to such suits. The Government seeks no new or radical procedures to govern in junction suits in civil rights cases. Under the proposed legislation the rules of procedure which have traditionally governed equitable suits in the Federal courts would apply in the same manner and to the same extent that they now apply to other suits by the Government for preventive relief. The defendant in an injunction suit in a civil rights case will have the same rights that the defendant now enjoys in a similar suit under the antitrust laws, the Fair Labor Standards Act, or any other one of the Federal laws mentioned above.

These procedural protections are ample to protect all legitimate rights of the defendant. He gets a full hearing before the court on the question whether his conduct violates Federal law and hence should be enjoined. If he disagrees with the determination of the court, he may appeal the ruling for full consideration by the appellate courts. In most cases this is the end of the matter. The defendant obeys the court order and the public interest in the enforcement of the Federal law has been vindicated. But if the defendant chooses to ignore or defy the court order he may be subjected to punishment for contempt of court. Again he is entitled to a full hearing before the court. He is presumed to be innocent, his guilt must be established beyond a reasonable doubt, and he cannot be compelled to testify against himself. If he is found guilty, he again may appeal. And an examination of the cases in recent years demonstrates that the appellate courts are alert to protect defendants against any possible unfairness in contempt proceedings.

It is true that wherever the Government is authorized to sue for preventive relief the defendant is not entitled to a jury trial in contempt proceedings. The Constitution of the United States recognizes the traditional differences between the procedures of courts of law and courts of equity and does not require jury trial in equitable proceedings. As long ago as 1890 the Supreme Court of the United States said: "It has always been one of the attributes—one of the powers necessarily incident to a court of justice—that it should have this power (the contempt power) of vindicating its dignity, of enforcing its orders, of protecting itself from insult, without the necessity of calling upon a jury to assist it in the exercise of this power." In 1914 Congress passed a statute (now 18 U. S. C. 3691) extending the right to jury trial in criminal contempt cases where the acts constituting the contempt also constitute criminal offenses under Federal or local law. This statute expressly excepted contempts arising out of disobedience to court orders entered in suits brought in the name of the United States. Since criminal contempt proceedings are not often sought in private litigation (the Clinton, Tenn., case is one of the few instances of its use), this statute has had little impact upon the enforcement of Federal court orders. In 1932 in the Norris-La Guardia Act, Congress, after removing almost all of the jurisdiction of the Federal courts to issue injunctions in labor dispute cases, provided for jury trial in contempt proceedings arising under the act. It was only with the enactment of the Taft-Hartley Act in 1947 that the Government was given jurisdiction to seek injunctions in any substantial number of labor dispute cases and that act expressly provided that the jury trial requirement of the Norris-La Guardia Act should not apply to it. Hence it is probable that the statute which appears to grant jury trial in contempt proceedings for violation of injunctions issued in labor dispute cases (18 U. S. C. 3692) has no application to injunction suits brought by the Government under Taft-Hartley, which are, for all practical purposes, the only type of injunction suits (private or governmental) in labor dispute cases over which the Federal courts have jurisdiction. (See *United States* v. *United Mine Workers of America*, 330 U. S. 258.)

With reference to jury trial, then, the procedure under the proposed legislation would be the same as that which has always governed suits by the Government for preventive relief. This procedure appears at the present time to be effective and satisfactory. I am aware neither of abuse nor of serious complaint of abuse by the Federal courts in contempt proceedings instituted for the purpose of enforcing injunctions issued in governmental litigation. I foresee no reason why this procedure should not be equally satisfactory in civil rights cases.

Enactment of legislation providing for jury trial in contempt cases arising out of governmental litigation would undermine the authority of the Federal courts by seriously weakening their power to enforce their lawful orders. The effect of adopting current proposals for jury trial would be to weaken and undermine the authority of the Federal courts by making their every order, even when issued after due hearing and affirmed on appeal, reviewable by a local jury. Referring to proposals similar to those now advanced, President (and later Chief Justice) Taft said in 1908: "The administration of justice lies at the foundation of government. The maintenance of the authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders."

Furthermore, the proposed amendment to existing procedures that is being advocated under the innocuous slogan of "jury trial" would permit practical nullification of the effectiveness of the proposed civil rights legislation. The enforcement of any court order may require prompt and vigorous action if it is to be effective. Prompt action will often be vital in civil rights cases, especially election cases where the registration period or the election may pass while enforcement is delayed. The injection of a jury trial between an order of a court enjoining discrimination against Negroes in an election and the enforcement of that order would provide numerous opportunities for delay beyond the time when the order could have practical effect.

I hope that the foregoing statement provides the information requested by you. If I can be of further assistance, do not hesitate to call upon me.

Sincerely,

HERBERT BROWNELL, Jr.,
Attorney General.

Disarmament and Relief of International Tensions

EXTENSION OF REMARKS
OF
HON. CLIFFORD P. CASE
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1957

Mr. CASE of New Jersey. Mr. President, it is important, at a time when the United States is engaged in disarmament negotiations, that we remain mindful of the pressing political problems which are yet to be resolved. In an address delivered to the Colgate University Conference on American Foreign Policy at Hamilton, N. Y., on July 1, 1957, the distinguished junior Senator from New York [Mr. JAVITS] ably pointed out this need. I ask unanimous consent that his remarks be printed in the CONGRESSIONAL RECORD.

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

ADDRESS BY SENATOR JAVITS BEFORE COLGATE UNIVERSITY CONFERENCE ON AMERICAN FOREIGN POLICY, HAMILTON, N. Y., JULY 1, 1957

The most important phase of foreign policy which dominates the world scene is disarmament and specifically the current London negotiations. The most striking development in these negotiations is that the United States is seemingly moving toward falling in with what has been the basic foreign policy position of the Soviet Union since at least the Geneva Conference in 1955—that disarmament had to precede political settlements.

Until January 1957, the United States had strongly maintained that political settlements had to precede or accompany disarmament. In fact, until January 1957 we had insisted that free elections to unite West and East Germany was the essential preliminary to any real disarmament arrangement. Since that time, however, congressional hearings on atomic fallout and the national debate on fallout dangers have made many, in and out of Government, believe that a public climate has been created requiring us to conclude disarmament agreement and to yield ground on what had been the key position of our international policy up to the beginning of this year.

No one can overstate the horrible consequences of a hydrogen bomb and atomic war. Hence, a disarmament agreement, even a "first step" agreement, dealing largely with atomic bomb tests and some inspection machinery, is worth considering to keep the masters in the Kremlin from being backed into an intolerable corner by pyramiding armament expenditure until they feel they can do nothing but launch an atomic war. If we do this, however, we need not and should not completely adopt the Russian thesis that disarmament must precede political settlements, but we should insist on some progress in political settlements, too. I believe that this is the most likely and capable of attainment through making, as part of the present disarmament negotiations, a proposal for strengthening the peace maintenance machinery of the U. N., and it is this which I recommend to our Government.

Accordingly, I urge that our Government in the disarmament negotiations for a first step agreement include as one of the conditions at least the strengthening of the peace enforcement machinery of the United Nations. In this respect, I suggest the following four items as worthy of inclusion and practicably attainable:

1. The establishment of a permanent United Nations peace force analogous to the UNEF now stationed in the Middle East with duties to implement the peace maintenance machinery of the United Nations.

2. To end the use of the veto in questions of membership, measures for the pacific settlement of disputes, and on the distinction between considering procedural and substantive questions.

3. To improve the jurisdiction of the International Court of Justice.

4. To improve the jurisdiction of the United Nations to consider threats to the peace arising from conflicts between nonself-governing or administered areas and the administering power.

Each of these items has an immediate and pressing applicability to world affairs. They could probably be accomplished substantially by interpretations agreed to to be placed on the charter rather than amendment.

It is well known that the tinderbox of the world right now is the Middle East. Establishing a permanent United Nations peace force will help to solve the problem of how long the United Nations emergency force will remain in being between Israel and Egypt in the effort to bring some stability and permanent cessation of fedayeen raids or other hostilities in that area. Removal of the veto for the pacific settlement of disputes may urgently be needed for example in the test of the Eisenhower doctrine for the Middle East which may come if Colonel Nasser uses his newly acquired Communist Russian submarines to disrupt peaceful commerce in the Gulf of Aqaba. It may also be very important if tension in Korea is brought nearer the boiling point by the recent decision to permit the Communists no longer to take advantage of us through the modern rearmament of their forces in North Korea. Improvement of the jurisdiction of the International Court of Justice can serve us very well in order to test out the validity and legality of the way in which Egypt controls traffic through the Suez Canal. Strengthening of United Nations jurisdiction in conflicts between administering powers and non-self-governing peoples or administered areas is especially important in the Algerian question which will actually arise again in the next session of the United Nations General Assembly, and again face the argument of the domestic jurisdiction section of the charter.

Here are practical, definitive, and effective as well as minimal actions to deal with the real causes for the armaments race, which should be made a part of even a first step disarmament agreement, if we are to be realistic and faithful to our own judgment as to the best interests of the Free World.

We should not be compromised out of our basic foreign policy convictions by domestic pressures with respect to the dangers of atomic fallout. Our people are adult enough to recognize that in a negotiation such as the one in which we are now engaged on disarmament, the attitude of an agreement at any price is fatal.

The major political issues in the world between the Soviet Union and the United States are the underlying cause of international tension and breed the basic mistrust as to the use of weapons. These are the issues poisoning the world scene. These issues include the division of Germany, Korea, and Vietnam maintained by the Soviet Union and Communist China respectively; the pressure on Japan and Formosa by the Communist bloc; the entry of the Soviet Union into the Mideast as the backer of an Arab hegemony under Communist domination being promoted by Egypt's Colonel Nasser; and the pressure of subversion upon existing governments in these and other areas of the world.

That the Russian thesis is that disarmament shall precede any effort at political settlement is clear from the test of the Soviet disarmament proposals introduced in the U. N. disarmament committee subcommittee as late as April 30, 1957. This document states, "The Charter of the U. N. places an obligation on states to resolve their international disputes by peaceful means and to refrain from the threat of force or the use of force in their international relations. Therefore, the existence of outstanding international issues or disputes cannot be imputed as a justification for the maintenance by states of large armed forces, or as a justification for the armaments race."

In the United States and the Free World generally focusing on disarmament while passing over the political issues may increase, not reduce, anxieties and fears. The best example is the impact upon the German Federal Republic already recorded of the current disarmament negotiations in the course of which Chancellor Adenauer's political opponents were charging German unification would be seriously prejudiced by the contemplated disarmament agreement.

On the other hand, a first step disarmament settlement agreement passing over political settlements could, within the U. S. S. R., relieve serious economic pressures attributable to rising armament expenditures, reduce the urgency for political settlements and make more acceptable to the Russian people the iron-fisted control and military occupation of satellites practiced by the occupants of the Kremlin.

We have a right to recall as an object lesson the widely heralded Washington Conference of 1922, which resulted in the scrapping by the United States of 28 capital and other ships, by Britain of 24, and by Japan of 16. In connection with this agreement, we pledged ourselves not to add to the existing fortifications on Guam, Tutuila, the Aleutians, and the Philippines. We surrendered our power to act in the Far East not only to preserve the "open door" and the territorial integrity of China, but to protect our own outlying possessions. We soon found out that it was the new air power which profoundly altered military strategy, that the naval race was transferred from capital ships to aircraft carriers, cruisers, destroyers, and submarines. In 1934, Japan denounced the treaty. We ended up with the loss of the Philippines, Guam, and Wake after Pearl Harbor, at least in part because of the way in which our defenses there had been let down.

Speech by Hon. Joseph P. O'Hara Before Minnesota State Bar Association, Duluth, Minn., June 20, 1957

EXTENSION OF REMARKS

OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1957

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

SPEECH BY HON. JOSEPH P. O'HARA BEFORE MINNESOTA STATE BAR ASSOCIATION, DULUTH, MINN., JUNE 20, 1957

Mr. Chairman, this has been a privilege and a pleasant incident to me to be invited to speak to you on a subject broad enough to permit all the freedom and latitude that could be hoped for by a speaker. For many years I have had a deep interest in and affection for and have been a member of the Minnesota State Bar and American Bar Associations. My greatest concern is that what I may say to you will be of as much pleasure and interest to you as your gracious invitation has been to me.

In the summer of 1940 I was honored by being elected vice president of this association. In the fall of 1940 I was elected a Member of Congress from the Second Congressional District. It is now 16 years since I was on my way back to attend the State bar convention at Duluth, when I was taken ill on the train and spent the following month in the hospital in Chicago. One of my deep personal regrets is that I, therefore, did not have the opportunity of the honor of being president of your great association.

Permit me to say that nine consecutive terms in Congress have in no manner diminished my first love, that of the law, and I have earnestly tried so far as possible to keep advised not only of the decisions of our State supreme court, but of the success and

activities of individual members of the bar and of our State bar association.

I used to think that I worked rather hard as a country lawyer, where the week usually consisted of no limit of hours and sometimes no limitation on days. I frankly confess to you that I did not know what hard work was until I went to Congress and found the demands on one's time exceeded the demands on a fairly busy country lawyer. In candor I say to you that I know of no harder working group of people anywhere than the Members of Congress. The demands and responsibilities upon them exceed anything that I know of in any walk of life.

You will often hear it said, "Why do not Members of the House initiate action to have their terms lengthened from 2 years to 4 years?" Permit me to say that if any attempt is ever made to attack the wisdom of our forefathers of keeping the House of Representatives responsive to the people, I hope that you will oppose such action. The longer I stay in Congress, the more I am impressed with the fact that the House of Representatives should at all times be the most responsive to the wishes of our people, and those who seek that office should every 2 years face their constituents and their constituency for election.

The demands made upon a Member of Congress are fantastic in their scope and number, and a Congressman who is asked to pull strings to keep his constituents happy sometimes pulls a bucket of cold water down on his head.

Not so long ago one of my colleagues had an experience similar to one which I have had. It seems that a prospective mother-in-law wrote him, saying that the Navy would not let a young man off his ship, anchored in San Diego Harbor, to marry her daughter. It appeared the prospective bride and prospective mother-in-law were waiting at the wharf for him to land and complete the nuptials. The Congressman promptly contacted the captain of the ship to find out why he was so vilely blighting romance. It wasn't long until he had a reply from the captain saying he had contacted the sailor but was told the sailor had not asked for leave. Shortly thereafter the Congressman had a note from the sailor himself, asking the Congressman why he did not mind his own business.

On Tuesday of this week the House of Representatives completed debate upon a bill commonly known as the civil-rights bill, recommended by the Attorney General of the United States and substantially reported by the House Judiciary Committee as recommended by the Attorney General.

Under existing Federal statutes existing civil rights consist of two parts. There is a criminal law by which a person for violation of civil rights may be indicted and tried by jury, and then there is the civil damage suit in a separate statute. Under that the person aggrieved may bring his suit under civil action and the trial is a trial by jury.

The new civil rights bill provides that the same acts as are now subject to civil suit by the person aggrieved may be also brought by the Attorney General in equity for special equitable relief, and further provides that the Attorney General where he under the present law must bring a criminal action, can now invoke equity jurisdiction. On the face of it this seems a rather harmless change in procedure from criminal to equity, but the net result of it was that it eliminated the right of trial by jury under either the civil or criminal provisions of the Federal statutes, and of course in the event of a violation of the criminal statute the defendant would be subject to the same penalties of fine and imprisonment without benefit of a trial by jury.

The long debate upon the bill was filled with both high and low points.

While there were those from the South who violently disagreed with the need for such legislation, the strongest fight was on the amendment to reinstate the jury trial proviso, which cut across party lines, and Runr mede, the Magna Carta and the background of our Anglo-Saxon law versus the right to vote equation was an interesting one. As most of you know, the final result was that the right to trial by jury was denied—which caused many who wanted to vote for the bill to vote against it.

The bill is a perfect example of what can happen to a very fundamental issue under stress of emotionalism and political expediency. Interestingly enough, of the 435 Members of the House, 235 are qualified as lawyers, who are either practicing attorneys now or were practicing attorneys before entering Congress.

I hope the alleged title to my speech will be no presumptuous reflection upon the State of the Union message which the President delivers to the Congress, in which he conveys his views as to world affairs, national affairs, and his recommendations generally for legislation. Recognizing that you are as interested as other citizens in the general conditions of our country, I could perhaps make a very general summation of affairs, but all of which you are perhaps generally as familiar with as am I.

During the time I have been in Congress I have noted that from time to time we have passed legislation setting aside decisions of our Supreme Court. Also, from time to time I have noted that our United States Supreme Court has reversed itself in whole or in part.

1. The effects of *United States* v. *South Eastern Underwriters Association* ((1944) 322 U. S. 533) which held that insurance was subject to Federal control under the commerce clause were for all intents and purposes, abrogated by the McCarran Act of March 9, 1945 (59 Stat. 33), as amended by the act of July 25, 1947 (61 Stat. 448). This act recognizing that the regulation and taxation of insurance by the States are in the public interests subjected such business to State law and provided that after June 30, 1948, the Sherman Act, as amended; the Clayton Act; the Federal Trade Commission Act, as amended; and the Robinson-Patman Antidiscrimination Act; should be applicable to the insurance business to the extent that it was not regulated by State law.

2. The case of *Dobson* v. *Commissioner* ((1943) 320 U. S. 489) which established the principle that no appellate court could reverse a holding of the Tax Court except for a clear-cut error of law was set aside by the act of June 25, 1948 (62 Stat. 991), which provided that the circuit courts of appeals should have exclusive jurisdiction to review Tax Court decisions in the same manner as decisions of the district courts in civil actions tried without a jury.

3. The rule of decision of *Anderson* v. *Mt. Clemens Pottery Co.* ((1946) 328 U. S. 680) holding that an employee was entitled to compensation for the time spent in punching time clocks and walking through the plant to his place of work regardless of contrary custom or contract, was set aside by Congress in the enactment of the Portal-to-Portal Pay Act of May 14, 1947 (61 Stat. 84), on the basis that the Fair Labor Standards Act of 1938, as amended, had been interpreted judicially in disregard of long-established customs and practices and of contracts between employers and employees. The decision was further circumscribed by the act of October 26, 1949 (63 Stat. 910), by amending section 3 of the Fair Labor Standards Act to exclude any time spent in changing clothes or washing at the beginning or ending of each workday, which was excluded from measured working time during the week involved by the express terms of a contract or under the custom or practice of the trade under a bona fide collective bargaining agreement, applicable to the particular employers and employees.

4. The case of the *United States* v. *State of Wyoming and the Ohio Oil Co.* ((1947) 331 U. S. 440) a suit by the United States to establish title to lands leased by Wyoming to the oil company which lands both Wyoming and the oil company in good faith had believed to be vested in Wyoming as a part of the State school land grants, was decided adversely to the State. The decision in effect divesting Wyoming of these school lands after she had exercised and assumed jurisdiction for almost 60 years upon the premise that Congress by the enabling act had granted the lands, was overruled by the act of July 2, 1948 (62 Stat. 1233), which was a directive to the Secretary of the Interior to issue a patent to the State of Wyoming, subject to existing leases, for such land with a proviso that such land should be considered to have vested in the State of Wyoming on July 10, 1890.

5. The case of *Wong Yang Sung* v. *McGrath* ((1950) 339 U. S. 33), which held that deportation proceedings were controlled by the Administrative Procedure Act was overruled in effect by a rider to the Department of Justice appropriations bill dated September 27, 1950 (64 Stat. 1040, 1048), which provided that proceedings on the law relating to the exclusion or expulsion of aliens shall hereafter be without regard to the provision of the Administrative Procedure Act.

6. The case of *Schwegmann* v. *Calvert Distillers Corp.* ((1951) 341 U. S. 384) which held that the exemption from the Sherman Act provided by the Miller-Tydings Act (57 Stat. 643) applied only to parties to contracts or agreements under State Fair Trade Acts for minimum prices for the resale of trademarked commodities and did not apply to resales by nonsigners, was in effect overruled by the McGuire Act, July 14, 1952 (66 Stat. 631) which provided that willfully and knowingly advertising for sale trademarked commodities covered by a Fair Trade Agreement contract at a price less than prescribed by such contract shall constitute actionable unfair competition whether the person is a party to the contract or not.

7. The decisions in the three cases of *United States* v. *California* ((1947) 332 U. S. 19), *United States* v. *Louisiana* ((1950) 339 U. S. 699), and *United States* v. *Texas* ((1950) 339 U. S. 707), upset titles to lands that had up to that time been considered vested in the respective States. Congress considering the long period of time and good faith administration of these lands by the States and the equities involved confirmed and established the titles of the States to these lands beneath navigable waters by the act of May 22, 1953 (67 Stat. 29).

8. The decision in *Federal Power Commission* v. *East Ohio Gas. Co.* ((1950) 338 U. S. 464), held that there was no language in the Natural Gas Act of June 21, 1938 (52 Stat. 821) which indicated that Congress meant to create an exception for companies transporting interstate gas in only one State. To make the intention of granting such exemption crystal clear, Congress, by act of March 27, 1954 (68 Stat. 36), added a new subsection to section 1 of the Natural Gas Act, which established exemption from regulation, of persons engaged in transportation in interstate commerce of natural gas, who receive from other persons within the State natural gas which is all ultimately consumed within the State, if there is a State commission regulating the rate of service and facilities of such person.

9. The holding of *United States* v. *Wunderlich* ((1951) 342 U. S. 98), that the finality clause of the standard form of Government contract controlled in the absence of fraud or such gross mistakes as would necessarily

imply bad faith was set aside by the act of May 11, 1954, (68 Stat. 81), by prohibiting the pleading of such a clause as a limitation on judicial review and by prohibiting Government contracts containing a provision that an administrative decision should be final on a question of law.

I call your attention to the fact that these 9 cases do not include the so-called Phillips case, wherein the Supreme Court held that Congress in passing the 1938 Natural Gas Act had intended to include the independent producers and gatherers of natural gas, notwithstanding that Congress in the Act itself and in the debate thereon had specifically said, in as clear and as plain language as could be stated, that it was not the intention of Congress to include the independent producers and gatherers of natural gas.

Twice Congress has passed through the Congress bills correcting this decision which have been vetoed respectively by Presidents Truman and Eisenhower.

B. Since 1941 there have been approximately 30 cases which have overruled previous decisions in whole or part. Fifteen cases covering points of general interest are set forth below.

For a list from 1789 through 1956, of such cases see CONGRESSIONAL RECORD, March 2, 1957, pages 2935–2936.

1. *United States* v. *Darby* ((1941) 312 U. S. 100), predicated upon the plenary power of Congress over interstate commerce, overruled the decision in *Hammer* v. *Dagenhart* ((1918) 247 U. S. 251), which had held that Congress was without power to exclude the products of child labor from interstate commerce on the basis that the Congressional power to prohibit articles entering interstate commerce was limited to articles which in themselves possess some harmful or deleterious properties.

2. *Nye* v. *United States* ((1941) 313 U. S. 33), overruled the "reasonable tendency" rule of *Toledo Newspaper Co.* v. *United States* ((1918) 247 U. S. 402), and returned to the thesis that the words "so near thereto" contained in the power granted the Federal courts to punish for contempt set forth in Sec. 268 of the Judicial Code have a geographical connotation.

3. *California* v. *Thompson* ((1941) 313 U. S. 109), grounded on the theory that in the absence of pertinent Congressional legislation there is constitutional power in the States to regulate commerce that does not affect the free flow of commerce, overruled *DiSanto* v. *Pennsylvania* ((1927) 273 U. S. 34), which had held that a Pennsylvania statute requiring other than railroad or steamship companies that engage in interstate sales of steamship tickets of orders of transportation to or from foreign countries to procure a license an infringement of the commerce clause.

4. *Olson* v. *Nebraska* ((1941) 313 U. S. 236), overruled *Ribnik* v. *McBride* ((1928) 277 U. S. 350), which had held that the business of an employment agent is not affected by a public interest so as to enable a State to fix the charges made for services rendered, on the ground that the standards of public interest in the Ribnik case were not controlling as to the constitutionality of the economic and social programs of the States.

5. *Alabama* v. *King & Boozer* ((1941) 314 U. S. 1), overruled *Panhandle Oil Co.* v. *Knox* ((1928) 277 U. S. 218), and *Graves* v. *Texas* ((1936) 298 U. S. 393), in so far as these cases had held that a State tax imposed on a person doing business with the Government is an economic burden which falls upon the Federal Government and therefore may not constitutionally be imposed.

6. *State Tax Commisioner* v. *Aldrion* ((1942) 316 U. S. 174), overruled *First National Bank* v *Maine* ((1932) 284 U. S. 312), which had read into the 14th amendment a rule of immunity from taxation of intangibles by more than one State, by holding that the power of the tax is an incident of sovereignty and is coextensive with that to which it is incident.

7. *Williams* v. *North Carolina* ((1942) 317 U. S. 287), holding that the full faith and credit clause of the Federal Constitution requires extraterritorial recognition of the validity of a divorce decree obtained in accordance with the requirement of procedural due process in a State by a spouse who under the law of such State had acquired a bona fide domicile, overruled *Haddock* v. *Haddock* ((1906) 201 U. S. 562), which had held that the mere domicile in a State of one party to a marriage does not give the courts of that State jurisdiction to render a decree of divorce enforceable in all the other States by virtue of the full faith and credit clause of the Federal Constitution against a nonresident who did not appear and who was only constructively served with notice of the pendency of the action.

8. *Board of Education* v. *Barnette* ((1943) 319 U. S. 624), holding a West Virginia law requiring public school pupils to salute the flag of the United States while reciting the Pledge of Allegiance unconstitutional, overruled *Minerville School District* v. *Gobitis* ((1940) 310 U. S. 586), which had held that such a State law was constitutional.

9. *Mercoid Corp.* v. *Midcontinent Co.* ((1944) 320 U. S. 661), overruled *Leeds and Catlin Co.* v. *Victor Talking Machine Co.* ((No. 2) (1909) 213 U. S. 325), which had held that a person who had sold an unpatentable part of a combination patent for use in the assembled machine may be guilty of contributory infringement.

10. *Smith* v. *Allwright* ((1944) 321 U. S. 649), overruled *Grovey* v. *Townsend* ((1935) 295 U. S. 45), which had held that the denial of a vote in a primary was a mere refusal of membership to a person by a political party and therefore not unconstitutional.

11. *Girouard* v. *United States* ((1946) 328 U. S. 61), overruled *United States* v. *Schwimmer* ((1929) 279 U. S. 644), *United States* v. *McIntosh* ((1931) 283 U. S. 605), and *United States* v. *Bland* ((1931) 283 U. S. 630), which had established the general rule, that an alien who refuses to bear arms will not be admitted to citizenship.

12. *Commissioner* v. *Church* ((1949) 335 U. S. 632), overruled *May* v. *Heiner* ((1930) 281 U. S. 238), which had held that the corpus of a trust transfer need not be included in the settlor's estate, even though the settlor retained for himself a life income from the corpus.

13. *Oklahoma Tax Commission* v. *Texas Co.* ((1949) 336 U. S. 342), overruled *Choctaw and G. R. Co.* v. *Harrison* ((1914) 235 U. S. 292), *Indian Territorial Illuminating Oil Co.* v. *Oklahoma* ((1916) 240 U. S. 522), *Howard* v. *Gypsy Oil Co.* ((1918) 247 U. S. 503), *Large Oil* v. *Howard* ((1919) 248 U. S. 549), and *Oklahoma* v. *Barnsdall Corp.* ((1936) 296 U. S. 521), cases which had granted tax immunities or exemptions to persons doing business with the Government on the theory that taxation of such business was an interference with governmental functions.

14. *United States* v. *Rabinowitz* ((1950) 339 U. S. 56), holding that reasonableness under all the circumstances of a search is controlling of its legality, thus overruling *Trupiano* v. *United States* ((1948) 334 U. S. 669), which had held that the legality of a search depended upon the practicability of securing a warrant.

15. *Joseph Burstyn Inc.* v. *Wilson* ((1952) 343 U. S. 495), holding that motion pictures are within the aegis of the first amendment, overruled that part of the case of *Mutual Film Corp.* v. *Industrial Commission of Ohio* ((1915) 236 U. S. 230), which had held that the principles of free speech and press did not apply to motion pictures.

NOTE.—The newspapers of June 11, 1957, carried an account of the Supreme Court, upon rehearing of *Kinsella* v. *Krueger* ((1956) 351 U. S. 470) and *Reid* v. *Covert* ((1956) 351 U. S. 487), overruling its decisions that civilian military dependents with the Armed Forces outside the country might be held by military tribunals.

As one who has always entertained the deepest and highest respect for all of the courts of our land, I have always been most guarded and careful in my statements as to any court, including the United States Supreme Court.

I do not think that any supreme court—State or Federal—has any right to legislate in its decisions. Under our check and balance system of the legislative, the executive, and the judiciary, each has its responsibilities. Under the doctrine of stare decisis I do not see how you lawyers can now advise your clients, in matters of important decisions, as to what the decision of the United States Supreme Court is going to be upon any given proposition of law.

It is to be expected that under our form of government of check and balance that at times there will be a clash between the legislative and the executive, but in my lifetime I have never heard so much criticism between the legislative and the judiciary as in the last 20 years.

On Monday of this week a number of decisions were handed down by our United States Supreme Court. I hold in my hand newspaper reports of bitter criticism of several of these decisions and their interpretation of legislative act and the right of investigation by Congress.

The nine instances I have called to your attention, in which Congress has legislated to overcome Supreme Court decisions in the past 16 years, speak for themselves.

It is certainly my opinion that the Justices of our great United States Supreme Court should be judges learned in the law. If we are going to have a disposition on the part of those Justices from time to time to substitute their personal notions for the law, then we should provide that the Supreme Court should consist of nine sociologists in black robes to decide what is fitting in the way of legislation, as well as what should be their final notions as to the supreme law of the land.

I have also noted two additional disturbing decisions, the effects of which are so far reaching that I cannot envision what may follow.

The first of these was the so-called Pennsylvania sedition case wherein Steve Nelson, a Communist convicted under the sedition laws of the State of Pennsylvania was—so our United States Supreme Court held—illegally convicted because the Smith Sedition Act passed by Congress was alleged to have preempted the field of sedition and deprived the States of all jurisdiction in that field. This decision affected 32 States and nullified their laws on sedition.

The other case, also decided this spring by our Supreme Court, was the Girard College case. From your law student days, most of you here will remember the old Girard case as one of the early cases which went to the Supreme Court on the question of wills. As I recall, we usually had the ancient Girard case under "Wills and Trusts." The present Girard case—formally known as *Pennsylvania* v. *Board of City Trusts of Philadelphia*—involved the terms of the will of Stephen Girard, who died in 1831, leaving about $6 million for the education of "poor white orphan boys." The city of Philadelphia set up a body known as the board of city trusts to administer the fund, which currently amounts to nearly $100 million. The assumption has been that the job of the board of city trusts was to administer the fund as Girard decreed in his will, just as any trust company would be required to do if it had been given charge of the Girard bequest.

The Girard will has in recent years been under fire by Negro politicians who have made the point that the founder of the college had no right to make a will which provided for racial discrimination contrary to

the terms of the 14th amendment of which Stephen Girard never heard tell.

This argument got nowhere in Pennsylvania—at any rate in the State's law courts—for the Pennsylvania Supreme Court turned it down on what most people would describe as the reasonable ground that the late Mr. Girard had a right to will away his money as he chose, and that you couldn't safely go around upsetting wills simply because they didn't suit pressure groups which turned up a hundred years after the wills were made.

That seemed to settle it to the satisfaction of all except a group of ambitious politicians.

This group took the Girard case into the Federal courts and it is painful to record that the mayor of Philadelphia and the Governor of Pennsylvania, far from resisting the efforts to upset a will of which they were supposed to be trustees, actually joined the movement to set it aside.

The real question, of course, was and is—"If a trustee happens to be an official of a city or State, when he acts as a trustee is he acting as the agent of the maker of the trust or is he acting as the agent of the State?" When one considers that no public funds were involved in the Girard College case, but the entire $100 million now in the fund are private funds, it seems that the answer to the question should be obvious.

A few miles down the pike from Girard in Pennsylvania is little Haverford College, a 125-year-old Quaker school. Haverford has been wrestling with the problem of whether or not to accept a grant of Defense Department funds for research in organic chemistry. However, Haverford discriminates. It discriminates on the basis of sex and, to a degree, religion.

So the question is, If Haverford accepts Federal money for research, does the Government—on the theory of public interest similar to the Girard case—have the power to stop any discrimination in favor of male Quaker students?

Such well-known private schools as Harvard, Yale, Princeton, Dartmouth, Notre Dame, California Institute of Technology, Case Institute of Cleveland, and others are further examples of schools outside the Deep South which practice some degree of discrimination based on either sex or religion, and which are apt to have formal relationships with Government from time to time.

Are their scholastic and administrative policies subject to the 14th amendment?

Then there is Tuskegee Institute, founded in 1880 by that great Negro leader, Booker T. Washington, for Negroes, not to mention Hampton Institute, founded in 1868 by the American Missionary Society for Negroes and Indians.

There are hundreds of privately endowed colleges, universities, charitable organizations, and foundations which include public officials on their board of trustees, ex officio; many are wholly or partially exempt from taxation. Would not a home for aged and infirm Baptists ipso facto discriminate against aged and infirm Episcopalians, and on religious grounds to boot?

Here is another facet to the Girard ruling: Could it be extended to private institutions or services other than educational ones? Could it, for example, be extended to cases where the State licenses an essential service such as those provided by doctors, lawyers, pharmacists, architects, engineers, etc.?

Maybe this sounds remote. However, in a California lawsuit decided a few weeks ago, a Negro brought a suit against a Los Angeles dentist who had refused to treat him because of his race. The plaintiff had argued that the dentist, as a publicly licensed practitioner of an essential service, was prohibited by constitutional principles from refusing to accept him as a patient.

While the California court ruled for the dentist, it did so at least partly in deference to the traditional reluctance of the courts to interfere with the doctor-patient relationship.

The point is that the question has been raised and has actually gone to court. The argument has been made. In future cases of this kind, the apparent public interest doctrine of the Girard College case might be advanced in an effort to strengthen that argument.

I have no doubt that Girard College will welcome Negro boys since it is required to accept them. But when courts undertake to decide issues which ought to be decided by the people and their elected representatives, confusion and conflict are inevitable.

If it is necessary to imperil the whole institution of inheritance in order to accommodate perhaps two dozen Negro boys in a privately endowed school, why not let the State legislature do it? In such circumstances the citizens would at least have an opportunity to learn what the issue was. If they decided to go ahead with the wrecking anyway, nobody could say, as a good many people are beginning to say, that the threat to our institutions is less from the Communists than from a Supreme Court so dedicated to sociology as to be startlingly indifferent to constitutional tradition.

Under our Constitution, our forefathers most wisely provided in substance that, except as specifically provided, the powers of the sovereignty of the States were reserved to the States.

The question which I would like to leave with you is, "How far, and what is the purpose, of some of these decisions which would destroy the sovereignty of our States and set up in place of our historical system of divided sovereignty a monolithic omnipotent central government?"

Hitler said that his first 2 years in office were consumed in breaking down the power of the separate German States so that Germany could be governed effectively from Berlin to establish national socialism.

There is much justifiable concern that the original American constitutional system has been impaired in three ways:

1. By Executive usurpation of power.
2. By congressional abdication of power.
3. By decisions of the Supreme Court which alter the meaning of the Constitution.

Day before yesterday I was visiting with a former president of the American Bar Association. Of course I was proud to advise him that I was going to speak to the lawyers of Minnesota today. When I gave him a brief outline of what I was going to talk about, he said, "I hope you will tell the lawyers of Minnesota of my own concern over the trend of the decisions of our United States Supreme Court."

He said further, "I hope you will tell the lawyers of Minnesota that I am fearful of the weakness of lawyers in not standing up for what are important principles, not only of our Constitution but the matter of appointment of judges."

For example, he said, "I will say to a member of the bar 'are you in favor of so-and-so for a Federal judgeship?' The lawyers will say, 'Heavens no.' Then I will say, 'Well, come along with me and oppose the appointment.' The lawyer will usually say, 'Oh, I can't do that, I may have a case before him.' And the man gets the appointment."

It is trite to say that eternal vigilance is the price of liberty.

The right is one which rests with every citizen—it is not just the responsibility of Congress or the executive or the judiciary. It is as inherent in the individual and the collective membership of this bar association. If you are vacillating, indifferent, or without courage, then the greatest Republic in the history of the world will fall, not from its enemies without but from its enemies within.

SENATE

WEDNESDAY, JULY 3, 1957

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

O Lord God, who knowest the burdens we bear, the tasks we face, and the problems which confront us: Grant us, we pray, the royalty of inward content which comes only from uncompromising personal integrity and the calm composure which is the reward of doing always the things which please Thee. So let the spirit of joyous service dwell in our hearts, that we may carry about the infection of a good courage, meeting all life's tests with gallant-hearted devotion and dedication to the highest. As in Thy name we contend against the vile treacheries which today foul the earth and enslave Thy children, make us the kind of persons fit to be the defenders of the regal and precious things which ennoble life and crown it with glory. In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, July 2, 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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama); and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;